

Housing Element  
for the  
Town of Corte Madera  
2023-2031

Revised HCD Review Draft

~~April 26~~May 18, 2023

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Notes:

1. The Affirmatively Furthering Fair Housing analysis provided in Appendix C was prepared by Veronica Tam & Associates with funding provided to the County of Marin through a Regional Early Action Planning grant from the California Department of Housing and Community Development.

# 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 provides the long-term vision for the community and guides 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 to be updated every eight years and is subject to detailed statutory requirements and mandatory review by a State agency — HCD (California Department of Housing and Community Development). According to State law, the Housing Element must:



**Tam Ridge Residences**

— HCD (California 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 likely to be developed within the 8-year housing cycle to meet the local government’s fair share of regional housing needs at all income levels.
- Affirmatively further fair housing by promoting more diverse and racially integrated housing opportunities and by including meaningful actions to achieve such goals.
- 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 May 2015 and addresses the 6<sup>th</sup> cycle Housing Element planning period of 2023 - 2031.

## 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 0.67 square mile is protected marshland, leaving a net land 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. The Town currently has a population of 10,029 according to the California Department of Finance.

Housing affordability in Marin County and in the Bay Area 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. In the Bay Area, the high demand for housing pushes prices even higher. This mismatch in household incomes and housing costs has several implications: it becomes more difficult for employers to recruit and retain employees; new residents are pushed farther away from job centers where home prices are less expensive, leading to long traveling distances to work, higher greenhouse gas emissions from vehicles, and increasingly clogged highways; and many young families, longtime residents, their children, and other community members without high incomes relocate because they can no longer afford to live in the community.

The Town recognizes that it occupies the ancestral home of the Coast Miwok indigenous people. The Coast Miwok were displaced during Spanish colonization and the rise of missionaries, and were further excluded from their land during Mexican occupation and the ranching era. Today, there are few Native American people living in Corte Madera and Marin County.

Historical lending and zoning practices, including redlining and exclusionary covenants, have resulted in segregated living patterns in Marin and racially disparate housing outcomes. People of color have not benefited from the generational transfer of home equity and homes themselves, as some white people have, and rapidly escalating housing costs in more recent decades have made it extremely difficult for people of color to get a foothold in the housing market. Anti-development sentiment throughout Marin County has also restricted new housing development, helping maintain patterns of segregation. As a result, Marin is one of the most segregated counties in the Bay Area, with five of the ten most segregated Census tracts in the region.<sup>1</sup> Providing more housing and a variety of housing types at different affordability levels will help to diversify the Corte Madera community and result in more balanced and integrated living patterns throughout the Bay Area. It will also bring fresh perspectives, lived experiences, skills, and expertise to Corte Madera, ensuring that the community is well equipped to face future challenges and opportunities.

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<sup>1</sup> "Racial Segregation in the San Francisco Bay Area, Part 1," Othering & Belonging Institute, University of California, Berkeley, <https://belonging.berkeley.edu/racial-segregation-san-francisco-bay-area-part-1>

### 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. The 2023-2031 Housing Element has been drafted to be consistent with the rest of the General Plan, and relevant elements of the General Plan have been updated along with this Housing Element to ensure such consistency. When any Element of the General Plan is amended in the future, the Housing Element will be reviewed and amended, as necessary, to ensure consistency.

In 2011, the Governor signed Senate Bill (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.

### 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 20 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, including:

- 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."

Furthermore, the Housing Element must:

- (1) Identify adequate sites with appropriate zoning densities and infrastructure to meet the community's share of housing needs,
- (2) Assist in the development of adequate housing to meet housing needs for extremely low, very low, low, and moderate-income households,
- (3) Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to housing development,
- (4) Conserve and improve the condition of the existing affordable housing stock,
- (5) Promote and affirmatively further fair housing opportunities throughout the community for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act,
- (6) Preserve assisted housing developments for lower income households,
- (7) Incentivize and promote the creation of accessory dwelling units that can be offered at affordable rent, and
- (8) Include a diligent effort by the local government to achieve public participation by all economic segments of the community in the development of the housing element.

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 to HCD for review and comment. The first review period requires a maximum 90 days and must take place prior to adoption by the Corte Madera Town Council. Subsequent reviews may take up to 60 days. During these reviews, 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 may be necessary. The Town Council must consider HCD's comments prior to adoption of the Housing Element as part of the General Plan. After adoption, HCD will complete a final review of the element and issue written findings regarding compliance to the local jurisdiction.

## REGIONAL HOUSING NEEDS DETERMINATION (RHND)

For the eight-year time frame covered by this Housing Element Update, HCD has identified the region's housing need as 441,176 units. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels,

from very low-income households to market rate housing.<sup>2</sup> This calculation, known as the Regional Housing Needs Determination (RHND), is based on population projections produced by the California Department of Finance as well as adjustments that incorporate the region's existing housing need. The adjustments result from recent legislation requiring HCD to apply additional adjustment factors to the baseline growth projection from California Department of Finance to move the regions closer to healthy housing markets. To this end, adjustments focus on the region's vacancy rate, level of overcrowding, and the share of cost-burdened households and seek to bring the region more in line with comparable ones.<sup>3</sup> These new laws governing the methodology for how HCD calculates the RHND resulted in a significantly higher number of housing units for which the Bay Area must plan compared to previous RHNA cycles.

## REGIONAL HOUSING NEEDS ALLOCATION (RHNA)

A starting point for the Housing Element Update process for every California jurisdiction is the Regional Housing Needs Allocation or RHNA – the share of the RHND assigned to each jurisdiction by the Association of Bay Area Governments (ABAG). State Housing Element Law requires ABAG to develop a methodology that calculates the number of housing units assigned to each city and county and distributes each jurisdiction's housing unit allocation among four affordability levels. For this RHNA cycle, the RHND increased by 135%, from 187,990 to 441,776. For more information on the RHNA process this cycle, see ABAG's website: <https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation>

In January 2021, ABAG adopted a Draft RHNA Methodology, and in December 2021, the ABAG Executive Board adopted the [Final Regional Housing Needs Allocation \(RHNA\) Plan: San Francisco Bay Area, 2023-2031](#). For Corte Madera, the RHNA for this cycle is 725 units, approximately ten times the last cycle allocation of 72 units. The allocation that Corte Madera received from the Final RHNA Methodology, broken down by income category, is shown in Table 1. The Town estimates the projected need for units affordable to extremely low-income households to be 50% of the very low-income need, or 107 units.

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<sup>2</sup> HCD divides the RHND into the following four income categories:

Very Low-income: 0-50% of Area Median Income

Low-income: 50-80% of Area Median Income

Moderate-income: 80-120% of Area Median Income

Above Moderate-income: 120% or more of Area Median Income

<sup>3</sup> For more information on HCD's RHND calculation for the Bay Area, see this letter sent to ABAG from HCD on June 9, 2020: [https://www.hcd.ca.gov/community-development/housing-element/docs/abagrhna-final060920\(r\).pdf](https://www.hcd.ca.gov/community-development/housing-element/docs/abagrhna-final060920(r).pdf)



**Table 1: Regional Housing Needs Allocation, June 30, 2022, to December 31, 2030**

| Income Category                      | Corte Madera Units | Marin County Units | Bay Area Units | Corte Madera Percent | Marin County Percent | Bay Area Percent |
|--------------------------------------|--------------------|--------------------|----------------|----------------------|----------------------|------------------|
| Very Low Income (<50% of AMI)        | 213                | 4,171              | 114,442        | 29.4%                | 29.0%                | 25.9%            |
| Low Income (50%-80% of AMI)          | 123                | 2,400              | 65,892         | 17.0%                | 16.7%                | 14.9%            |
| Moderate Income (80%-120% of AMI)    | 108                | 2,182              | 72,712         | 14.9%                | 15.1%                | 16.5%            |
| Above Moderate Income (>120% of AMI) | 281                | 5,652              | 188,130        | 38.8%                | 39.2%                | 42.6%            |
| Total                                | 725                | 14,405             | 441,176        | 100.0%               | 100.0%               | 100.0%           |

Source: Association of Bay Area Governments

The Town may receive credit toward the RHNA for new units built, under construction or approved since June 30, 2022.

## 1.5 SOURCE OF HOUSING DATA

The main sources of housing and demographic data used to prepare the Housing Element were the U.S. Census and the 2019 American Community Survey (five-year estimates). The Census remains the most comprehensive and widely accepted source of information on demographic 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, household and housing units housing counts from the California State Department of Finance;
- Jobs data from the U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics files (2002-2018);
- Unemployment rates data from the California Employment Development Department;
- Household income and affordability data from the Comprehensive Housing Affordability Strategy (CHAS) prepared by HUD utilizing 2017 American Community Survey 5-year estimates; and
- Home value data from Zillow.

The housing needs analysis presented in Chapter 2 was prepared by the Association of Bay Area Governments/Metropolitan Transportation Commission staff and Baird + Driskell Community Planning.

## 1.6 PREPARATION OF THE HOUSING ELEMENT

The Housing Element must identify the Town's efforts to achieve a diverse community to generate input from all members of the community, including low-income persons and their representatives. 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)(9) of the Government Code, which states that the local government must make "a diligent effort...to achieve public participation of all economic segments in the development of the housing element...and describe this effort."

A dedicated housing webpage was created at the onset of the project, which was launched in September 2021 ([cortemaderahousing.org](http://cortemaderahousing.org)). The site was used throughout the update process to provide background information and resources, inform community members about workshops and meetings, solicit community input through online surveys and feedback forms, and provide access to draft documents, fact sheets, Q&A documents, meeting summaries, presentations, and meeting video recordings. The website was enabled with Google Translate to provide multilingual translation for all users. In addition, presentations, Q&A documents, and feedback forms were translated into Spanish to facilitate access for the Hispanic and Latinx community, which represents the largest group of people who speak limited or no English in Corte Madera and Marin County.

The Town's outreach began on September 29, 2021, with a town-wide mailer, produced in English and Spanish, delivered to every residence and business in Corte Madera announcing a series of workshops and encouraging community members to visit the website for further information.

Staff used a variety of methods to advertise the housing workshops, including:

- Mailing a two-sided postcard to every residence and business in Corte Madera;
- Hanging banners at three locations in Town ten days in advance of each workshop;
- Promoting the workshops on the readerboard in front of the community center;
- Publishing articles in the Town's weekly newsletter, which has a circulation of over 6,700 (subscribers include a significant percentage of the Town's approximate 10,200 population as well as interested citizens from nearby communities) and an open rate of 45-48%;
- Publishing articles in the school district's weekly newsletters;
- Promoting the workshops through Nextdoor posts, Facebook posts & Newsflash; and
- Sending emails to the interested parties list and community-based organizations (approximately 130 individuals).

The Town held seven public workshops, including a six-part Housing Element Workshop series, from October 2021 to March 2022. One of the primary goals of the workshop series

was to engage the community in a conversation that focused on identifying varying housing-related policy considerations and issues, and methodically developing Corte Madera's vision and planning framework for addressing regional and local housing needs and meeting the State-mandated RHNA. Most importantly, the workshop series and the public engagement efforts were designed to seek input from the Corte Madera community and create a regular forum to share ideas, raise questions and concerns, and provide feedback on the Town's housing goals, policies, and programs and selection of housing opportunity sites. Input provided by the community helped identify key issues and strategic directions to pursue in the Housing Element update.

Specific purposes of the community workshop were as follows:

*Community Workshop #1 – Introduction to the Housing Element.* Workshop #1 provided an overview of the workshop series and its goals, provided background information on the components of a Housing Element, and gathered questions and comments from participants about housing concerns, goals, and characteristics.

*Community Workshop #2 – Corte Madera Housing: Existing Conditions, Opportunities and Constraints.* Workshop #2 provided an overview of existing housing conditions in Corte Madera and gathered insight from a panel comprised of a local market-rate housing developer, an affordable housing developer, and representatives from the local school district, water district, and chamber of commerce.

*Community Workshop #3 – Potential Housing Development Sites in Corte Madera.* Workshop #3 kicked off discussion of potential housing opportunity sites and gathered information on how suitable each site was for new housing.

*Community Workshop #4 – Planning for 700+ Homes Part I.* Workshop #4 provided information on the Regional Housing Needs Allocation (RHNA), housing element law and HCD guidelines for site selection, and strategies to meet RHNA. Workshop participants discussed the sites presented in Workshop #3 and provided input on potential residential density ranges.

*Community Workshop #5 – Planning for 700+ Homes Part II.* Workshop #5 gathered additional feedback on the proposed housing opportunity sites and residential densities and addressed issues raised by community members at prior workshop densities, including traffic, sea level rise, and water availability.

*Town Council & Planning Commission Joint Meeting.* A joint workshop was held with the Corte Madera Town Council and Planning Commission as an opportunity for Councilmembers and Commissioners to provide comments, raise concerns, and/or express support for staff's recommended strategy to meet the Town's RHNA requirement for 725 housing units as part of the Housing Element Update.

*Community Workshop #6 – Next Steps: CEQA, Programs & Policies, Safety Element.* Workshop #6 provided an overview of the CEQA process, housing element programs and policies, and the required update of the Safety Element.

In addition to the workshop series, staff held several interactive pop-up events prior to the release of the draft element. In a diligent effort to maximize community participation, pop-ups were held during the day and evenings; weekdays, weekends, and holidays; and at various community gathering places such as shopping centers, parks, and recreational events. Town staff held nine pop-up events in the community as further described below.

- Farmer’s Market at the Town Center on January 5, 2022;
- Nugget Market on January 28, 2022;
- Farmer’s Market at the Town Center on April 27, 2022;
- Nugget Market on April 29, 2022;
- Big Band Dance at the Community Center on May 11, 2022;
- Fourth of July Festival at Town Park on July 4, 2022;
- Movie Night at the Town Park on July 22, 2022;
- Summer Concert at Menke Park on July 24, 2022; and
- Farmer’s Market at the Town Center on August 3, 2022.

The July 4<sup>th</sup> pop-up event was especially successful. Town staff and the consultant team spoke with over 125 people. Approximately 50 people participated in the Housing Element Spin-the-Wheel trivia game for a chance to win a gift certificate to a Corte Madera restaurant. A summary of the various pop-up events is included in Appendix A.

In order to gather additional input from underrepresented members of the community, the Town developed a Housing Needs Feedback Form in both English and Spanish and distributed hard copies at apartment complexes and local businesses. In addition to the outreach channels described above, a map and banner promoting the feedback form were posted at a vacant tenant space at the Town Center. The Town incentivized residents to complete the feedback form through periodic raffle drawings for \$50 gift certificates to Corte Madera restaurants. The Town received 176 completed feedback forms. A summary of the results is included in Appendix A.

The Town mailed a two-sided postcard to every residence and business in Corte Madera in early July announcing the release of the draft Housing Element and updated Safety Element. The postcard included information on how to submit comments on the draft Housing and Safety Elements and listed the upcoming community pop-up events.

Community engagement and outreach materials and documentation are provided in Appendix A. These include the following:

- Mailers (two)
- Flyers
- Banners, including map of banner locations & schedule
- Summary of stakeholder discussions
- Workshop Articles (Workshops #1-6). Articles posted through Town’s social media & weekly newsletter
- Workshop Meeting Summaries (Workshops #1-6)
- Community Feedback Form (Spring 2022) – English & Spanish
- Town Center – Housing Opportunity Sites Map & Banner
- Summary of feedback form results
- Housing website analytics (including website analytics of the 30-day public review period)
- Pop-up Event @ Town Center (January 5, 2022)
- Pop-up Event @ Nugget Market (January 28, 2022)
- Summary of the July Fourth pop-up event @ Town Park
- Summary of the pop-up events held in the spring & summer
- Opinion article in the local newspaper on Corte Madera’s community outreach efforts
- Articles in the local newspaper published during the 30-day comment period (two)

Each workshop was attended by approximately 25-40 people. All economic segments were represented. On average, approximately 3% of the participants were from extremely low-income households, 9% were very low income, 9% were low income, 15% were moderate income, and 65% were above moderate income.<sup>4</sup> On average 93% of participants identified as white and 13% identified as some other race or ethnicity (a respondent could choose multiple categories).

Finally, the Town conducted four focus groups with community members, which included a focus group meeting at the San Clemente Place apartments – a 100% affordable housing development in Corte Madera. In addition, three stakeholder interviews were conducted with organizations that serve underrepresented populations, including Fair Housing Advocates of Northern California, Legal Aid, and Canal Alliance. Town staff also provided presentations on the Housing Element to the Marin Sunrise Rotary Club and Corte Madera Women’s Club, where additional feedback was received.

Items identified in the community outreach effort that are addressed in the updated Housing Element through housing opportunity site selection and modified or new policies and/or programs are identified below. Items #10-17 were recommended by Fair Housing Advocates of Northern California, Legal Aid, and Canal Alliance.

1. Utilize commercial sites that can accommodate mixed use housing at higher residential densities. *Policy H-2.9 Mixed-Use Housing; Program H-2.9.a Mixed-Use Zone; Program H-2.9.b Mixed Use Development; selection of housing opportunity Sites 1-11.*
2. Look at underutilized sites with aging and/or functionally obsolete buildings for potential affordable housing sites. *Selection of housing opportunity Sites 1-11 and 30.*
3. Locate housing sites near public transportation and services. *Selection of housing opportunity Sites 1-11 and 30.*
4. Advance sustainability goals, e.g., encourage housing within walking distance of transit and major destinations, promote home offices and live-work spaces, and require green building standards and EV charging in new development. *Policy H-2.9 Mixed-Use Housing; Program H-2.9.a Mixed-Use Zone; Program H-2.9.b Mixed Use Development; Program H-3.7.a Tamalpais Drive Overcrossing; selection of housing opportunity Sites 1-11; actions in the Town’s Climate Action Plan (CAP 1-1 and CAP 2-5).*
5. Encourage the development of accessory dwelling 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. *Policy H-2.14 Accessory Dwelling Units; Program H-2.14.a Track and Evaluate Accessory Dwelling Unit Production; Program H-2.14.b Conduct Outreach and Education for Accessory Dwelling Unit Production; Housing Element section 3.5.*
6. Improve housing options for seniors, the disabled, and the workforce. *Program H-1.6.a Adaptable Units for the Disabled; Program H-1.6.b Visitability Ordinance;*

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<sup>4</sup> Household incomes identified in the survey were conservatively categorized assuming 1-person households and therefore are most likely underreporting the number of participants in the lower and moderate-income categories.

- Program H-1.6.c Residential Care Homes; Program H-1.7.a Incentives for Senior Housing Program H-2.1.a: Provide a Variety of Housing Types and Affordability; Program H-2.4.a Employee Housing; Program H-2.4.b Employee Housing Bonus Units; Program H-2.6.a Home Match Services; Program H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites; Program H-2.14.b Conduct Outreach and Education for Accessory Dwelling Unit Development.*
7. Ensure new development provides community amenities such as green spaces and recreational facilities. *Program H-1.8.a Family Housing Amenities*
  8. Evaluate future housing opportunities at Park Madera Center, Town Center, and Old Corte Madera Square. *Program H-2.8.a Actions for Old Corte Madera Square; Program H-2.8.b Park Madera Center; Program H-2.8.c Town Center.*
  9. Take meaningful actions to affirmatively furthering fair housing. *See Housing Element Section 5.4.*
  10. Ensure that affordable units are affirmatively marketed to communities of color. Utilize publications, venues, and community groups that serve Black and Hispanic communities. Market outside of Marin to encourage more balanced communities and integrated living patterns. *Program H-1.3.a Targeted Marketing and Program H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites.*
  11. Train Town staff on how to recognize and report fair housing complaints. Engage Fair Housing Advocates of Northern California to conduct a training session for Town staff. *Program H-1.2.c Fair Housing Staff Training.*
  12. Provide fair housing brochures published by Fair Housing Advocates of Northern California at Town Hall and distribute to housing developers and single-family property owners who are developing an ADU, JADU, or SB 9 unit. *Program H-2.14.b Conduct Outreach and Education for Accessory Dwelling Unit Development and Program H-4.1.a Community Outreach.*
  13. Provide fair housing information on the Town’s website and a link to Fair Housing Advocates of Northern California’s website. *Program H-4.1.a Community Outreach.*
  14. Include an article on fair housing in the Town’s newsletter with information on fair housing issues, landlord responsibilities, and resources to learn more and file complaints. *Program H-4.1.a Community Outreach.*
  15. Adopt a Fair Housing Month proclamation each year. *Program H-4.1.a Community Outreach.*
  16. Provide a fair housing training workshop to developers and property owners. Consider partnering with other jurisdictions and/or the County. *Program H-4.1.a Community Outreach.*
  17. Include programs for tenant protections, including rent stabilization, just cause for eviction, right to counsel, and right of first refusal. *Program H-3.2.b Tenant Protection Strategies.*

The proposed housing opportunity sites were selected to meet the Town’s RHNA and housing goals and were extensively vetted with the community. The identified sites required increasing the existing residential densities from a maximum of 15.1 units per acre at the majority of sites to maximums of 20-40 units per acre depending upon the site. Nine sites were identified through the workshop series as appropriate for multi-family housing. Surveys showed overall support for the housing sites, with 70-80% saying each site was suitable or somewhat suitable for higher density housing.

The Town received a comment letter during the Notice of Preparation (NOP) comment period requesting that two additional sites be added to the sites inventory. In June 2022, the Planning Commission and Town Council received an update and provided direction to staff regarding potential modifications to the housing opportunity sites for the Housing Element. Eleven sites were ultimately identified as appropriate for multi-family housing.

Other opportunities for community input included public meetings to discuss the housing opportunity sites and appropriate zoning densities with the Corte Madera Planning Commission and Town Council, review of the Draft Housing Element by the public, and public hearings on the Draft Housing Element with the Planning Commission and Town Council.

The draft Housing Element was released on July 8, 2022, for a 30-day public review in accordance with State law. The release of the draft Housing was promoted on the Town's social media accounts, through its website and via a direct postcard mailer that was sent to all residences in Town. In addition, staff held three "pop-up" workshops during the public comment period where public comments were solicited and information about the draft Housing Element was shared.

At the close of the public comment period on August 8, 2022, the Town received a total of 21 written public comments from Corte Madera residents and businesses, Marin County and Bay Area community-based and advocacy organizations. The Town Council considered these comments at its August 16, 2022, meeting. Several changes were made to the draft Housing Element in response to the received comments including adding a new program on home match services (*Program H-2.6.a Home Match Services*), clarifying text and program language, and providing more detail on environmental constraints for housing opportunity sites in Table 10.

## **1.7 2015 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.

Corte Madera's current Housing Element was adopted by the Town Council on May 19, 2015. The goals, policies, and programs have generally been successful. Table 2 shows housing production during the last housing element cycle between January 2014 and June 2022. As shown in the table, the Town exceeded the RHNA requirement for all income levels. The Town exceeded the total RHNA requirement by 215 units.

**Table 2: Housing Production, January 2014 through June 2022**

| Development                                 | Very Low | Low  | Moderate        | Above Moderate | Total |
|---|----------|------|-----------------|----------------|-------|
| Tam Ridge (aka Bell Mt. Tam)                | 4        | 12   | 2               | 162            | 180   |
| The Enclave                                 | 1        | 1    | 1               | 13             | 16    |
| Residences at the Preserve (aka Oak Shores) | 0        | 0    | 0               | 16             | 16    |
| The Casa Buena                              | 18       | 0    | 0               | 0              | 18    |
| Accessory Dwelling Units                    | 18       | 16   | 19 <sup>1</sup> | 1              | 54    |
| Single Family                               | 0        | 0    | 0               | 4              | 4     |
| TOTAL                                       | 41       | 29   | 22              | 196            | 288   |
| RHNA  | 22       | 13   | 13              | 24             | 72    |
| % Met                                       | 186%     | 223% | 169%            | 816%           | 400%  |

<sup>1</sup>*Eight of the moderate ADU units are located at the Residences at the Preserve.*

Programs completed and successfully implemented since adoption of the 2015 Housing Element include:

- Adopted zoning provisions to treat transitional and supportive housing as residential uses subject to the same restrictions as residential dwellings of the same type in the same zone. (Program H-1.5.a.a)
- Amended the Zoning Ordinance to allow emergency shelters as a permitted use in the P/SP Public and Semi-Public Facilities District. (Program H-1.5.a.b)
- Revised the Zoning Ordinance to provide a procedure for people with disabilities to request reasonable accommodation in the application of zoning laws and other land use regulations, policies, and procedures. (Program H-1.5.b)
- Facilitated supportive community framework for and redevelopment of a motel to provide supportive housing for individuals experiencing homelessness. The project provides 18 independent living units. (Program H-1.9.a)
- Implemented the mandatory second unit requirement for development of the Residences at the Preserve (Robin Drive) which resulted in construction of eight second units assumed affordable to moderate-income households. (Program H-2.6.b)
- Facilitated the development of The Enclave at 1421 Casa Buena Drive which resulted in the construction of 16 for-sale units, 3 of which were affordable under the Town's inclusionary zoning regulations. (Program H-2.6.c)
- Implemented the second unit ordinance and developed 53 new accessory dwelling units (ADUs) over the planning period, exceeding the 16-unit target. The Town collaborated with nine other Marin County jurisdictions on the ADU Marin project. The project included the development of a countywide website (adumarin.org) and educational materials to promote the development of ADUs in the county. The Town also updated its ADU ordinance to comply with new state laws. (Policy H-2.15.a)
- Updated the Inclusionary Housing Ordinance to remove constraints to housing development and adjusted the in-lieu fee schedule to ensure that the fee adequately addressed the cost of providing an affordable unit. (Program H-2.12.b)



This Housing Element has considered the effectiveness of the 2015 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 2015 Housing Element.

## 2.0 HOUSING NEEDS ANALYSIS

### 2.1 OVERVIEW

This section of the Housing Element describes characteristics of Corte Madera's population and housing stock and assesses the community's existing and future housing needs. The data and analysis in this section are intended to satisfy, in part, Government Code Section 65583(a), which requires an assessment of housing needs including an analysis of population and employment trends (GC 65583 (a)(1)) and household characteristics (GC 65583 (a)(2)).



**Aegis Assisted Housing**

### SUMMARY OF KEY FACTS

- **Population** – Generally, the population of the Bay Area continues to grow because of natural growth and because the strong economy draws new residents to the region. The population of Corte Madera increased by 11.1% from 2000 to 2020, which is below the growth rate of the Bay Area.
- **Age** – In 2019, Corte Madera's youth population under the age of 18 was 2,501 and senior population 65 and older was 1,902. These age groups represent 25.4% and 19.3%, respectively, of Corte Madera's population.
- **Race/Ethnicity** – In 2020, 78.5% of Corte Madera's population was White, 2.3% was African American, 6.1% was Asian, and 7.1% was Latinx. People of color in Corte Madera comprise a proportion below the overall proportion in the Bay Area as a whole.<sup>5</sup>

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<sup>5</sup> The Census Bureau's American Community Survey accounts for ethnic origin separate from racial identity. The numbers reported here use an accounting of both such that the racial categories are shown exclusive of Latinx status, to allow for an accounting of the Latinx population regardless of racial identity. The term Hispanic has historically been used to describe people from numerous Central

- **Employment** – Corte Madera residents most commonly work in the *Financial & Professional Services* industry. From January 2010 to January 2021, the unemployment rate in Corte Madera decreased by 0.4 percentage points. Since 2010, the number of jobs located in the jurisdiction decreased by 180 (2.9%). Additionally, the jobs-household ratio in Corte Madera has decreased from 1.53 in 2002 to 1.52 jobs per household in 2018.
- **Number of Homes** – The number of new homes built in the Bay Area has not kept pace with the demand, resulting in longer commutes, increasing prices, and exacerbating issues of displacement and homelessness. The number of homes in Corte Madera increased 5.1% from 2010 to 2020, which is *above* the growth rate for Marin County and *above* the growth rate of the region’s housing stock during this time period.
- **Home Prices** – A diversity of homes at all income levels creates opportunities for all Corte Madera residents to live and thrive in the community.
  - **Ownership** The largest proportion of homes had a value in the range of \$1M-\$1.5M in 2019. Home prices increased 60.5% from 2010 to 2020.
  - **Rental Prices** – The typical contract rent for an apartment in Corte Madera was \$2,590 in 2019. Rental prices increased 49.5% from 2009 to 2019. To rent a typical apartment without cost burden, a household would need to make \$103,720 per year.<sup>6</sup>
- **Housing Type** – It is important to have a variety of housing types to meet the needs of a community today and in the future. In 2020, 59.1% of homes in Corte Madera were single-family detached, 14.9% were single-family attached, 8.8% were small multi-family (2-4 units), and 17.2% were medium or large multi-family (5+ units). Between 2010 and 2020, the number of multi-family units increased more than single-family units. Generally, in Corte Madera, the share of the housing stock that is detached single-family homes is above that of other jurisdictions in the region.
- **Cost Burden** – The U.S. Department of Housing and Urban Development considers housing to be affordable for a household if the household spends less

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American, South American, and Caribbean countries. In recent years, the term Latino or Latinx has become preferred. This report generally uses Latinx, but occasionally when discussing US Census data, we use Hispanic or Non-Hispanic, to clearly link to the data source.

<sup>6</sup> Note that contract rents may differ significantly from, and often being lower than, current listing prices.

than 30% of its income on housing costs. A household is considered “cost-burdened” if it spends more than 30% of its monthly income on housing costs, while those who spend more than 50% of their income on housing costs are considered “severely cost-burdened.” In Corte Madera, 17.7% of households spend 30%-50% of their income on housing, while 21.1% of households are severely cost burdened and use the majority of their income for housing.

- **Displacement/Gentrification** – According to research from The University of California, Berkeley, 0.0% of households in Corte Madera live in neighborhoods that are susceptible to or experiencing displacement and 0.0% live in areas at risk of or undergoing gentrification. 54.6% of households in Corte Madera live in neighborhoods where low-income households are likely excluded due to prohibitive housing costs. There are various ways to address displacement including ensuring new housing at all income levels is built.
- **Neighborhood** – 100.0% of residents in Corte Madera live in neighborhoods identified as “Highest Resource” or “High Resource” areas by State-commissioned research, while 0.0% of residents live in areas identified by this research as “Low Resource” or “High Segregation and Poverty” areas. These neighborhood designations are based on a range of indicators covering areas such as education, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors.<sup>7</sup>
- **Special Housing Needs** – Some population groups may have special housing needs that require specific program responses, and these groups may experience barriers to accessing stable housing due to their specific housing circumstances. In Corte Madera, 8.7% of residents have a disability of any kind and may require accessible housing. Additionally, 7.3% of Corte Madera households are larger households with five or more people, who likely need larger housing units with three bedrooms or more. 9.0% of households are female-headed families, which are often at greater risk of housing insecurity.

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<sup>7</sup> For more information on the “opportunity area” categories developed by HCD and the California Tax Credit Allocation Committee, see this website: <https://www.treasurer.ca.gov/ctcac/opportunity.asp>. The degree to which different jurisdictions and neighborhoods have access to opportunity will likely need to be analyzed as part of new Housing Element requirements related to affirmatively furthering fair housing. ABAG/MTC will be providing jurisdictions with technical assistance on this topic this summer, following the release of additional guidance from HCD.

## DATA SOURCES

Many of the tables in this report are sourced from data from the Census Bureau’s American Community Survey or U.S. Department of Housing and Urban Development’s Comprehensive Housing Affordability Strategy (CHAS) data, both of which are samples and as such, are subject to sampling variability. This means that data is an estimate, and that other estimates could be possible if another set of respondents had been reached. We use the five-year release to get a larger data pool to minimize this “margin of error” but particularly for the smaller cities, the data will be based on fewer responses, and the information should be interpreted accordingly.

Additionally, there may be instances where there is no data available for a jurisdiction for particular data point, or where a value is 0 and the automatically generated text cannot perform a calculation. In these cases, the automatically generated text is “NODATA.”

The American Survey is derived from surveys conducted between 2015-2019 and the Comprehensive Housing Affordability Strategy (CHAS) data are derived from surveys conducted between 2013-2017. These were the latest data sets available at the time this report was developed. Although they are used as a proxy for current conditions, they are not necessarily reflective of populations and housing conditions in 2022.

Any figure that does not specify geography in the figure name represents data for Corte Madera.

## 2.2 POPULATION CHARACTERISTICS

### POPULATION GROWTH

The Bay Area is the fifth-largest metropolitan area in the nation and has seen a steady increase in population since 1990, except for a dip during the Great Recession. Many cities in the region have experienced significant growth in jobs and population. While these trends have led to a corresponding increase in demand for housing across the region, the regional production of housing has largely not kept pace with job and population growth. Since 2000, Corte Madera’s population has increased by 11.1%; this rate is below that of the region, at 14.8%. In Corte Madera, roughly 18.4% of its population moved during the past year, a number 5.0 percentage points greater than the regional rate of 13.4%.

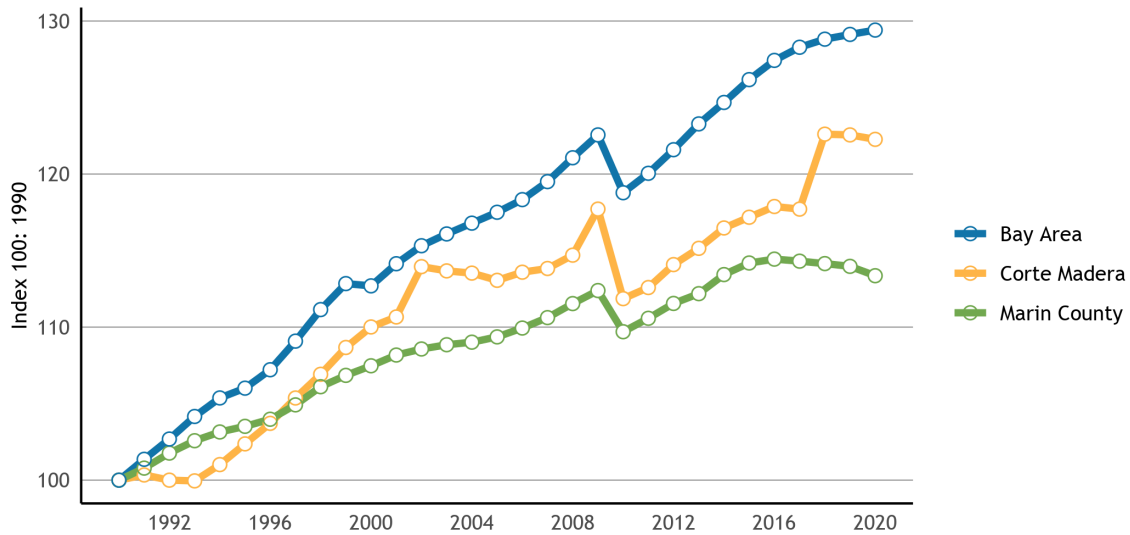
**Table 3: Population Growth Trends**

| Geography    | 1990      | 1995      | 2000      | 2005      | 2010      | 2015      | 2020      |
|--------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Corte Madera | 8,272     | 8,468     | 9,100     | 9,352     | 9,253     | 9,693     | 10,114    |
| Marin County | 230,096   | 238,185   | 247,289   | 251,634   | 252,409   | 262,743   | 260,831   |
| Bay Area     | 6,020,147 | 6,381,961 | 6,784,348 | 7,073,912 | 7,150,739 | 7,595,694 | 7,790,537 |

Source: California Department of Finance, E-5 series

In 2020, the population of Corte Madera was estimated to be 10,114 (see Table 3). From 1990 to 2000, the population increased by 10.0%, while it increased by 1.7% during the first decade of the 2000s. In the most recent decade, the population increased by 9.3%. The population of Corte Madera makes up 3.9% of Marin County.<sup>8</sup>

**Figure 1: Population Growth Trends**



*Source: California Department of Finance, E-5 series Note: The data shown on the graph represents population for the jurisdiction, county, and region indexed to the population in the first year shown. The data points represent the relative population growth in each of these geographies relative to their populations in that year. For some jurisdictions, a break may appear at the end of each decade (1999, 2009) as estimates are compared to census counts. DOF uses the decennial census to benchmark subsequent population estimates.*

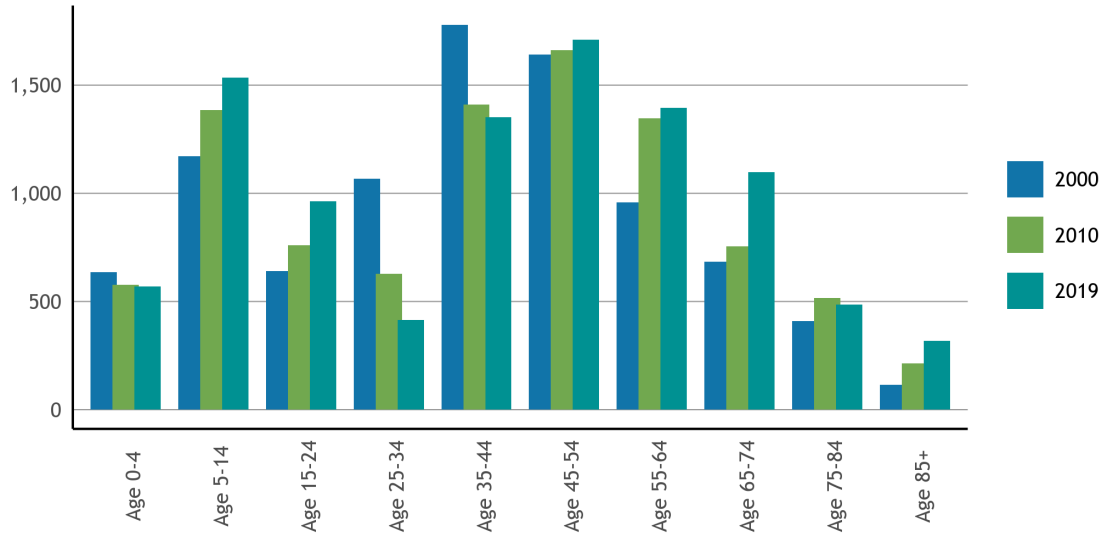
## AGE

The distribution of age groups in a city shapes what types of housing the community may need in the near future. An increase in the older population may mean there is a developing need for more senior housing options, while higher numbers of children and young families can point to the need for more family housing options and related services. There has also been a shift by many to age-in-place or downsize to stay within their communities, which can mean more multi-family and accessible units are also needed.

<sup>8</sup> To compare the rate of growth across various geographic scales, Figure 1 shows population for the jurisdiction, county, and region indexed to the population in the year 1990. This means that the data points represent the population growth (i.e., percent change) in each of these geographies relative to their populations in 1990.

In Corte Madera, the median age in 2000 was 40.2; by 2019, this figure had increased to approximately 45 years. More specifically, the population of those under 14 has increased since 2010, while the 65-and-over population has increased (see Figure 2).

**Figure 2: Population by Age, 2000-2019**



*Universe: Total population*

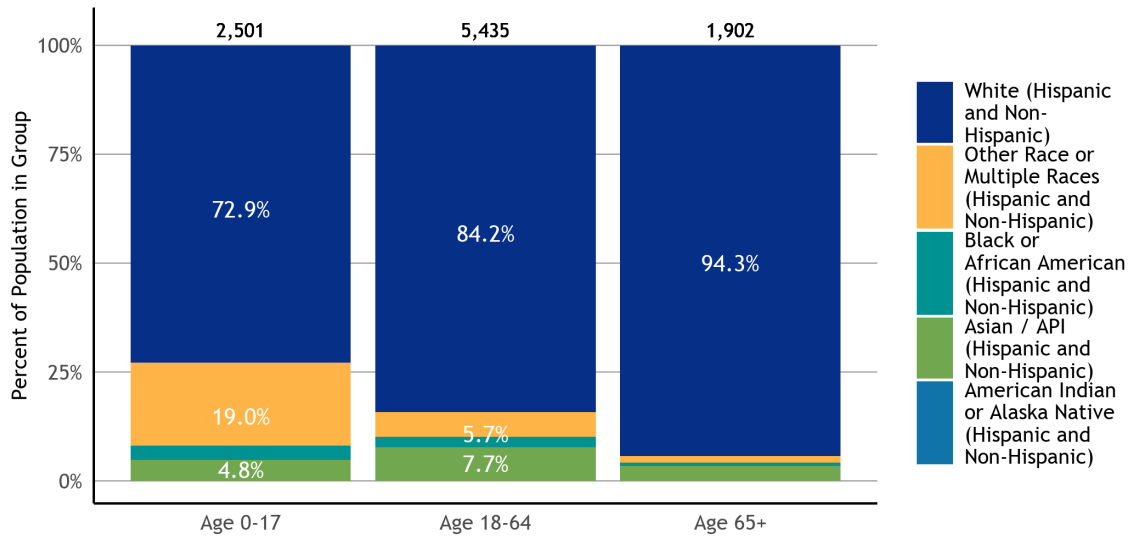
*Source: U.S. Census Bureau, Census 2000 SF1, Table P12; U.S. Census Bureau, Census 2010 SF1, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001*

Looking at the senior and youth population by race can add an additional layer of understanding, as families and seniors of color are even more likely to experience challenges finding affordable housing. People of color<sup>9</sup> make up 5.7% of seniors and 27.1% of youth under 18 (see Figure 3). The marked increase in the diversity of the younger population reflects a slow but growing transformation in the diversity of the overall population.

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<sup>9</sup> Here, we count all non-white racial groups.

**Figure 3: Senior and Youth Population by Race**



*Universe: Total population*

*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)*

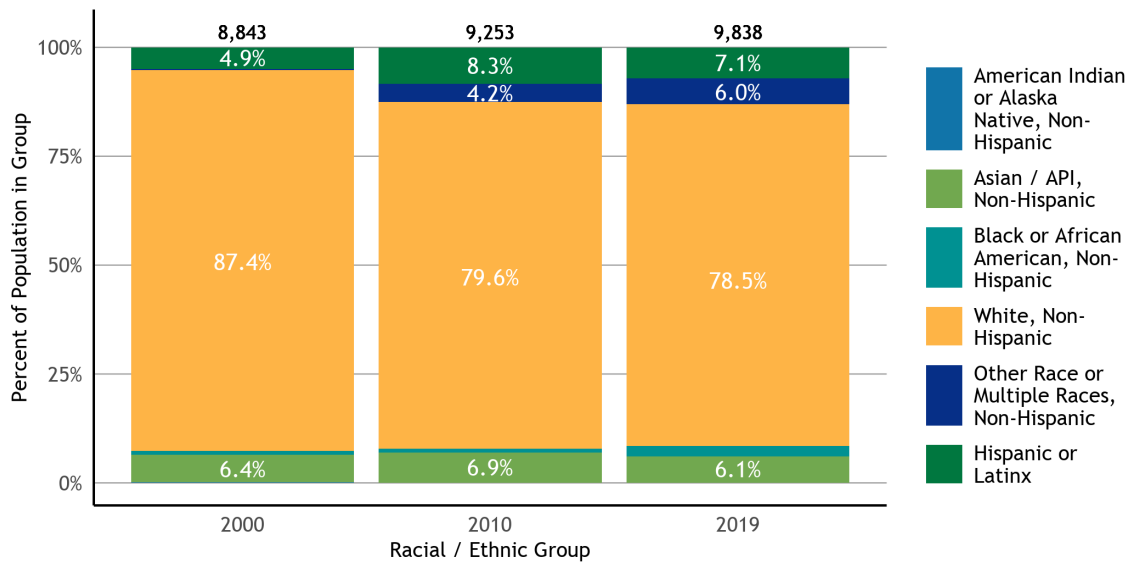
## RACE AND ETHNICITY

Understanding the racial makeup of a city and region is important for designing and implementing effective housing policies and programs. These patterns are shaped by both market factors and historical government actions, such as exclusionary zoning, discriminatory lending practices, and displacement that has occurred over time and continues to impact communities of color today<sup>10</sup>. Since 2000, the percentage of residents in Corte Madera identifying as White has decreased – and by the same token the percentage of residents of all *other* races and ethnicities has *increased* – by 9.0 percentage points, with the 2019 White population standing at 7,719 (see Figure 4). In absolute terms, the *Other Race or Multiple Races, Non-Hispanic* population increased the most while the *American Indian or Alaska Native, Non-Hispanic* population decreased the most.

<sup>10</sup> See, for example, Rothstein, R. (2017). *The color of law: a forgotten history of how our government segregated America*. New York, NY & London, UK: Liveright Publishing.



**Figure 4: Population by Race, 2000-2019**



Universe: Total population

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, Census 2000, Table P004; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B03002

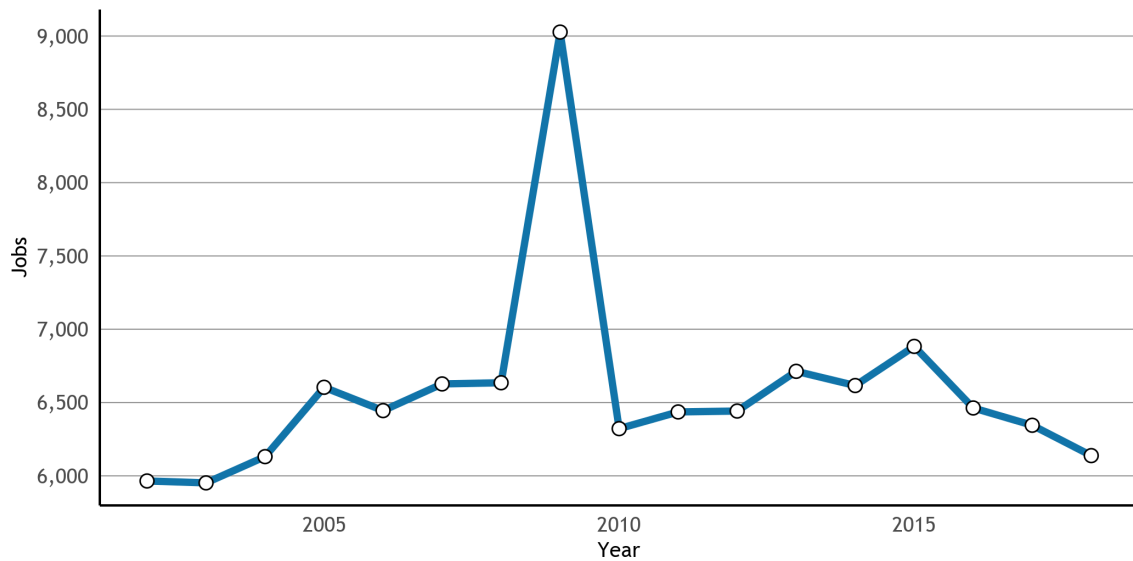
## 2.3 EMPLOYMENT CHARACTERISTICS

### BALANCE OF JOBS AND WORKERS

A city provides housing to employed residents who either work in the community where they live or work elsewhere in the region. Conversely, a city may have job sites that employ residents from the same city, but more often employ workers commuting from outside of it. Smaller cities typically will have more employed residents than jobs and export workers, while larger cities tend to have a surplus of jobs and import workers. To some extent, the regional transportation system is set up for this flow of workers to the region's core job centers. At the same time, as the housing affordability crisis has illustrated, local imbalances may be severe, where local jobs and worker populations are out of sync at a sub-regional scale.

One measure of this is the relationship between *workers* and *jobs*. A city with a surplus of workers "exports" workers to other parts of the region, while a city with a surplus of jobs must conversely "import" workers. Between 2002 and 2018, the number of jobs in Corte Madera increased by 2.9% (see Figure 5). The increase in jobs in 2009 may be due to temporary hiring of Census workers.

**Figure 5: Jobs in Corte Madera**



*Universe: Jobs from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment*

*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.*

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

There are 4,711 employed residents, and 6,528 jobs<sup>11</sup> in Corte Madera - the ratio of jobs to resident workers is 1.39; Corte Madera is *a net importer of workers*.

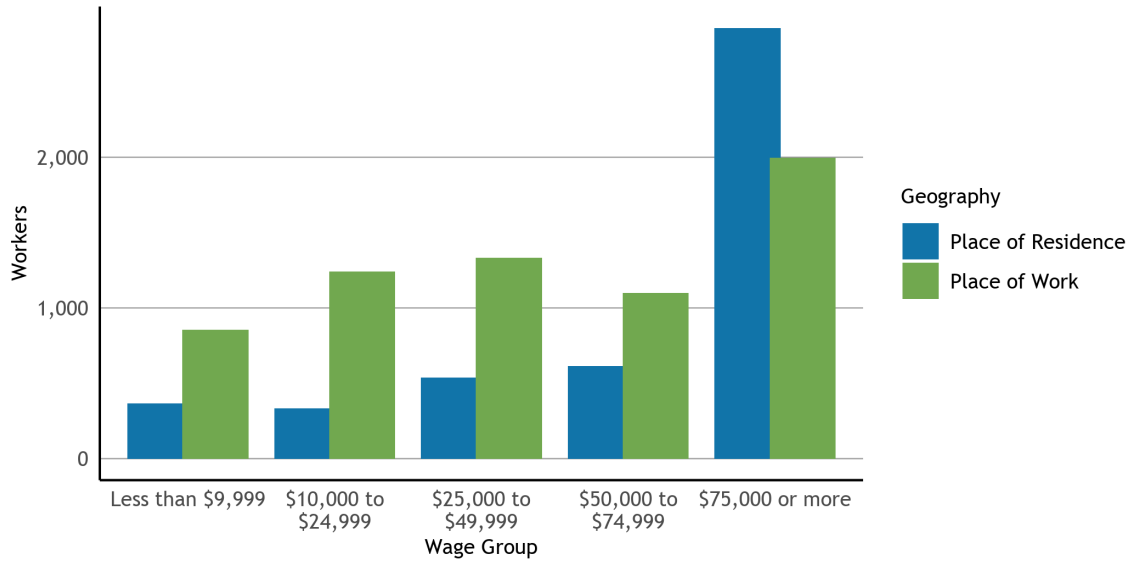
Figure 6 shows the balance when comparing jobs to workers, broken down by different wage groups, offering additional insight into local dynamics. A community may offer employment for relatively low-income workers but have relatively few housing options for those workers. Conversely, a community may house residents who are low wage workers but offer few employment opportunities for them. Such relationships may cast extra light on potentially pent-up demand for housing in particular price categories. A relative *surplus* of jobs relative to residents in a given wage category suggests the need to import those workers, while conversely, surpluses of workers in a wage group relative to jobs means the community will export those workers to other jurisdictions. Such flows are not inherently bad, though over time, sub-regional imbalances may appear. Corte Madera has more low-wage *jobs* than low-wage *residents* (where low-wage refers to jobs paying less than \$25,000). At the other end

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<sup>11</sup> 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). The jobs may differ from those reported in Figure 5 as the source for the time series is from administrative data, while the cross-sectional data is from a survey.

of the wage spectrum, the town has more high-wage *residents* than high-wage *jobs* (where high-wage refers to jobs paying more than \$75,000) (see Figure 6).<sup>12</sup>

**Figure 6: Workers by Earnings, by Jurisdiction as Place of Work and Place of Residence**



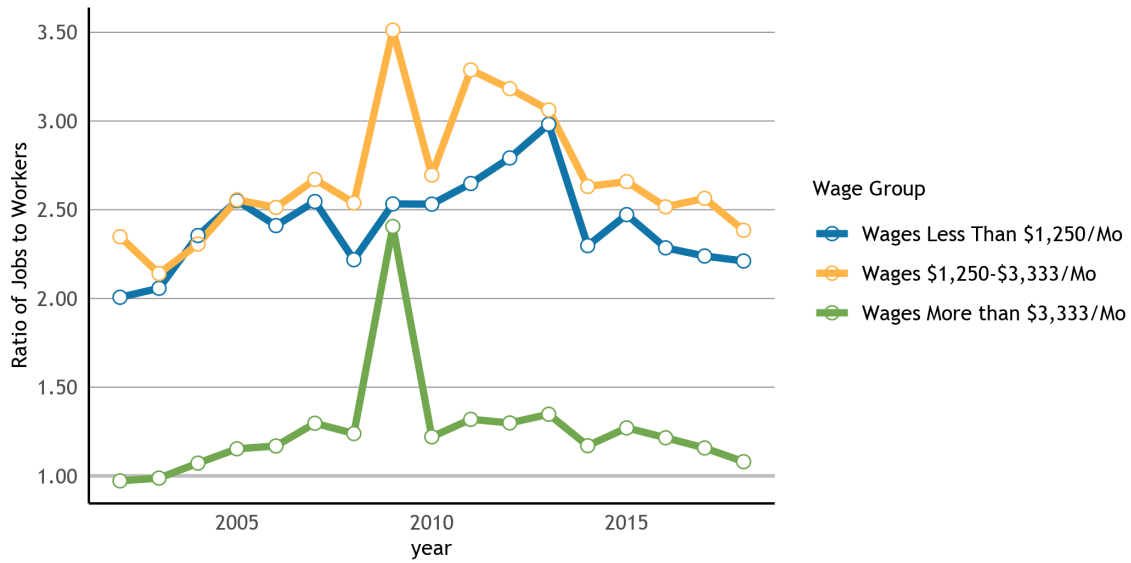
*Universe: Workers 16 years and over with earnings*

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

Figure 7 shows the balance of a jurisdiction’s resident workers to the jobs located there for different wage groups as a ratio instead - a value of 1 means that a city has the same number of jobs in a wage group as it has resident workers - in principle, a balance. Values above 1 indicate a jurisdiction will need to import workers for jobs in a given wage group. At the regional scale, this ratio is 1.04 jobs for each worker, implying a modest import of workers from outside the region (see Figure 7).

<sup>12</sup> The source table is top-coded at \$75,000, precluding more fine grained analysis at the higher end of the wage spectrum.

**Figure 7: Jobs-Worker Ratios, by Wage Group**

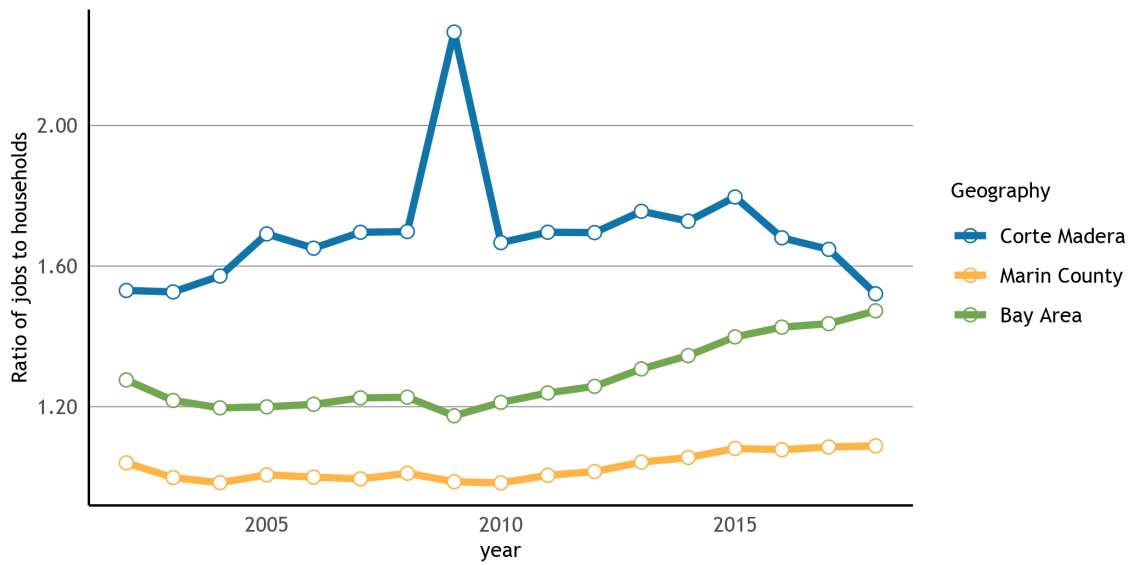


*Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state, and local government) plus United States Office of Personnel Management-sourced Federal employment*  
*Notes: The ratio compares job counts by wage group from two tabulations of LEHD data: Counts by place of work relative to counts by place of residence. See text for details.*  
*Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs); Residence Area Characteristics (RAC) files (Employed Residents), 2010-2018*

Such balances between jobs and workers may directly influence the housing demand in a community. New jobs may draw new residents, and when there is high demand for housing relative to supply, many workers may be unable to afford to live where they work, particularly where job growth has been in relatively lower wage jobs. This dynamic results in long commutes and contributes to traffic congestion and time lost for all road users.

If there are more jobs than employed residents, it means a city is relatively jobs-rich, typically also with a high jobs-to-household ratio. The *jobs-household ratio* in Corte Madera has decreased from 1.53 in 2002, to 1.52 jobs per household in 2018 (see Figure 8).

**Figure 8: Jobs-Household Ratio**



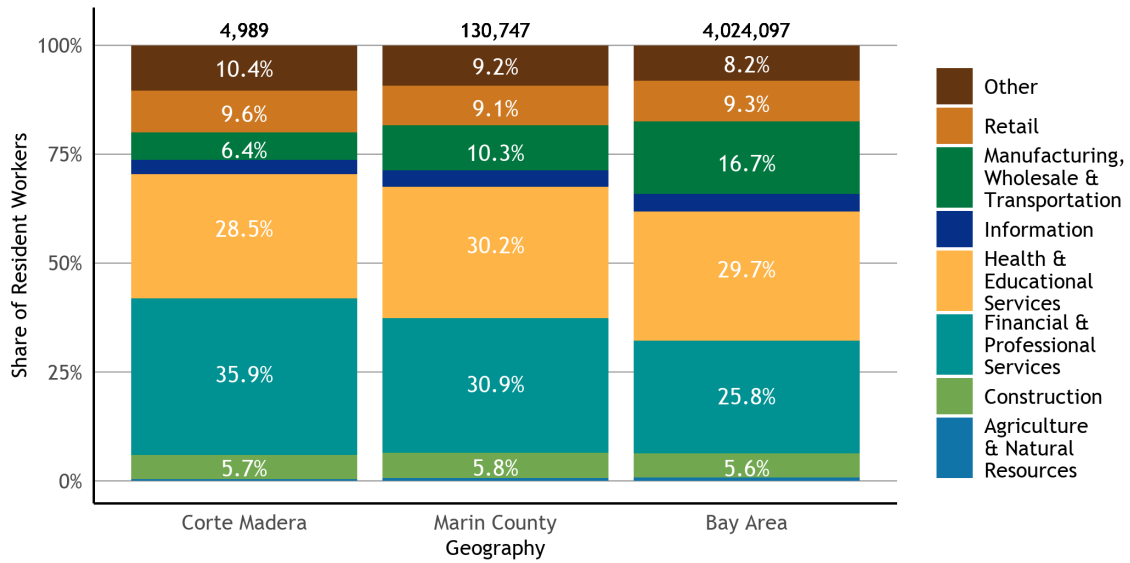
*Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment; households in a jurisdiction*

*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. The ratio compares place of work wage and salary jobs with households, or occupied housing units. A similar measure is the ratio of jobs to housing units. However, this jobs-household ratio serves to compare the number of jobs in a jurisdiction to the number of housing units that are actually occupied. The difference between a jurisdiction’s jobs-housing ratio and jobs-household ratio will be most pronounced in jurisdictions with high vacancy rates, a high rate of units used for seasonal use, or a high rate of units used as short-term rentals. Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs), 2002-2018; California Department of Finance, E-5 (Households)*

**JOB SECTOR COMPOSITION**

The largest industry in which Corte Madera residents work is *Financial & Professional Services*, and the largest sector in which Marin residents work is *Financial & Professional Services* (see Figure 9). For the Bay Area as a whole, the *Health & Educational Services* industry employs the most workers.

**Figure 9: Resident Employment by Industry**

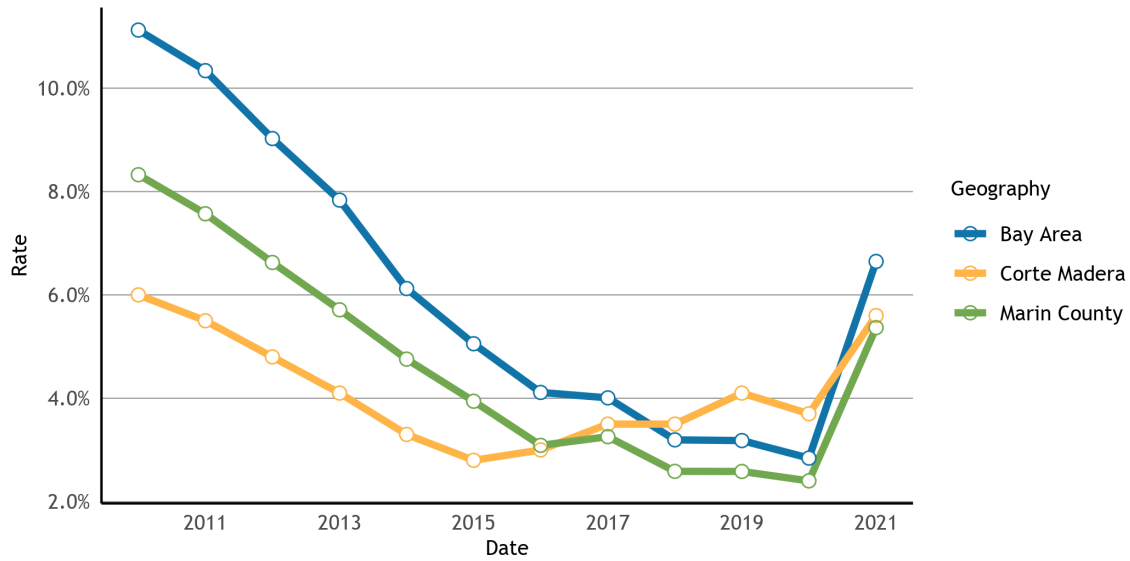


Notes: The data displayed shows the industries in which jurisdiction residents work, regardless of the location where those residents are employed (whether within the jurisdiction or not). Categories are derived from the following source tables: Agriculture & Natural Resources: C24030\_003E, C24030\_030E; Construction: C24030\_006E, C24030\_033E; Manufacturing, Wholesale & Transportation: C24030\_007E, C24030\_034E, C24030\_008E, C24030\_035E, C24030\_010E, C24030\_037E; Retail: C24030\_009E, C24030\_036E; Information: C24030\_013E, C24030\_040E; Financial & Professional Services: C24030\_014E, C24030\_041E, C24030\_017E, C24030\_044E; Health & Educational Services: C24030\_021E, C24030\_024E, C24030\_048E, C24030\_051E; Other: C24030\_027E, C24030\_054E, C24030\_028E, C24030\_055E  
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table C24030

## UNEMPLOYMENT

In Corte Madera, there was a 0.4 percentage point decrease in the unemployment rate between January 2010 and January 2021. Jurisdictions throughout the region experienced a sharp rise in unemployment in 2020 due to impacts related to the COVID-19 pandemic, though with a general improvement and recovery in the later months of 2020.

**Figure 10: Unemployment Rate**



*Universe: Civilian noninstitutional population ages 16 and older*

*Notes: Unemployment rates for the jurisdiction level is derived from larger-geography estimates. This method assumes that the rates of change in employment and unemployment are exactly the same in each sub-county area as at the county level. If this assumption is not true for a specific sub-county area, then the estimates for that area may not be representative of the current economic conditions. Since this assumption is untested, caution should be employed when using these data. Only not seasonally adjusted labor force (unemployment rates) data are developed for cities and CDPs.*

*Source: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021.*

## 2.4 HOUSEHOLD CHARACTERISTICS

### EXTREMELY LOW-INCOME HOUSEHOLDS

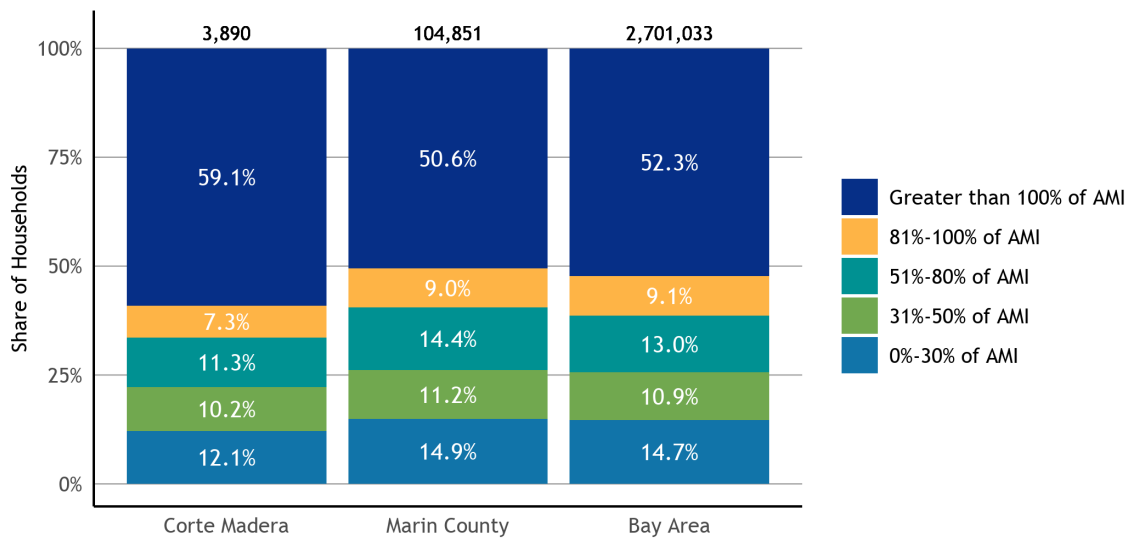
Despite the economic and job growth experienced throughout the region since 1990, the income gap has continued to widen. California is one of the most economically unequal states in the nation, and the Bay Area has the highest income inequality between high- and low-income households in the state<sup>13</sup>.

<sup>13</sup> Bohn, S. et al. 2020. Income Inequality and Economic Opportunity in California. *Public Policy Institute of California*.

In Corte Madera, 59.1% of households make more than 100% of the Area Median Income (AMI)<sup>14</sup>, compared to 12.1% making less than 30% of AMI, which is considered extremely low-income (see Figure 11).

Regionally, more than half of all households make more than 100% AMI, while 15% make less than 30% AMI. In Marin County, 30% AMI is the equivalent to the annual income of \$44,000 for a family of four. Many households with multiple wage earners – including food service workers, full-time students, teachers, farmworkers, and healthcare professionals – can fall into lower AMI categories due to relatively stagnant wages in many industries.

**Figure 11: Households by Household Income Level**



*Universe: Occupied housing units*

*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*

<sup>14</sup> 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. Households making between 80 and 120 percent of the AMI are moderate-income, those making 50 to 80 percent are low-income, those making 30 to 50 percent are very low-income, and those making less than 30 percent are extremely low-income. This is then adjusted for household size.



located. The data that is reported for the Bay Area is not based on a regional AMI but instead refers to the regional total of households in an income group relative to the AMI for the county where that household is located. Local jurisdictions are required to provide an estimate for their projected extremely low-income households (0-30% AMI) in their Housing Elements. HCD's official Housing Element guidance notes that jurisdictions can use their RHNA for very low-income households (those making 0-50% AMI) to calculate their projected extremely low-income households. As Bay Area jurisdictions have not yet received their final RHNA numbers, this document does not contain the required data point of projected extremely low-income households. The report portion of the housing data needs packet contains more specific guidance for how local staff can calculate an estimate for projected extremely low-income households once jurisdictions receive their 6th cycle RHNA numbers.

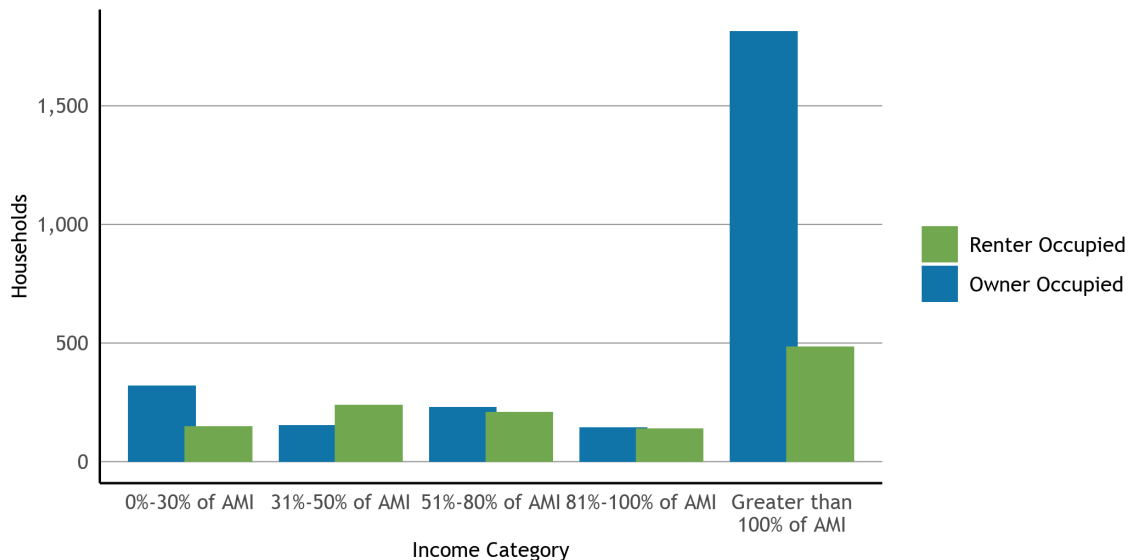
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

Throughout the region, there are disparities between the incomes of homeowners and renters. Typically, the number of low-income renters greatly outpaces the amount of housing available that is affordable for these households.

In Corte Madera, the largest proportion of renters falls in the *Greater than 100% of AMI* income group, while the largest proportion of homeowners are found in the *Greater than 100% of AMI* group (see Figure 12). Nearly 80% of households with incomes greater than 100% of AMI are homeowners.

There are approximately 470 extremely low-income households in Corte Madera (12.1% of the total number of households), and approximately two-thirds of these households own their homes. In order to remain in their homes, extremely low-income owner households need programs to help reduce housing costs, while extremely low income renter households need programs to limit rent increases. The Housing Element contains *Program H-2.6.a Home Match Services* to help extremely low income homeowners develop a source of income and *Program H-3.5.b Rehabilitation Loan Programs* to provide these homeowners with money to make necessary repairs. *Program H-3.2.b Tenant Protection Strategies* will help to protect extremely low-income renters from rising rents.

**Figure 12: Household Income Level by Tenure**



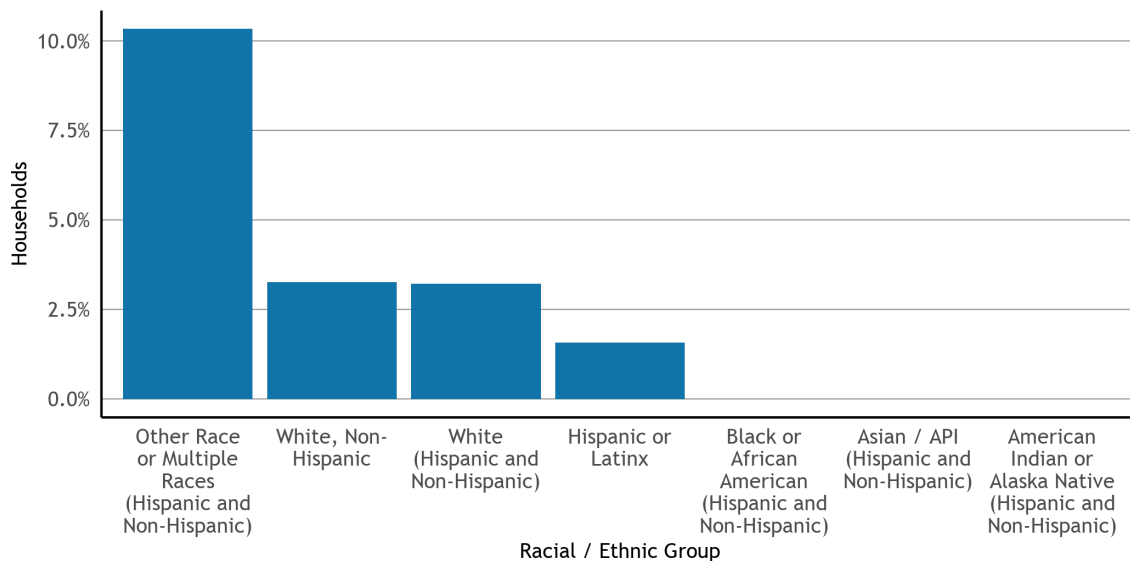
Universe: Occupied housing units

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

Currently, people of color are more likely to experience poverty and financial instability as a result of historical federal and local housing policies that excluded them from the same opportunities extended to white residents.<sup>15</sup> These economic disparities also leave communities of color at higher risk for housing insecurity, displacement or homelessness. In Corte Madera, Other Race or Multiple Races (Hispanic and Non-Hispanic) residents experience the highest rates of poverty, followed by White (Hispanic and Non-Hispanic) residents (see Figure 13).

**Figure 13: Poverty Status by Race**



Universe: Population for whom poverty status is determined

Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income (AMI). In 2019, the poverty threshold for a two-person household was \$16,910 in the U.S. In that same year, a two-person household making up to \$38,700 was classified as extremely low income in Marin County by the California Department of Housing

<sup>15</sup> Moore, E., Montojo, N. and Mauri, N., 2019. Roots, Race & Place: A History of Racially Exclusionary Housing the San Francisco Bay Area. *Hass Institute*.

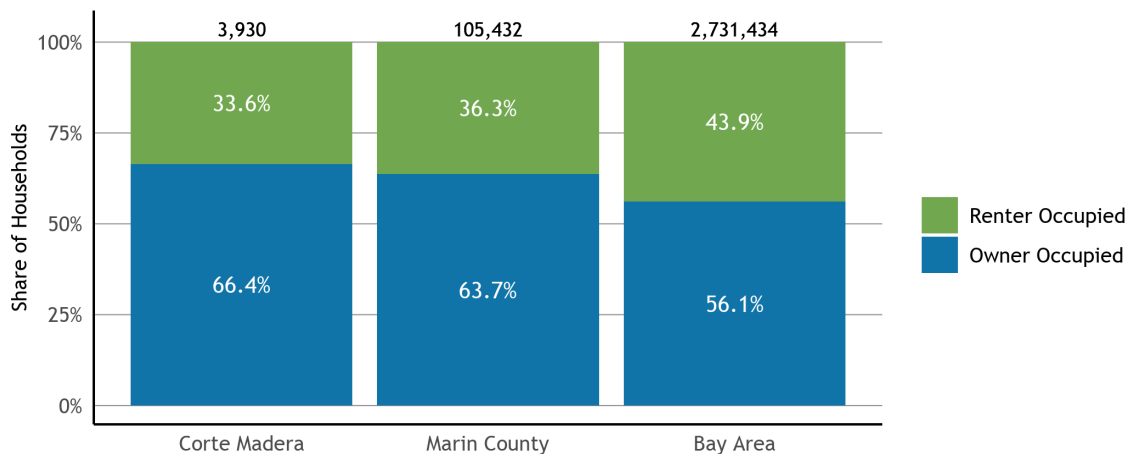
and Community Development; between \$38,701 and \$64,500 was classified as very low income (50% of the AMI); and between \$64,501 and \$103,350 was classified as low income (80% of the AMI). For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data 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 population for whom poverty status is determined 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 population for whom poverty status is determined.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17001(A-I)

## TENURE

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity – ability for individuals to stay in their homes – in a city and region. Generally, renters may be displaced more quickly if prices increase. In Corte Madera there are a total of 3,930 housing units, and fewer residents rent than own their homes: 33.6% versus 66.4% (see Figure 14). By comparison, 36.3% of households in Marin County are renters, while 44% of Bay Area households rent their homes.

**Figure 14: Housing Tenure**



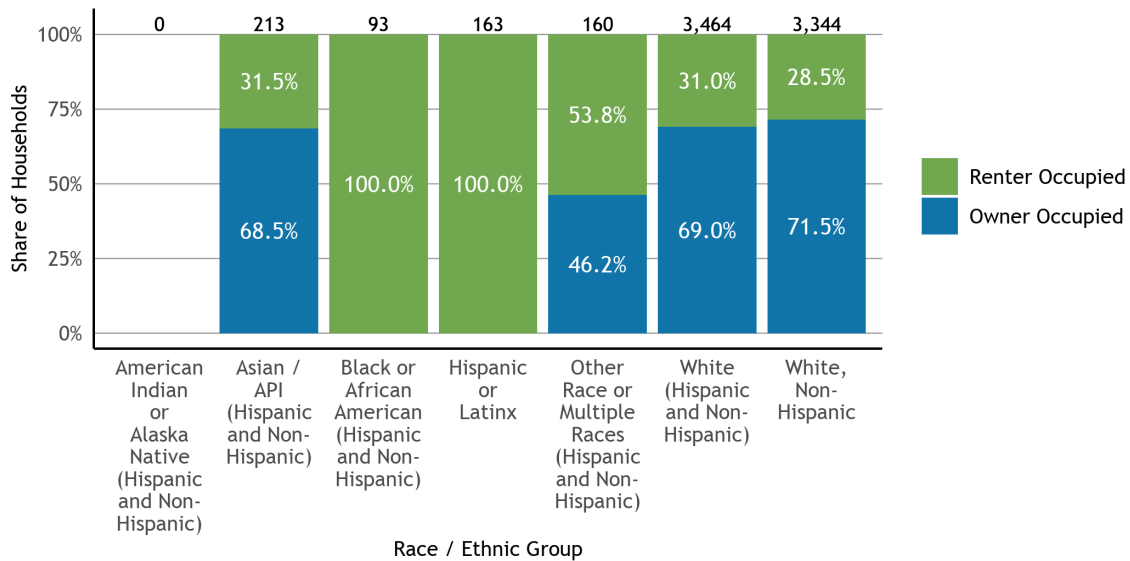
Universe: Occupied housing units

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

Homeownership rates often vary considerably across race/ethnicity in the Bay Area and throughout the country. These disparities not only reflect differences in income and wealth but also stem from federal, state, and local policies that limited access to homeownership for communities of color while facilitating homebuying for white residents. While many of these policies, such as redlining, have been formally disbanded, the impacts of race-based policy

are still evident across Bay Area communities.<sup>16</sup> In Corte Madera, 0.0% of Black households owned their homes, while homeownership rates were 68.5% for Asian households, 0.0% for Latinx households, and 69.0% for White households. Notably, recent changes to state law require local jurisdictions to examine these dynamics and other fair housing issues when updating their Housing Elements.

**Figure 15: Housing Tenure by Race of Householder**



*Universe: Occupied housing units*

*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.*

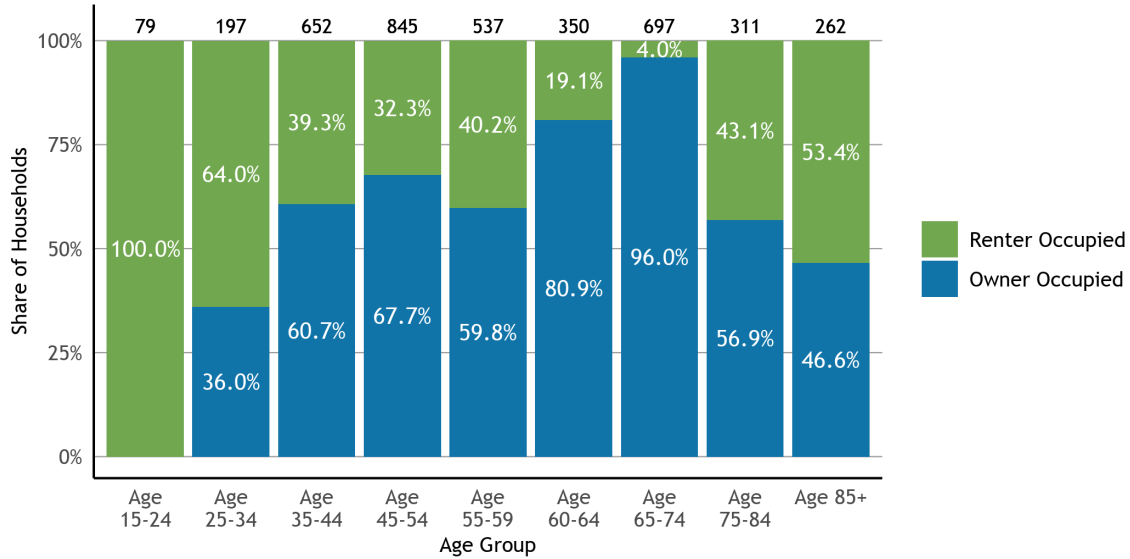
*Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-1)*

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.

<sup>16</sup> See, for example, Rothstein, R. (2017). *The Color of Law: a forgotten history of how our government segregated America*. New York, NY & London, UK: Liveright Publishing.

In Corte Madera, 45.0% of householders between the ages of 25 and 44 are renters, while 23.8% of householders over 65 are renters (see Figure 16).

**Figure 16: Housing Tenure by Age**



*Universe: Occupied housing units*

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

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. In Corte Madera, 88.0% of households in detached single-family homes are homeowners, while 17.9% of households in multi-family housing are homeowners (see Figure 17).

**Figure 17: Housing Tenure by Housing Type**



*Universe: Occupied housing units*

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

## DISPLACEMENT

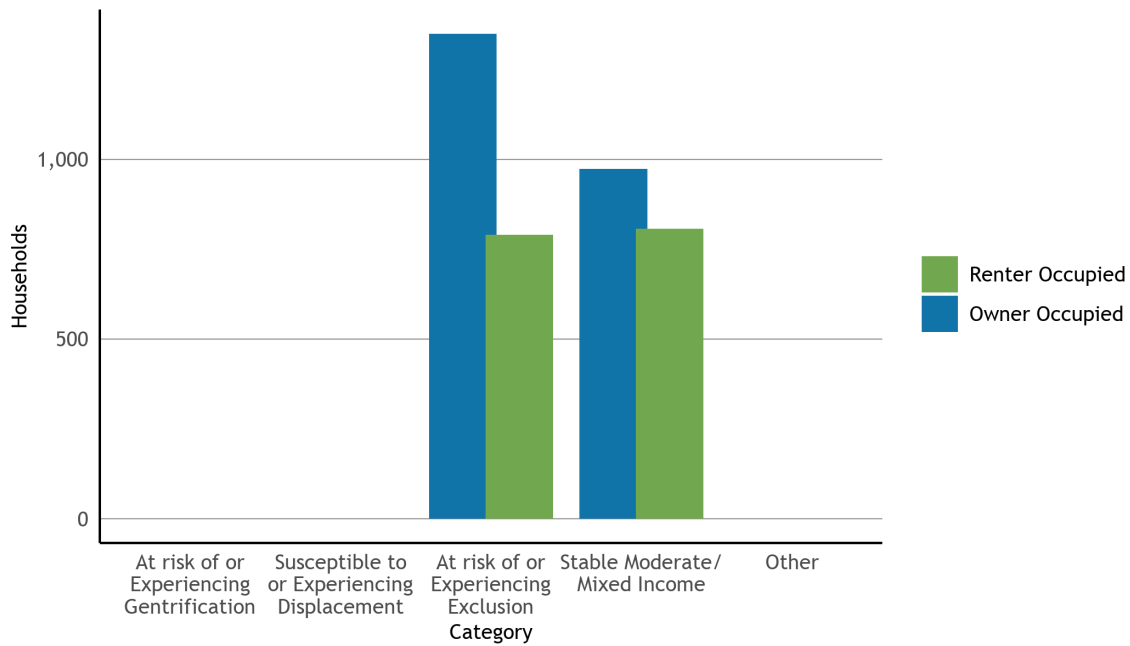
Because of increasing housing prices, displacement is a major concern in the Bay Area. Displacement has the most severe impacts on low- and moderate-income residents. When individuals or families are forced to leave their homes and communities, they also lose their support network.

The University of California, Berkeley has mapped all neighborhoods in the Bay area, identifying their risk for gentrification. They find that in Corte Madera, 0.0% of households live in neighborhoods that are susceptible to or experiencing displacement and 0.0% live in neighborhoods at risk of or undergoing gentrification.

Equally important, some neighborhoods in the Bay Area do not have housing appropriate for a broad section of the workforce. UC Berkeley estimates that 54.6% of households in Corte Madera live in neighborhoods where low-income households are likely to be excluded due to prohibitive housing costs.<sup>17</sup>

<sup>17</sup> More information about this gentrification and displacement data is available at the Urban Displacement Project’s webpage: <https://www.urbandisplacement.org/>. Specifically, one can learn more about the different gentrification/displacement typologies shown in Figure 18 at this link: [https://www.urbandisplacement.org/sites/default/files/typology\\_sheet\\_2018\\_0.png](https://www.urbandisplacement.org/sites/default/files/typology_sheet_2018_0.png). Additionally, one can view maps that show which typologies correspond to which parts of a jurisdiction here: <https://www.urbandisplacement.org/san-francisco/sf-bay-area-gentrification-and-displacement>

**Figure 18: Households by Displacement Risk and Tenure**



*Universe: Households*

*Notes: Displacement data is available at the census tract level. Staff aggregated tracts up to jurisdiction level using census 2010 population weights, assigning a tract to jurisdiction in proportion to block level population weights. Total household count may differ slightly from counts in other tables sourced from jurisdiction level sources. Categories are combined as follows for simplicity: At risk of or Experiencing Exclusion: At Risk of Becoming Exclusive; Becoming Exclusive; Stable/Advanced Exclusive At risk of or Experiencing Gentrification: At Risk of Gentrification; Early/Ongoing Gentrification; Advanced Gentrification Stable Moderate/Mixed Income: Stable Moderate/Mixed Income Susceptible to or Experiencing Displacement: Low-Income/Susceptible to Displacement; Ongoing Displacement Other: High Student Population; Unavailable or Unreliable Data*

*Source: Urban Displacement Project for classification, American Community Survey 5-Year Data (2015-2019), Table B25003 for tenure.*

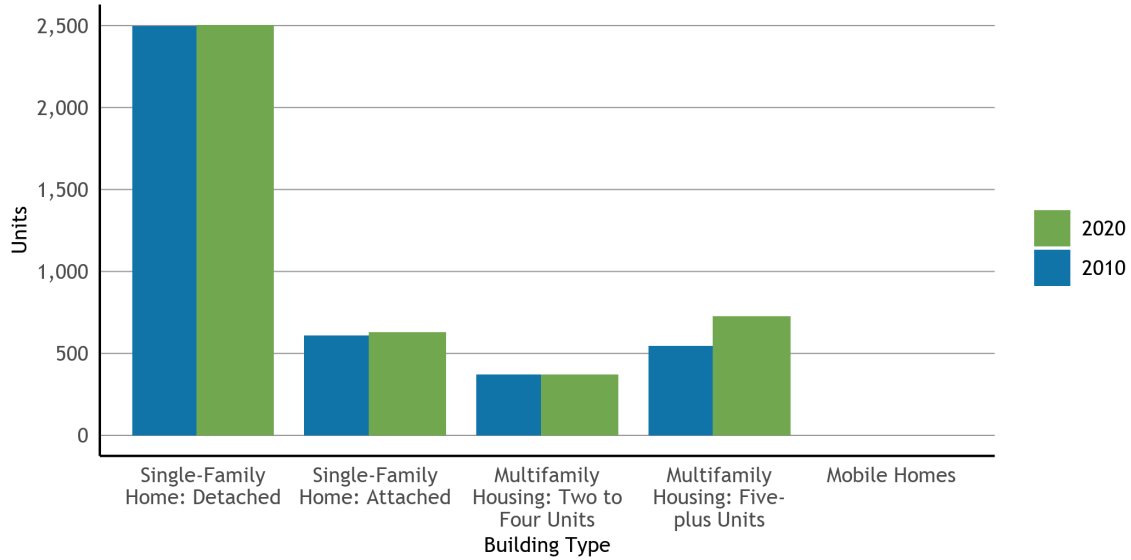
## 2.5 HOUSING STOCK CHARACTERISTICS

### HOUSING TYPES, YEAR BUILT, VACANCY, AND PERMITS

In recent years, most housing produced in the region and across the state consisted of single-family homes and larger multi-unit buildings. However, some households are increasingly interested in “missing middle housing” – including duplexes, triplexes, townhomes, cottage clusters, and accessory dwelling units (ADUs). These housing types may open up more options across incomes and tenure, from young households seeking homeownership options to seniors looking to downsize and age-in-place.

The housing stock of Corte Madera in 2020 was made up of 59.1% single-family detached homes, 14.9% single-family attached homes, 8.8% multi-family homes with 2 to 4 units, 17.2% multi-family homes with 5 or more units, and 0.0% mobile homes (see Figure 19). In Corte Madera, the housing type that experienced the most growth between 2010 and 2020 was *Multi-family Housing: Five-plus Units*.

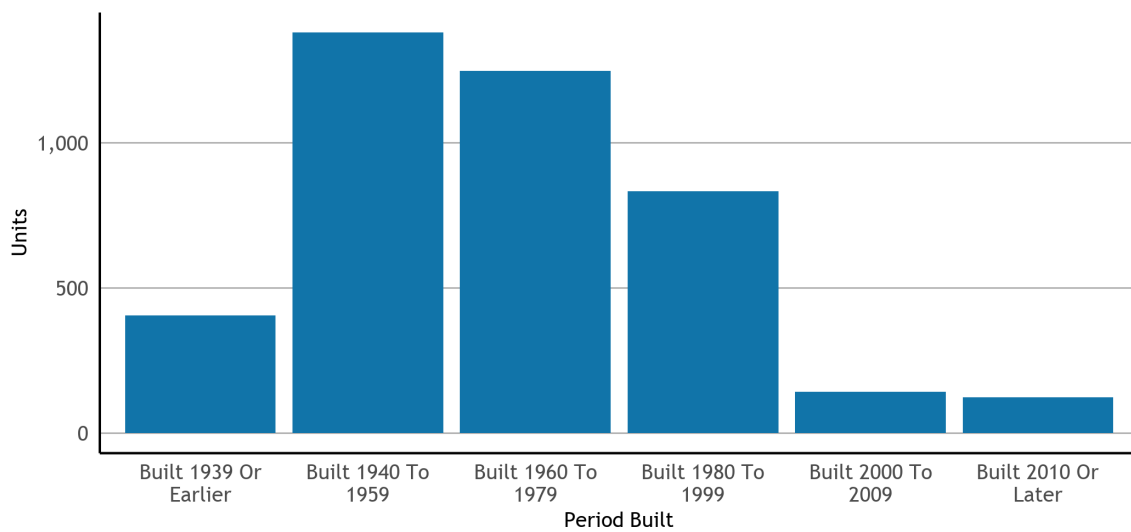
**Figure 19: Housing Type Trends**



*Universe: Housing units*  
*Source: California Department of Finance, E-5 series*

Production has not kept up with housing demand for several decades in the Bay Area, as the total number of units built and available has not yet come close to meeting the population and job growth experienced throughout the region. In Corte Madera, the largest proportion of the housing stock was built 1940 to 1959, with 1,380 units constructed during this period (see Figure 20). Between 2010 and 2020, 3.0% of the housing stock was built, which was 123 units.

**Figure 20: Housing Units by Year Structure Built**



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



Vacant units make up 4.9% of the overall housing stock in Corte Madera. The rental vacancy stands at 5.2%, while the ownership vacancy rate is 0.0%. Of the vacant units, the most common type of vacancy is *Other Vacant* (see Figure 21).<sup>18</sup>

Throughout the Bay Area, vacancies make up 2.6% of the total housing units, with homes listed for rent; units used for *recreational or occasional use*, and units not otherwise classified (*other vacant*) making up the majority of vacancies. 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.<sup>19</sup> 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. Additionally, the need for seismic retrofitting in older housing stock could also influence the proportion of “other vacant” units in some jurisdictions.<sup>20</sup>

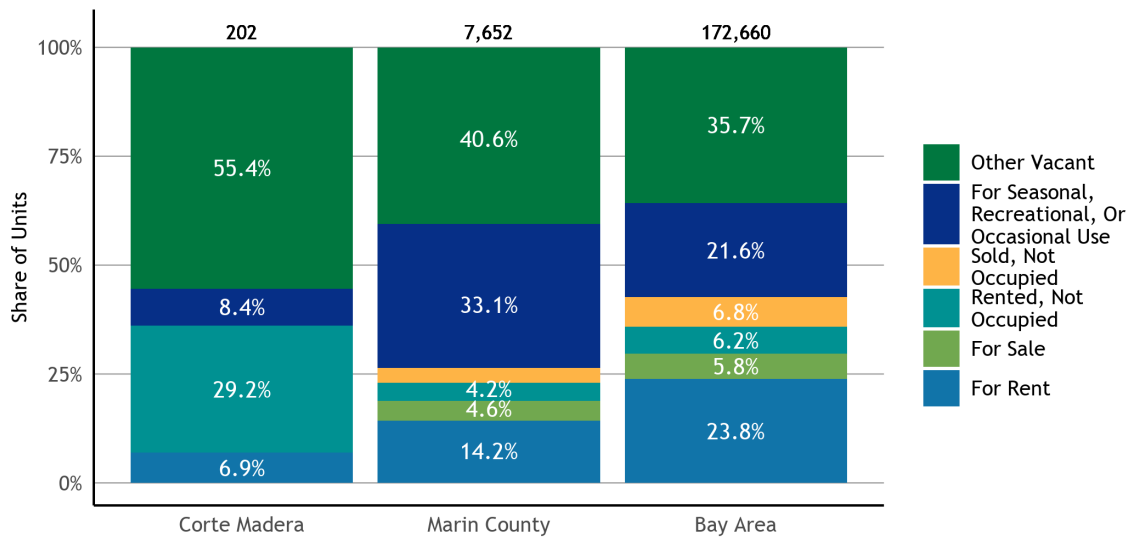
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<sup>18</sup> The vacancy rates by tenure is for a smaller universe than the total vacancy rate first reported, which in principle includes the full stock (4.9%). The vacancy by tenure counts are rates relative to the rental stock (occupied and vacant) and ownership stock (occupied and vacant) - but exclude a significant number of vacancy categories, including the numerically significant *other vacant*.

<sup>19</sup> For more information, see pages 3 through 6 of this list of definitions prepared by the Census Bureau: <https://www.census.gov/housing/hvs/definitions.pdf>.

<sup>20</sup> See Dow, P. (2018). Unpacking the Growth in San Francisco’s Vacant Housing Stock: Client Report for the San Francisco Planning Department. University of California, Berkeley.

**Figure 21 Vacant Units by Type**



Universe: Vacant housing units

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

Between 2015 and 2019, 216 housing units were issued permits in Corte Madera. 82.9% of permits issued in Corte Madera were for above moderate-income housing, 3.7% were for moderate-income housing, and 13.4% were for low- or very low-income housing (see Table 4).

**Table 4: Housing Permitting**

| Income Group                  | Number |
|-------------------------------|--------|
| Above Moderate-Income Permits | 179    |
| Moderate-Income Permits       | 8      |
| Low-Income Permits            | 13     |
| Very Low-Income Permits       | 16     |

Universe: Housing permits issued between 2015 and 2019

Notes: HCD uses the following definitions for the four income categories: Very Low Income: units affordable to households making less than 50% of the Area Median Income for the county in which the jurisdiction is located. Low Income: units affordable to households making between 50% and 80% of the Area Median Income for the county in which the jurisdiction is located. Moderate Income: units affordable to households making between 80% and 120% of the Area Median Income for the county in which the jurisdiction is located. Above Moderate Income: units affordable to households making above 120% of the Area Median Income for the county in which the jurisdiction is located.

Source: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2020)

## ASSISTED HOUSING DEVELOPMENTS AT-RISK OF CONVERSION

While there is an immense need to produce new affordable housing units, ensuring that the existing affordable housing stock remains affordable is equally important. Additionally, it is typically faster and less expensive to preserve existing affordable units that are at risk of converting to market-rate than it is to build new affordable housing.

The data in the table below comes from the California Housing Partnership’s Preservation Database, 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. However, this database does not include all deed-restricted affordable units in the state, so there may be at-risk assisted units in a jurisdiction that are not captured in this data table. There are 78 assisted units in Corte Madera in the Preservation Database. Of these units, 0.0% are at *High Risk* or *Very High Risk* of conversion.<sup>21</sup>

There is a single Corte Madera development that is funded by one or more programs listed in Government Code Section 65863.10: San Clemente Place. This development is subject to a 55-year deed restriction to maintain affordability, and as such is not at risk of changing from low-income use during the next ten years.

**Table 5: Assisted Units at Risk of Conversion**

| Income                           | Corte Madera | Marin County | Bay Area |
|----------------------------------|--------------|--------------|----------|
| Low                              | 78           | 2,368        | 110,177  |
| Moderate                         | 0            | 0            | 3,375    |
| High                             | 0            | 56           | 1,854    |
| Very High                        | 0            | 17           | 1,053    |
| Total Assisted Units in Database | 78           | 2,441        | 116,459  |

<sup>21</sup> California Housing Partnership uses the following categories for assisted housing developments in its database:

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.

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.

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.

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.

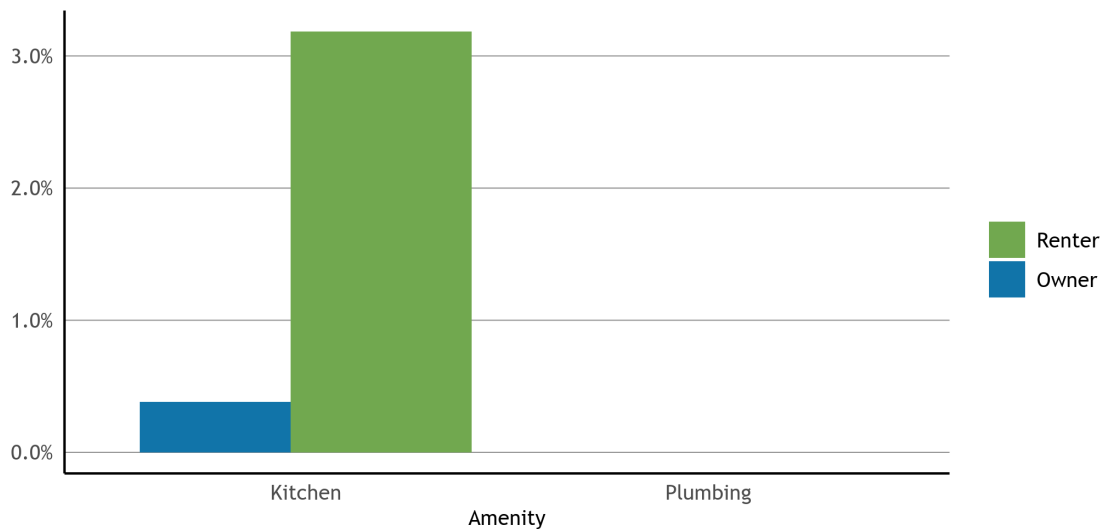
Universe: HUD, Low-Income Housing Tax Credit (LIHTC), USDA, and CalHFA projects. Subsidized or assisted developments that do not have one of the aforementioned financing sources may not be included.

## SUBSTANDARD HOUSING

Housing costs in the region are among the highest in the country, which could result in households, particularly renters, needing to live in substandard conditions in order to afford housing. Generally, there is limited data on the extent of substandard housing issues in a community. However, the Census Bureau data included in Figure 22 gives a sense of some of the substandard conditions that may be present in Corte Madera. For example, 3.2% of renters in Corte Madera reported lacking a kitchen and 0.0% of renters lack plumbing, compared to 0.4% of owners who lack a kitchen and 0.0% of owners who lack plumbing.

Due to the high real estate value in Corte Madera, properties are generally well-maintained. According to Town Community Development, and Code Enforcement staff approximately 5% of the units in Corte Madera need rehabilitation. There are a handful of structures that need significant rehabilitation and/or are in need of replacement.

**Figure 22: Substandard Housing Issues**



Universe: Occupied housing units

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

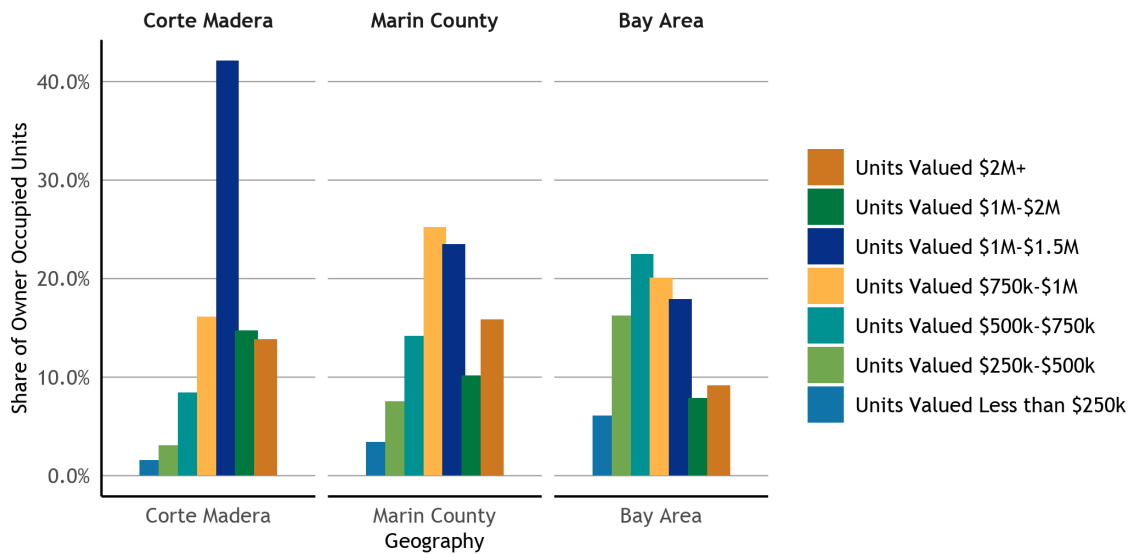
The Housing Element contains policies and programs to promote available rehabilitation loans to lower income households. Programs include *H-3.5.a Code Enforcement* and *H-3.5.b Rehabilitation Loan Programs*.

## HOME AND RENT VALUES

Home prices reflect a complex mix of supply and demand factors, including an area’s demographic profile, labor market, prevailing wages and job outlook, coupled with land and construction costs. In the Bay Area, the costs of housing have long been among the highest in the nation. The typical home value in Corte Madera was estimated at \$1,542,340 by December of 2020, per data from Zillow. The largest proportion of homes were valued between \$1M-\$1.5M (see Figure 23). By comparison, the typical home value is \$1,288,800 in Marin County and \$1,077,230 the Bay Area, with the largest share of units valued \$750k-\$1m (county) and \$500k-\$750k (region).

The region’s home values have increased steadily since 2000, besides a decrease during the Great Recession. The rise in home prices has been especially steep since 2012, with the median home value in the Bay Area nearly doubling during this time. Since 2001, the typical home value has increased 87.4% in Corte Madera from \$823,080 to \$1,542,340. This change is below the change in Marin County, and below the change for the region (see Figure 24).

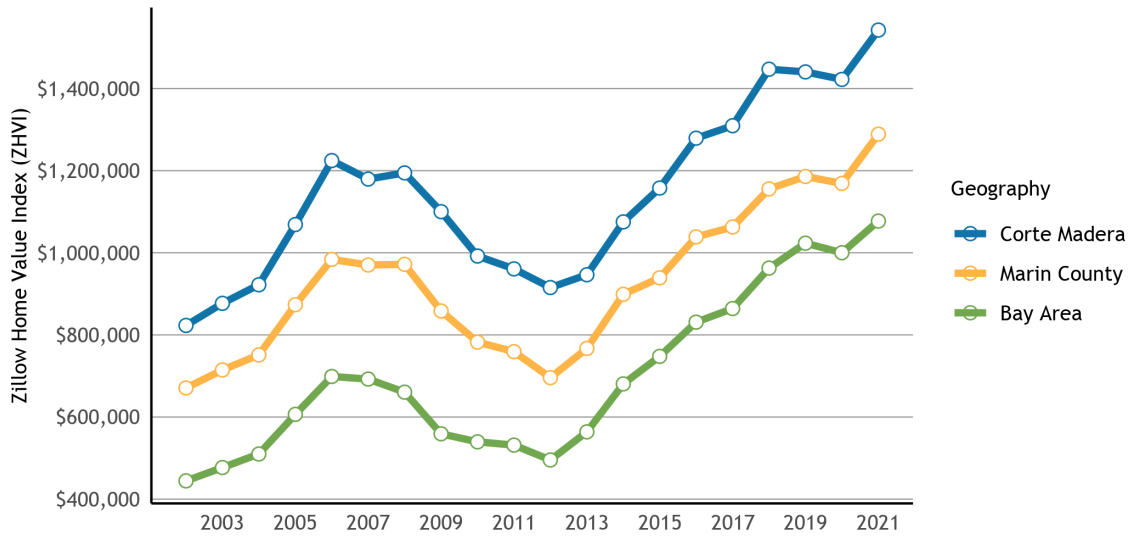
**Figure 23: Home Values of Owner-Occupied Units**



Universe: Owner-occupied units

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

**Figure 24: Zillow Home Value Index (ZHVI)**



*Universe: Owner-occupied housing units*

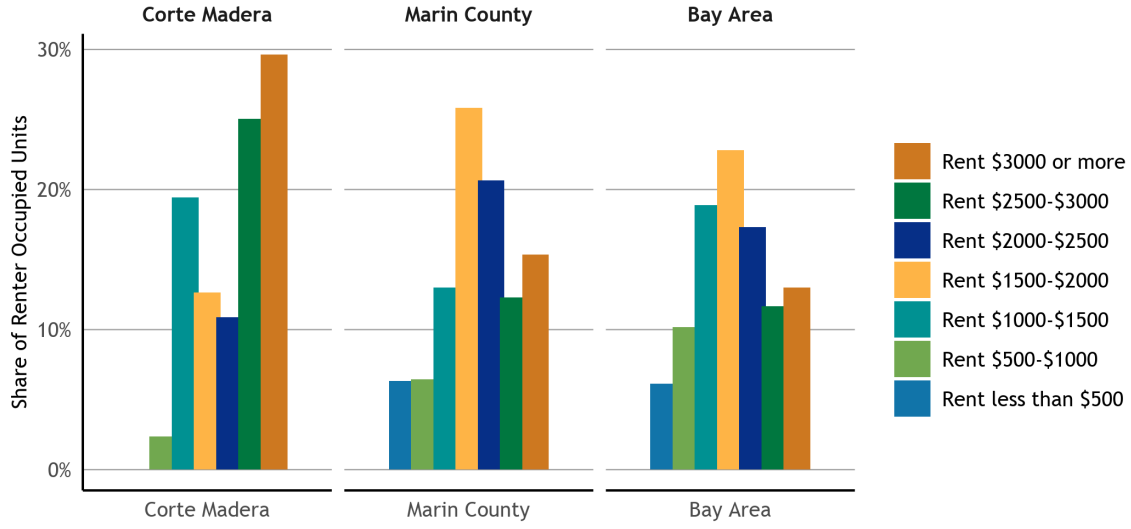
*Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums. More information on the ZHVI is available from Zillow. 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. For unincorporated areas, the value is a population weighted average of unincorporated communities in the county matched to census-designated population counts.*

*Source: Zillow, Zillow Home Value Index (ZHVI)*

Similar to home values, rents have also increased dramatically across the Bay Area in recent years. Many renters have been priced out, evicted, or displaced, particularly communities of color. Residents finding themselves in one of these situations may have had to choose between commuting long distances to their jobs and schools or moving out of the region, and sometimes, out of the state.

In Corte Madera, the largest proportion of rental units rented are in the *Rent \$3000 or more* category, totaling 29.6%, followed by 25.0% of units renting in the *Rent \$2500-\$3000* category (see Figure 25). Looking beyond the town, the largest share of units is in the *rent for \$1500-\$2000* category.

**Figure 25: Contract Rents for Renter-Occupied Units**



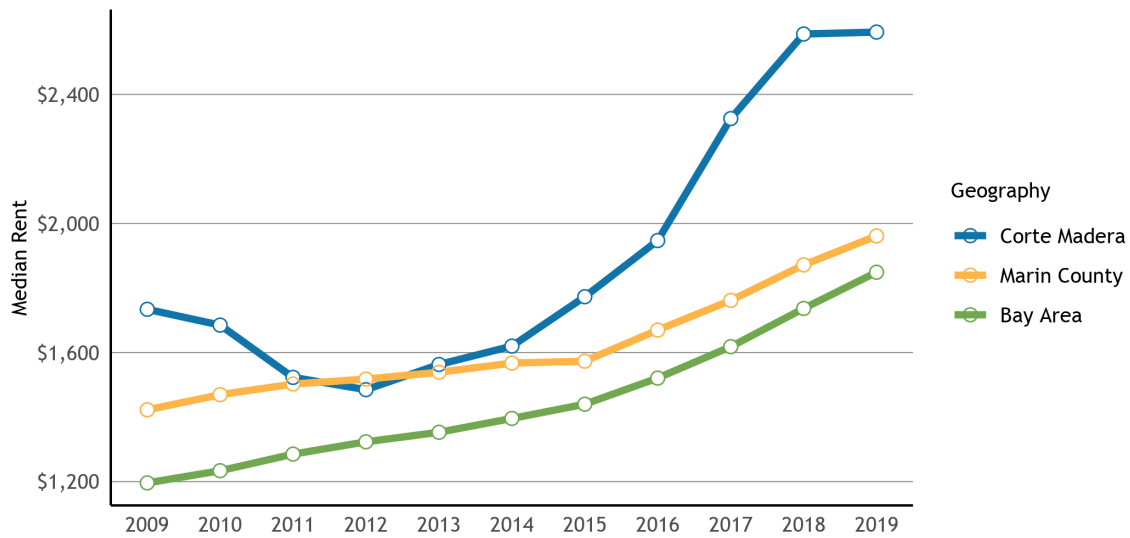
*Universe: Renter-occupied housing units paying cash rent*

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

Since 2009, the median rent has increased by 49.5% in Corte Madera, from \$1,620 to \$2,590 per month (see Figure 26). In Marin County, the median rent has increased 25.1%, from \$1,560 to \$1,960. The median rent in the region has increased significantly during this time from \$1,200 to \$1,850, a 54% increase.<sup>22</sup>

<sup>22</sup> While the data on home values shown in Figure 24 comes from Zillow, Zillow does not have data on rent prices available for most Bay Area jurisdictions. To have a more comprehensive dataset on rental data for the region, the rent data in this document comes from the U.S. Census Bureau’s American Community Survey, which may not fully reflect current rents.

**Figure 26: Median Contract Rent**



*Universe: Renter-occupied housing units paying cash rent  
Source: U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2005-2009 through 2015-2019, B25058, B25056 (for unincorporated areas).*

According to RentCafé, the average rent in Corte Madera is \$4,368, and the average unit size is 1,182 square feet. The cost of rent varies according to several factors, including unit size, number of bedrooms, condition, and amenities.<sup>23</sup>

### COST-BURDENED HOUSEHOLDS

A household is considered “cost-burdened” if it spends more than 30% of its monthly income on housing costs, while those who spend more than 50% of their income on housing costs are considered “severely cost-burdened.” Low-income residents are the most impacted by high housing costs and experience the highest rates of cost burden. Spending such large portions of their income on housing puts low-income households at higher risk of displacement, eviction, or homelessness.

Renters are often more cost-burdened than owners. While the housing market has resulted in home prices increasing dramatically, homeowners often have mortgages with fixed rates, whereas renters are more likely to be impacted by market increases. When looking at the cost burden across tenure in Corte Madera, 32.1% of renters spend 30% to 50% of their income on housing compared to 15.8% of those that own (see Figure 27). Additionally, 16.4% of

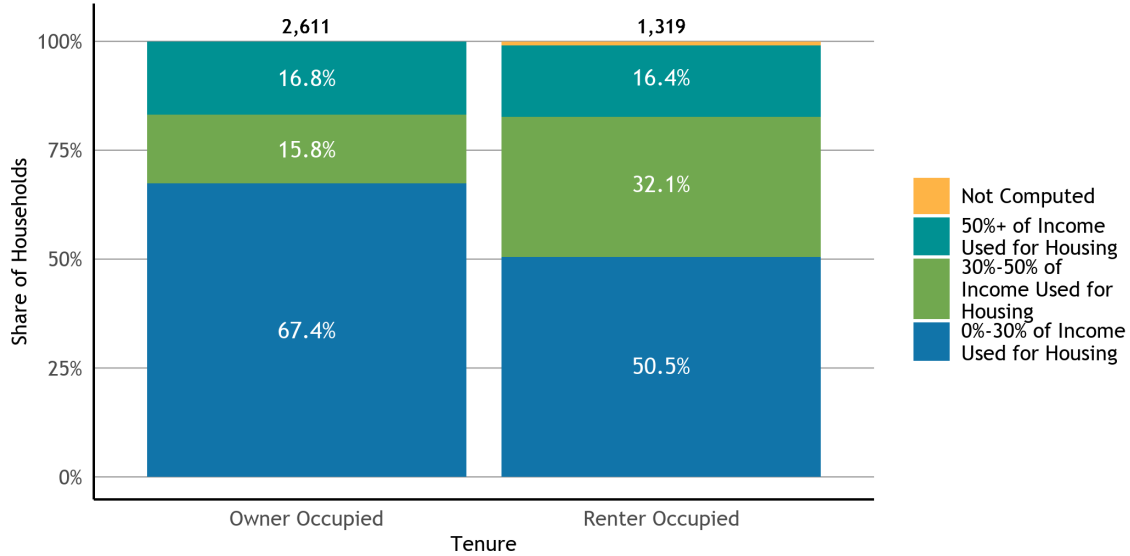
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<sup>23</sup> RentCafé, <https://www.rentcafe.com/average-rent-market-trends/us/ca/corte-madera/>, updated December 2021.



renters spend 50% or more of their income on housing, while 16.8% of owners are severely cost-burdened.

**Figure 27: Cost Burden by Tenure**



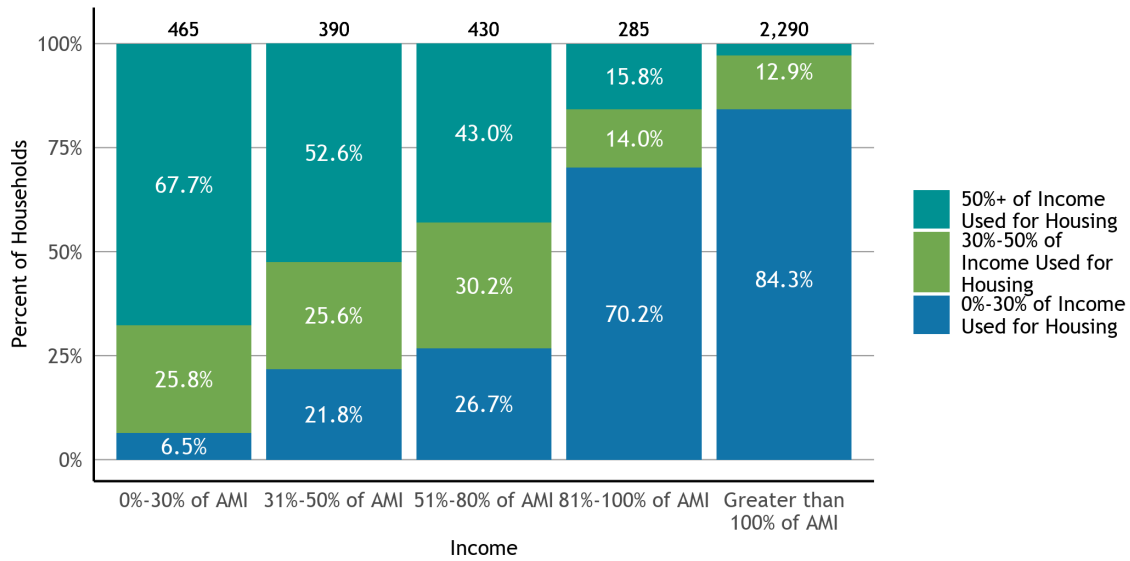
*Universe: Occupied housing units*

*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.*

*Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091*

In Corte Madera, 21.1% of all households spend 50% or more of their income on housing, while 17.7% spend 30% to 50%. However, these rates vary greatly across income categories (see Figure 28). For example, 67.7% of Corte Madera households making less than 30% of AMI spend the majority of their income on housing. For Corte Madera residents making more than 100% of AMI, just 2.8% are severely cost-burdened, and 84.3% of those making more than 100% of AMI spend less than 30% of their income on housing.

**Figure 28: Cost Burden by Income Level**



Universe: Occupied housing units

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). 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

Table 6 shows the number of cost-burdened renter and owner households by income category. Among the lower-income categories, the greatest number of cost-burdened owners are extremely low-income households (390), while the greatest number of cost-burdened renters are very low-income households (340).

**Table 6: Household Overpayment by Income and Tenure**

| Household by Income & Housing Cost Burden             | Total Renters | Total Owners |
|---|---------------|--------------|
| <b>Extremely Low-Income Households (0-30% of AMI)</b> |               |              |
| Cost Burden >30% and <50%                             | 115           | 205          |
| Cost Burden >50%                                      | 75            | 185          |
| <b>Very Low-Income Households (31-50% of AMI)</b>     |               |              |
| Cost Burden >30% and <50%                             | 235           | 50           |
| Cost Burden >50%                                      | 105           | 50           |

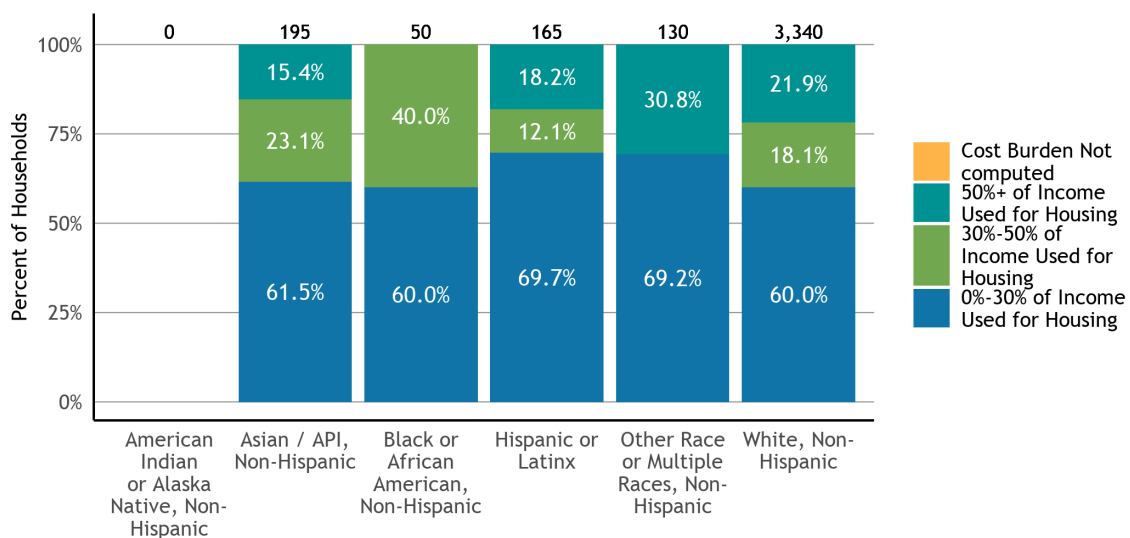
| <b>Low-Income Households (51-80% of AMI)</b>                 |     |     |
|--|-----|-----|
| Cost Burden >30% and <50%                                    | 195 | 165 |
| Cost Burden >50%   | 40  | 110 |
| <b>Moderate- and Above Moderate-Income (over 80% of AMI)</b> |     |     |
| Cost Burden >30% and <50%                                    | 15  | 385 |
| Cost Burden >50%   | 0   | 100 |

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

Currently, people of color are more likely to experience poverty and financial instability as a result of historical federal and local housing policies that excluded them from the same opportunities extended to white residents. As a result, they often pay a greater percentage of their income on housing, and in turn, are at a greater risk of housing insecurity.

Black or African American, Non-Hispanic residents are the most cost burdened with 40.0% spending 30% to 50% of their income on housing, and Other Race or Multiple Races, Non-Hispanic residents are the most severely cost burdened with 30.8% spending more than 50% of their income on housing (see Figure 29).

**Figure 29: Cost Burden by Race**



Universe: Occupied housing units

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. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having

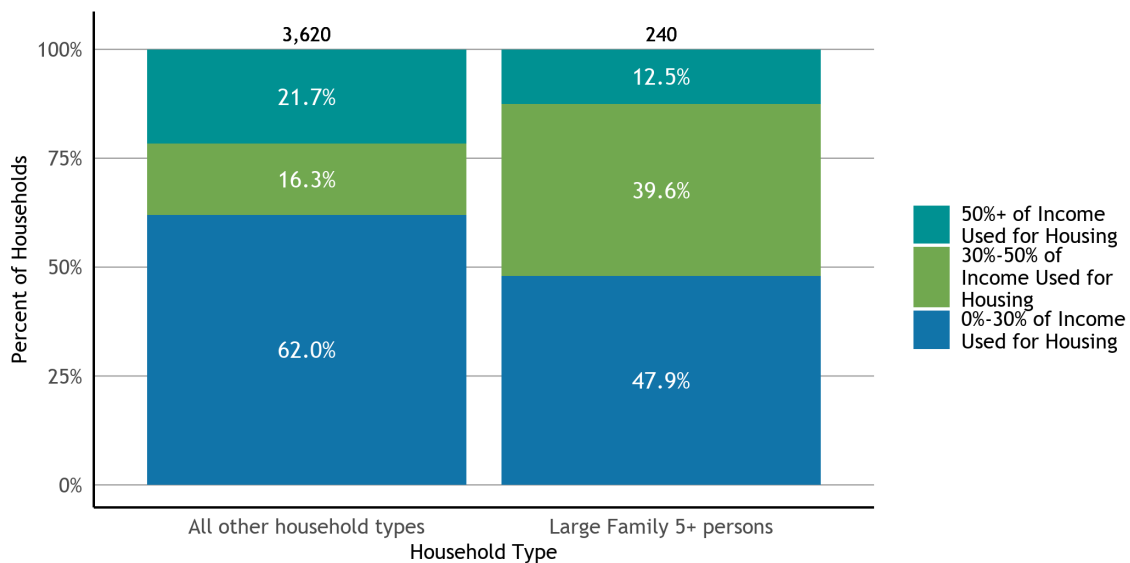
Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

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

Large family households often have special housing needs due to a lack of available adequately sized affordable housing. The higher costs required for homes with multiple bedrooms can result in larger families experiencing a disproportionate cost burden than the rest of the population and can increase the risk of housing insecurity.

In Corte Madera, 39.6% of large family households experience a cost burden of 30%-50%, while 12.5% of households spend more than half of their income on housing. Some 16.3% of all other households have a cost burden of 30%-50%, with 21.7% of households spending more than 50% of their income on housing (see Figure 30).

**Figure 30: Cost Burden by Household Size**

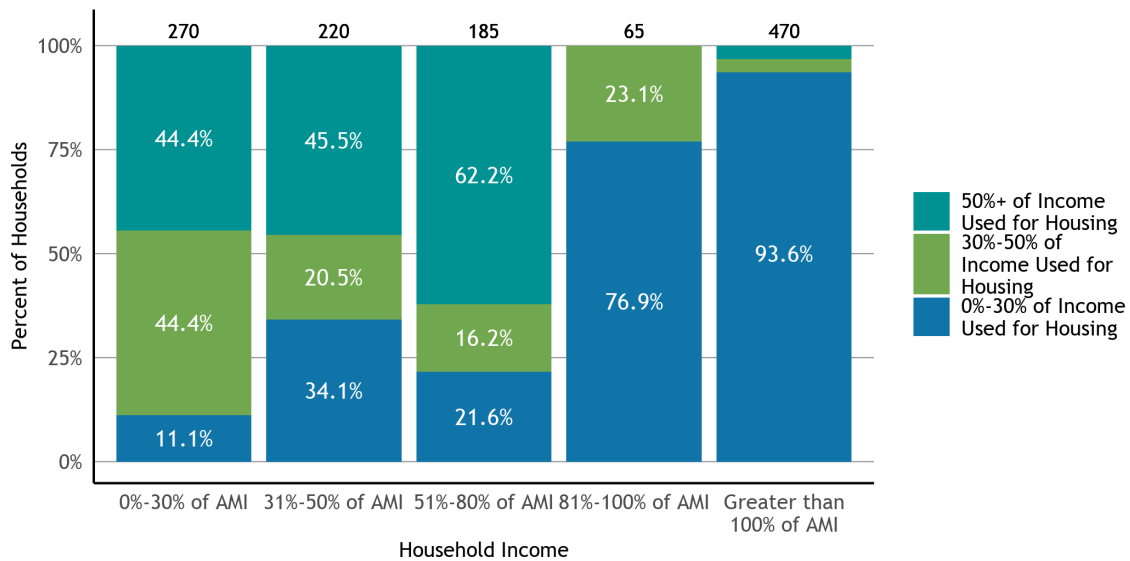


Universe: Occupied housing units

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

When cost-burdened seniors are no longer able to make house payments or pay rents, displacement from their homes can occur, putting further stress on the local rental market or forcing residents out of the community they call home. Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors. 44.4% of seniors making less than 30% of AMI are spending the majority of their income on housing. For seniors making more than 100% of AMI, 93.6% are not cost-burdened and spend less than 30% of their income on housing (see Figure 31).

**Figure 31: Cost-Burdened Senior Households by Income**



*Universe: Senior households*

*Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. 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*

The fundamental strategy for addressing the Town’s long-term overpayment problem is to create new housing opportunities with an emphasis on affordable housing. The Housing Element contains several programs to increase the availability of affordable housing in Corte Madera and encourage more integrated neighborhoods, including programs *H-1.3.a Targeted Marketing*; *H-2.1.a Provide a Variety of Housing Types and Affordability*; *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*; *H-2.10.a Incentives for Affordable Housing*; *H-2.12.a Affordable Housing Ordinance*; and *H-2.14.b Conduct Outreach and Education for Accessory Dwelling Unit Development*. Other policies and programs address housing overpayment directly, including *Program H-1.11.a Rental Assistance Programs*. Finally, *Program H-2.11.a Long-Term Housing Affordability Controls* assures that units will remain affordable.

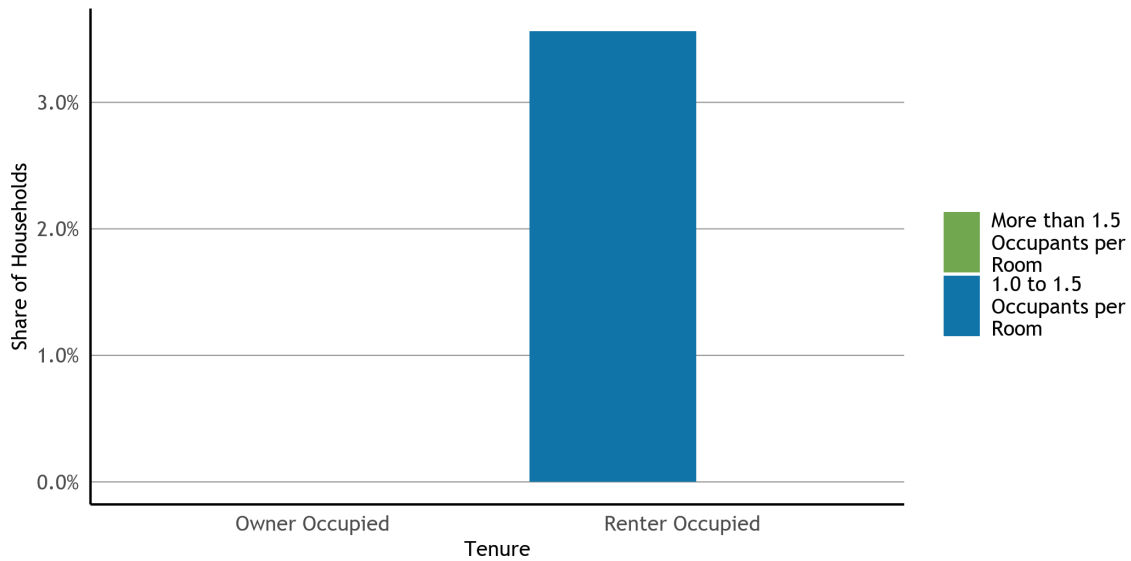
## OVERCROWDING

Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold. There are several different standards for defining overcrowding, but this report uses the Census Bureau definition, which is more than one occupant per room (not including bathrooms or kitchens). Additionally, the Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded.

Overcrowding is often related to the cost of housing and can occur when demand in a city or region is high. In many cities, overcrowding is seen more amongst those that are renting, with multiple households sharing a unit to make it possible to stay in their communities. In Corte Madera, 0% of households that rent are severely overcrowded (more than 1.5

occupants per room), compared to 0% of households that own (see Figure 32). In Corte Madera, 3.6% of renters experience moderate overcrowding (1 to 1.5 occupants per room), compared to 0% for those who own.

**Figure 32: Overcrowding by Tenure and Severity**



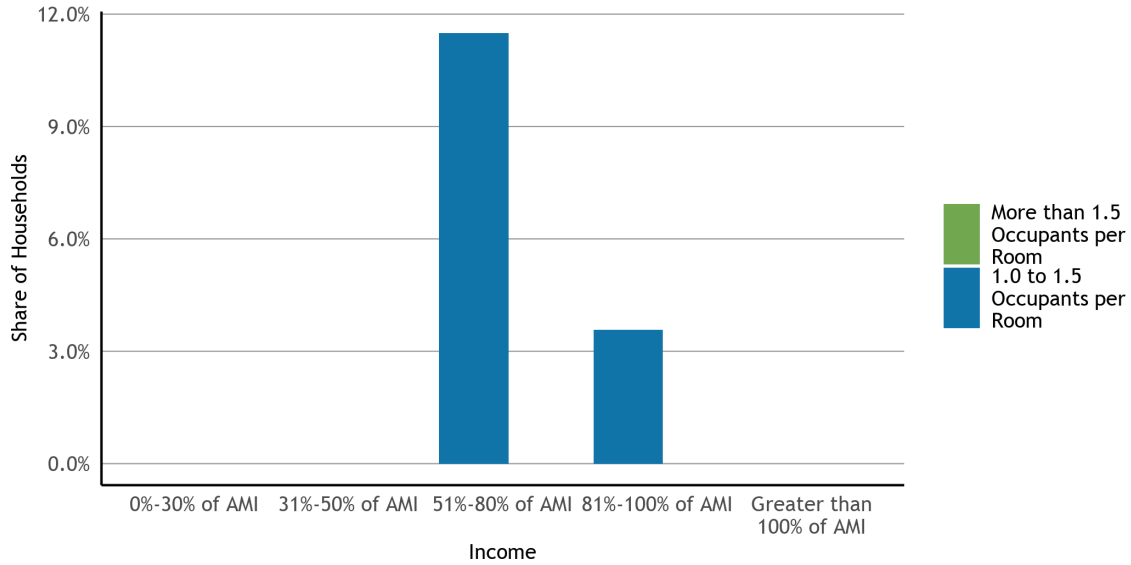
*Universe: Occupied housing units*

*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*

In many communities, overcrowding often disproportionately impacts low-income households. In Corte Madera, 0% of very low-income households (below 50% AMI) experience severe overcrowding, while 0% of households above 100% experience this level of overcrowding (see Figure 33).

**Figure 33: Overcrowding by Income Level and Severity**

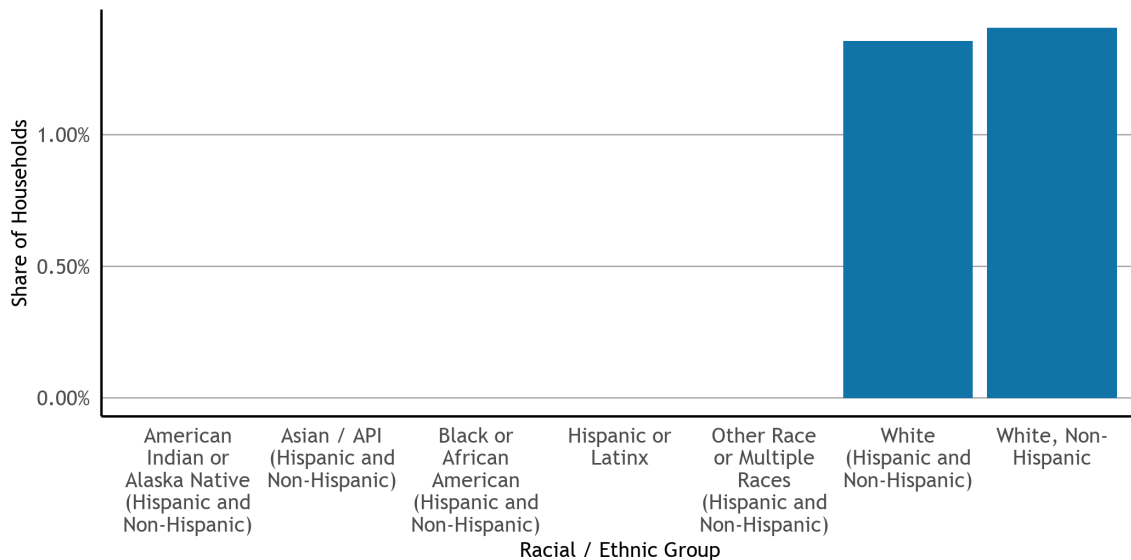


*Universe: Occupied housing units*

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

Communities of color are more likely to experience overcrowding similar to how they are more likely to experience poverty, financial instability, and housing insecurity. People of color tend to experience overcrowding at higher rates than White residents. In Corte Madera, the racial group with the largest overcrowding rate is *White, Non-Hispanic* (see Figure 34).

**Figure 34: Overcrowding by Race**



*Universe: Occupied housing units*

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.

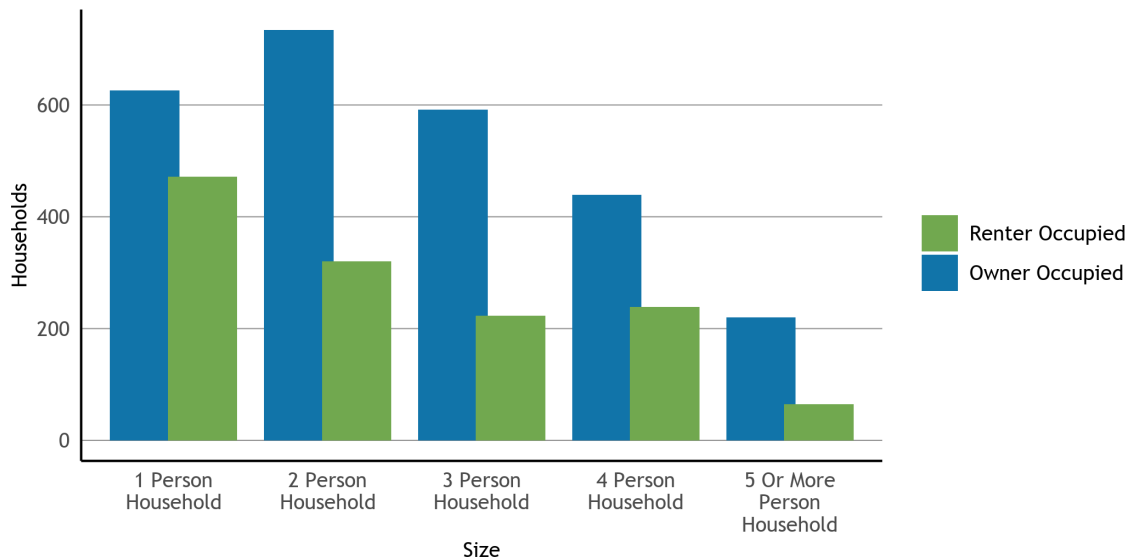
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014

## 2.6 SPECIAL HOUSING NEEDS

### LARGE HOUSEHOLDS

Large households often have different housing needs than smaller households. If a city's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions. In Corte Madera, for large households with 5 or more persons, most units (77.2%) are owner occupied (see Figure 35). In 2017, 16.7% of large households were very low-income, earning less than 50% of the area median income (AMI).

**Figure 35: Household Size by Tenure**



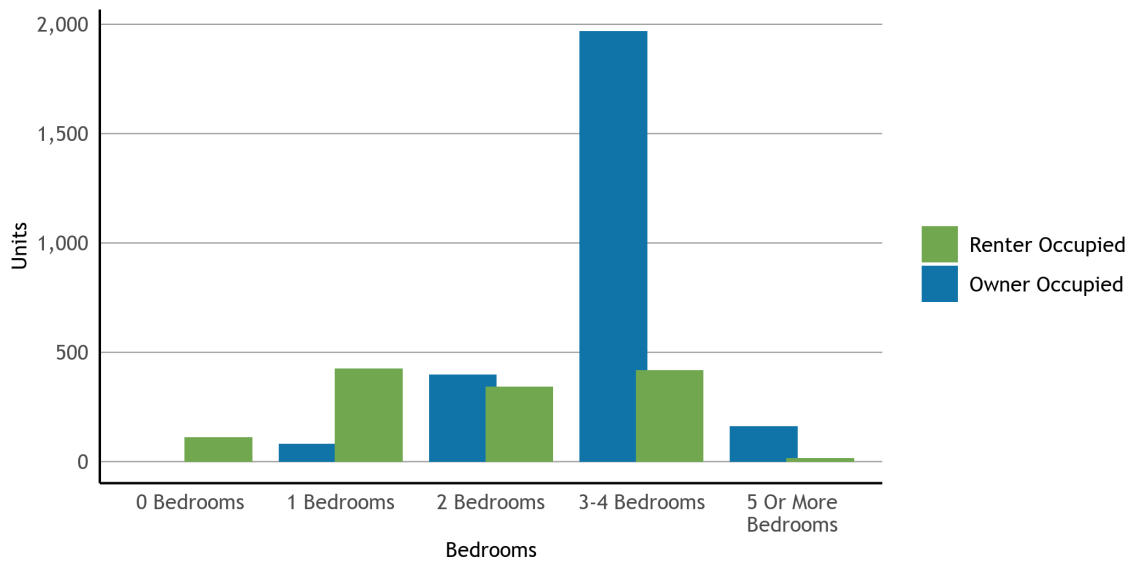
Universe: Occupied housing units

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

The unit sizes available in a community affect the household sizes that can access that community. Large families are generally served by housing units with 3 or more bedrooms, of which there are 2,565 units in Corte Madera. Among these large units with 3 or more bedrooms, 17.0% are renter-occupied and 83.0% are owner-occupied (see Figure 36).



**Figure 36: Housing Units by Number of Bedrooms**



Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042

### ***Strategies and Programs to Meet the Projected Needs of Large Households***

Large households would benefit from multi-family housing that includes childcare facilities. Housing with large-household units should include adequate recreation facilities for children and should be located near public transit. Policy *H-1.8 Housing for Families with Children* and Program *H-1.8.a Family Housing Amenities* are designed to address this need.

The preceding needs analysis indicates that the number of homes in Corte Madera with three or more bedrooms is greater than the number of large families. Providing more housing for seniors in existing large homes to downsize is one strategy to better match the existing housing supply to housing needs. The Housing Element includes policies and programs to promote multi-family housing that will increase the supply of smaller units and housing opportunities for seniors, such as *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*.

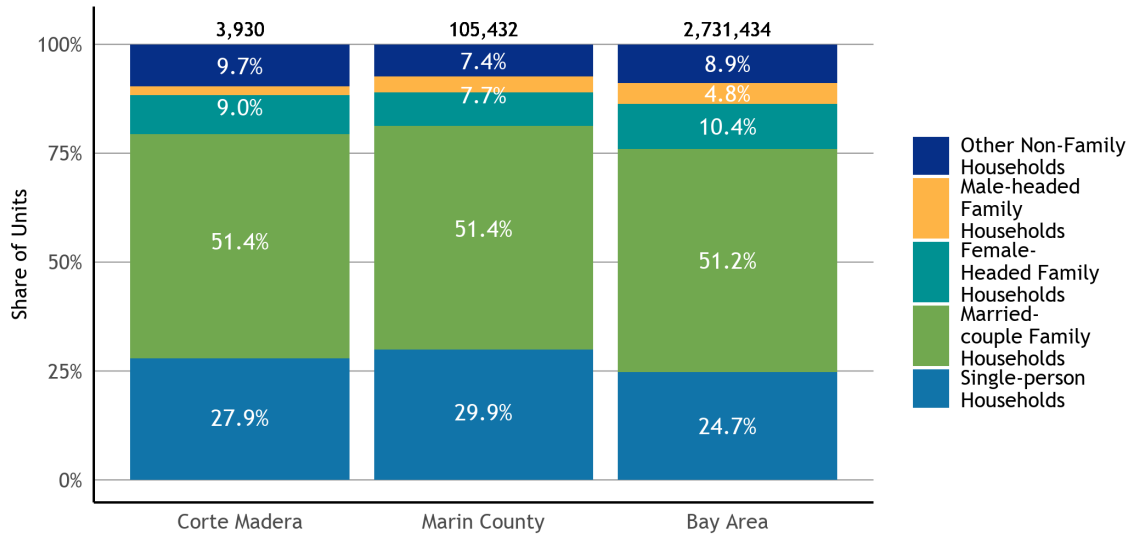
More broadly, the Housing Element sets fundamental policy that commits the Town to planning for all households of all sizes and types and protecting all households from discrimination based on family status (*H-1.1 Diversity of Population, H-1.2 Equal Housing Opportunity, H-1.4 Variety of Housing Choices, H-1.5 Special Needs Housing, and H-1.2 Equal Housing Opportunity, and H-1.2.a Anti-Discrimination Ordinance*).

### **FEMALE-HEADED HOUSEHOLDS**

Households headed by one person are often at greater risk of housing insecurity, particularly female-headed households, who may be supporting children or a family with only one income.

In Corte Madera, the largest proportion of households is *Married-couple Family Households* at 51.4% of total, while *Female-Headed Households* make up 9.0% of all households.

**Figure 37: Household Type**



*Universe: Households*

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

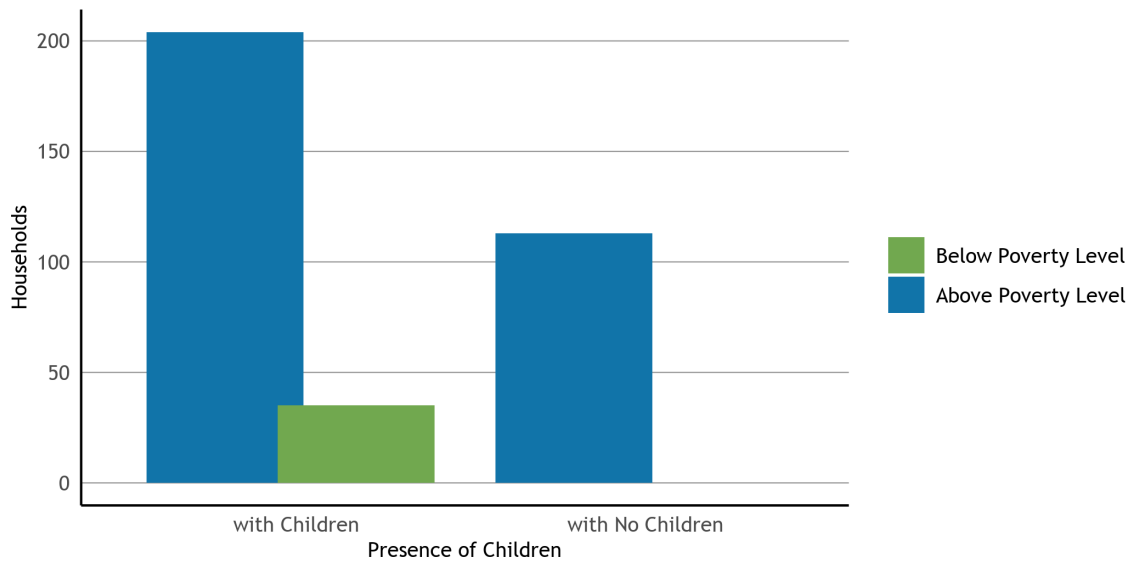
Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for childcare can make finding a home that is affordable more challenging.

In Corte Madera, 14.6% of female-headed households with children fall below the Federal Poverty Line, while 0.0% of female-headed households *without* children live in poverty (see Figure 38).

***Strategies and Programs to Meet Projected Needs***

This Housing Element recognizes the potential for discrimination against families with children, especially in rental housing (*H-1.2 Equal Housing Opportunity and H-1.2.a Anti-Discrimination Ordinance*). This Element includes policies promoting affordable, multi-family housing near transit that would address the needs of many single-parent and female-headed households (*H-2.7 High Potential Housing Opportunity Areas and H-2.9 Mixed-Use Housing*). Housing for single parent households should include adequate recreation facilities for children and should be located near public transit (*H-1.8 Housing for Families with Children and H-1.8.a Family housing amenities*). New single parent households may be assisted with first-time buyer programs (*H-2.5.a First-time homebuyer programs*).

**Figure 38: Female-Headed Household by Poverty Status**



*Universe: Female Households*

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

*Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012*

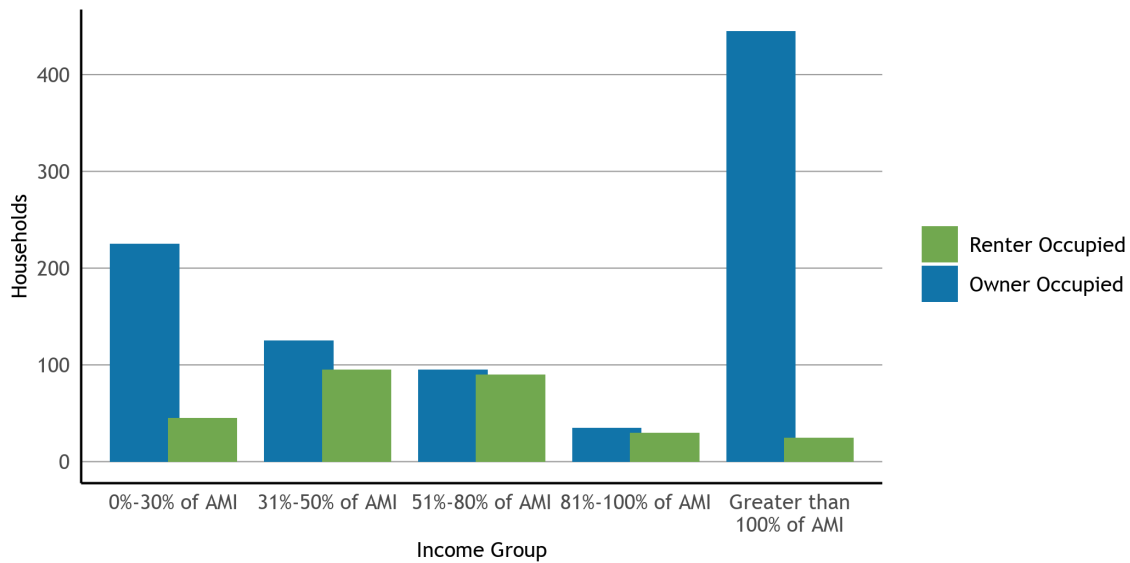
## SENIORS

Senior households often experience a combination of factors that can make accessing or keeping affordable housing a challenge. They often live on fixed incomes and are more likely to have disabilities, chronic health conditions and/or reduced mobility.

Seniors who rent may be at even greater risk for housing challenges than those who own, due to income differences between these groups. The largest proportion of senior households who rent make *31%-50% of AMI*, while the largest proportion of senior households who are homeowners falls in the income group *Greater than 100% of AMI* (see Figure 39). Extremely low income (*0-30% of AMI*) senior households are much more likely to be owners than renters.

The stock of housing in Corte Madera targeted specifically to seniors has increased with the completion of the 118-unit Aegis project in 2002. Aegis provides for a range of senior housing needs by offering assisted living and Alzheimer and dementia care. Nine of the Aegis units are deed-restricted for low and very low-income seniors, but these residents must pay the same fees for services as other market-rate tenants. While Aegis addresses the continuum of senior housing needs, the cost is out of reach for most older residents. This is symptomatic of a basic senior housing problem: low- and very low-income seniors cannot afford the cost of licensed facilities. Rent (including meals and activities) for assisted living and memory care apartments at Aegis ranges from \$5,300 per month for a studio unit to \$9,500 for a two-bedroom unit. Personal care is an additional cost above basic rent.

**Figure 39: Senior Households by Income and Tenure**



*Universe: Senior households*

*Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. 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*

### ***Strategies and Programmatic Responses to Meet Projected Senior Housing Needs***

The Town of Corte Madera offers services for senior residents through the Recreation Department including entry-level computer training, exercise and agility classes, safe driving classes for older adults, and traditional recreation events and programs. The Division of Aging and Adult Services of the Marin County Department of Health and Human Services supports a variety of programs for senior citizens through a network of local non-profit organizations and governmental agencies in Marin County. Services include assisted transportation, case management, congregate and home-delivered meals, family caregiver support, information and assistance, personal care and homemaker services, adult protective services, in-home supportive services, and public health nursing programs. Corte Madera established Age-Friendly Corte Madera in 2015, under the umbrella of the World Health Organization, to identify and implement the needs and services of those aged 60 and over.

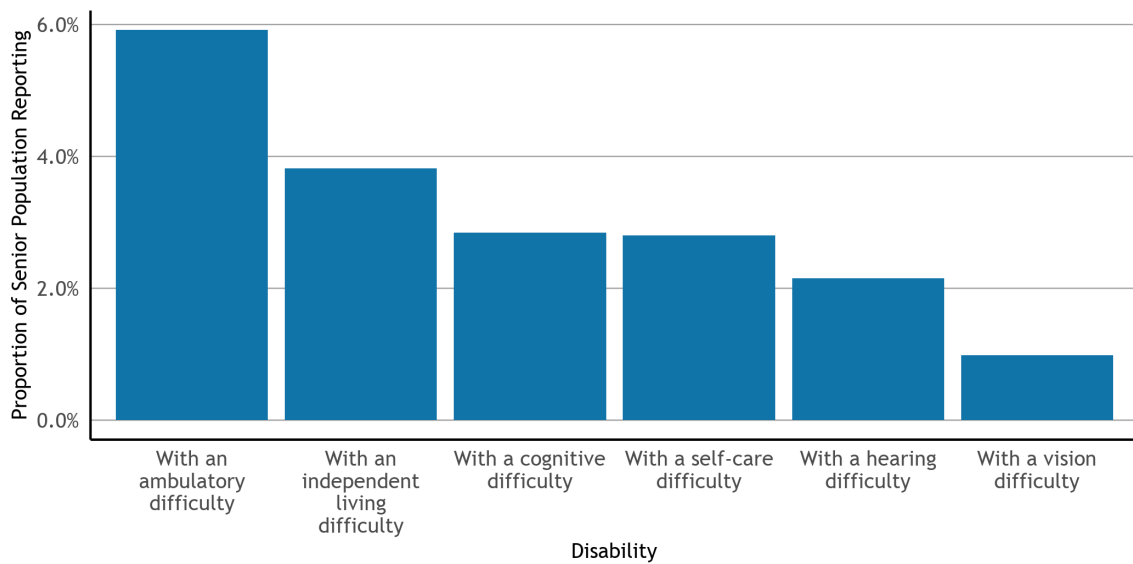
This Housing Element includes policies and programs to promote multi-family housing that will increase housing opportunities for seniors, such as encouraging a full range of housing types (*H-1.1 Diversity of Population, H-1.4 Variety of Housing Choices, and H-1.7 Incentives for Senior Housing, and H-2.7 High Potential Housing Opportunity Areas and their implementation programs*). Accessory dwelling units and home match services are important options for some seniors, such as extremely low income senior households, and can provide extra income to make it possible for seniors to remain in their homes and age in place (*H-2.14 Accessory Dwelling Units and H-2.6.a Home Match Services*). The updated Housing Element has specific policies for senior residents with special needs including adaptable units and assisted living facilities (*H-1.6.a Adaptable Units for the Disabled, H-1.6.b Visitability Ordinance, and H-1.6.c Residential Care Homes*).

## PEOPLE WITH DISABILITIES

People with disabilities face additional housing challenges. Encompassing a broad group of individuals living with a variety of physical, cognitive, and sensory impairments, many people with disabilities live on fixed incomes and are in need of specialized care, yet often rely on family members for assistance due to the high cost of care.

When it comes to housing, people with disabilities are not only in need of affordable housing but accessibly designed housing, which offers greater mobility and opportunity for independence. Unfortunately, the need typically outweighs what is available, particularly in a housing market with such high demand. People with disabilities are at a high risk for housing insecurity, homelessness, and institutionalization, particularly when they lose aging caregivers. Figure 40 shows the rates at which different disabilities are present among residents of Corte Madera. Overall, 8.7% of people in Corte Madera have a disability of any kind.<sup>24</sup>

**Figure 40: Disability by Type**



*Universe: Civilian noninstitutionalized population 18 years and over*

*Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed. 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.*

<sup>24</sup> These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

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.

State law also requires Housing Elements to examine the housing needs of people with developmental disabilities. Developmental disabilities are defined as severe, chronic, and attributed to a mental or physical impairment that begins before a person turns 18 years old. This 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.<sup>25</sup>

In Corte Madera, of the population with a developmental disability, children under the age of 18 make up 48.1%, while adults account for 51.9%.

**Table 7: Population with Developmental Disabilities**

| Residence Type                   | Number |
|----------------------------------|--------|
| Home of Parent /Family /Guardian | 36     |
| Independent /Supported Living    | 18     |
| Other                            | 0      |
| Foster /Family Home              | 0      |
| Intermediate Care Facility       | 0      |
| Community Care Facility          | 0      |

*Universe: Population with developmental disabilities*

*Notes: 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. 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: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020)*

Persons with disabilities face unique problems in obtaining affordable and adequate housing. This segment of the population, which includes individuals with mental, physical, and developmental disabilities, represents a wide range of housing needs. Housing designed to be barrier-free, with accessibility modifications, proximity to services and transit, and group

living opportunities are some of the considerations and accommodations that are important in serving this need group. The need for affordable, handicapped-accessible housing will increase as the population ages.

Living arrangements for the disabled vary, depending on the type and severity for their disability, as well as personal preference and lifestyle. Many disabled people live independently at home with the help of family. Assistance may be necessary to maintain independent living, including income support, accessibility improvements to the home, and in-home supportive services.

Housing types that address the needs of the disabled include:

- single-room occupancy units;
- group homes for specific need groups with support services;
- set-asides in larger multi-family affordable projects including senior housing developments.

The 79-unit San Clemente Place project is 100% affordable. Five of these units are fully accessible, and another 53 units are designed to be converted to full accessibility with simple and inexpensive modifications.

### ***Strategies and Programs to Meet Projected Disabled Persons Needs***

Appropriate housing for persons with mental or physical disabilities include very low cost units in large group home settings (near retail services and public transit), supervised apartment settings with on- or off-site support services, outpatient/day treatment programs, and inpatient/day treatment programs, crisis shelters and transitional housing.

There are a number of housing types appropriate for people living with a developmental disability: rent subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 homes. 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 this need group.

Title 24 of the State Uniform Building Code mandates that all new multi-family residential construction projects containing six or more units must conform to specific disabled adaptability/accessibility regulations. The Title 24 mandate and high-density residential zoning address the needs of several categories of disabled persons, especially the needs of people with physical disabilities. The needs of other disabled people, in addition to basic affordability, range from needing slight modifications of existing units to the need for a variety of supportive housing arrangements. Some of the disabled population can only live successfully in housing that provides a semi-sheltered, semi-independent living, such as clustered group housing or other group living quarters. Others are capable of living independently if affordable units are available. Group homes caring for up to 6 persons are allowed by right in all residential districts.

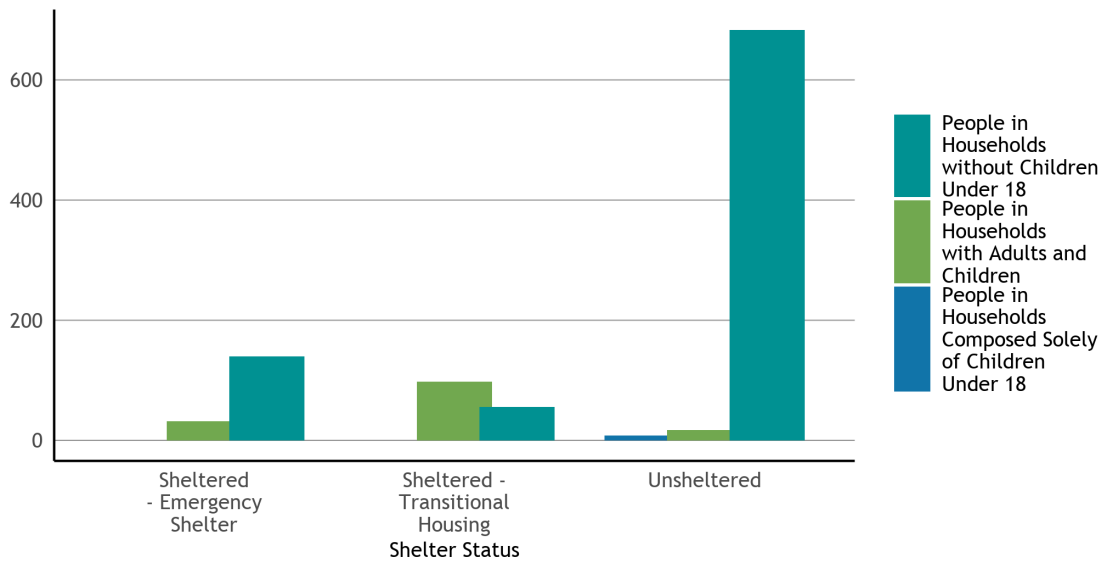
Policies and programs in this Housing Element recognize the special needs of disabled persons including basic civil rights in housing, the need for physical accommodation, and the difficulty many disabled persons have finding housing they can afford (*Policies H-1.2 Equal Housing*)

*Opportunity, H-1.6 Provision of Affordable Housing for Special Needs Households, and H-1.7 Density Bonuses for Special Needs Housing and their implementation programs*) In addition, the Town has adopted procedures for people with disabilities to request reasonable accommodation in the application of zoning laws and other land use regulations, policies and procedures.

## HOMELESSNESS

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Far too many residents who have found themselves housing insecure have ended up unhoused or homeless in recent years, either temporarily or longer term. Addressing the specific housing needs for the unhoused population remains a priority throughout the region, particularly since homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction and those dealing with traumatic life circumstances. In Marin County, 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% are unsheltered. Of homeless households with children, most are sheltered in transitional housing (see Figure 41).

**Figure 41: Homelessness by Household Type and Shelter Status, Marin County**



*Universe: Population experiencing homelessness*

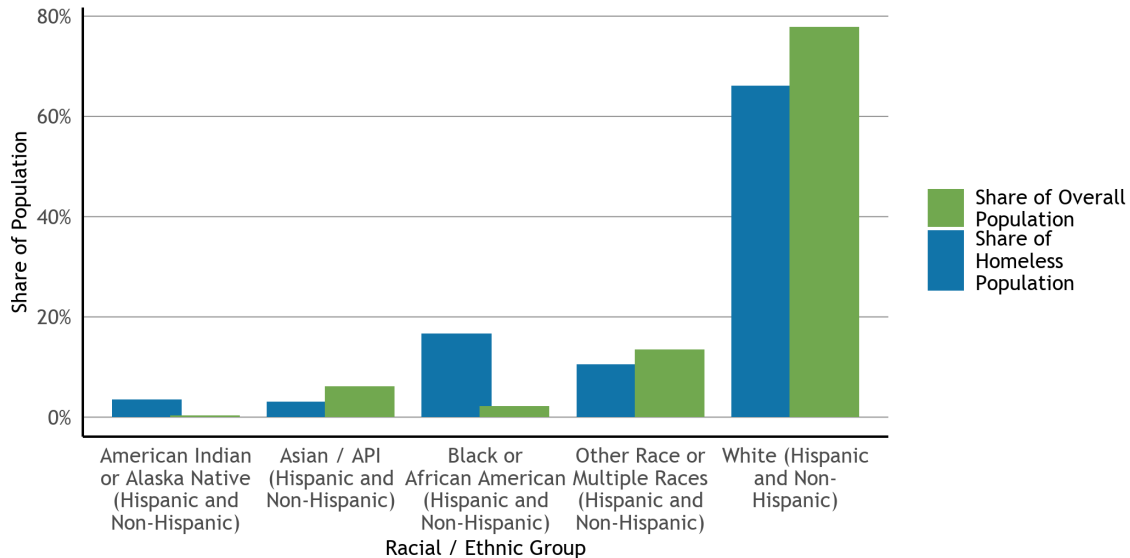
*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness.*

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



People of color are more likely to experience poverty and financial instability as a result of historical federal and local housing policies that excluded them from the same opportunities extended to white residents. Consequently, people of color are often disproportionately impacted by homelessness, particularly Black residents of the Bay Area. In Marin County, White (Hispanic and Non-Hispanic) residents represent the largest proportion of residents experiencing homelessness and account for 66.2% of the homeless population, while making up 77.8% of the overall population (see Figure 42).

**Figure 42: Racial Group Share of General and Homeless Populations, Marin County**



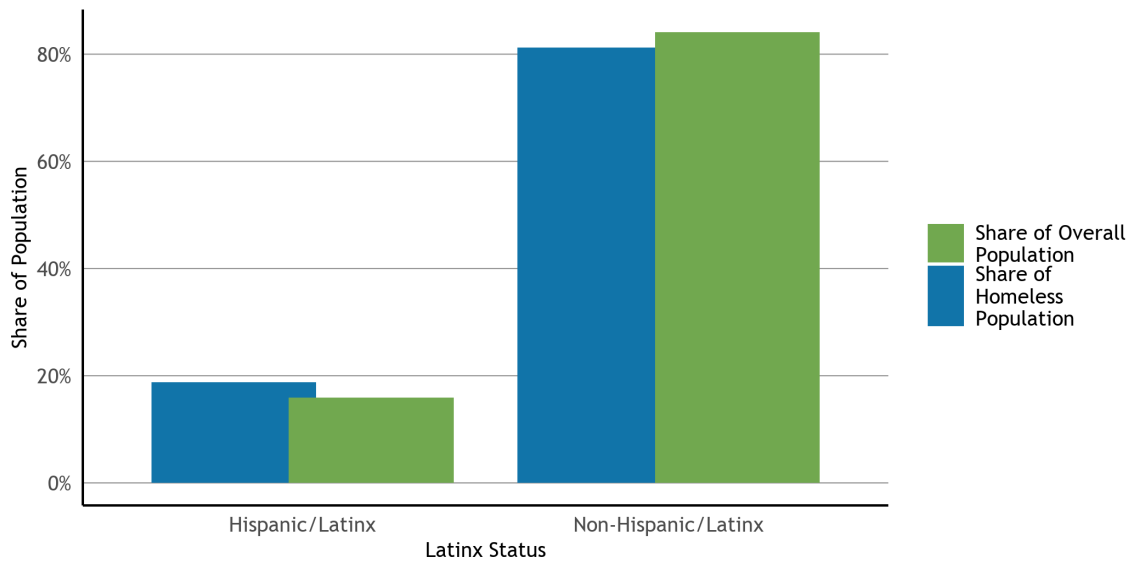
*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. HUD does not disaggregate racial demographic data by Hispanic/Latinx ethnicity for people experiencing homelessness. Instead, HUD reports data on Hispanic/Latinx ethnicity for people experiencing homelessness in a separate table. Accordingly, the racial group data listed here includes both Hispanic/Latinx and non-Hispanic/Latinx individuals.*

*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), Table B01001(A-I)*

In Marin, Latinx residents represent 18.8% of the population experiencing homelessness, while Latinx residents comprise 15.9% of the general population (see Figure 43).

**Figure 43: Latinx Share of General and Homeless Populations, Marin County**



*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD’s requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. 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.*

*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), Table B01001(A-I)*

Many of those experiencing homelessness are dealing with severe issues – including mental illness, substance abuse and domestic violence – that are potentially life threatening and require additional assistance. In Marin County, homeless individuals are commonly challenged by severe mental illness, with 275 reporting this condition (see Figure 44). Of those, some 64.4% are unsheltered, further adding to the challenge of handling the issue.

The 2019 Marin Homeless Count and Survey Comprehensive Report counted a total of 1,034 homeless people throughout Marin County on January 28, 2019. Sixty-eight percent, or 703 people, were unsheltered. According to the report, there were 39 unsheltered homeless people in Corte Madera on that day, and no sheltered homeless people.<sup>26</sup>

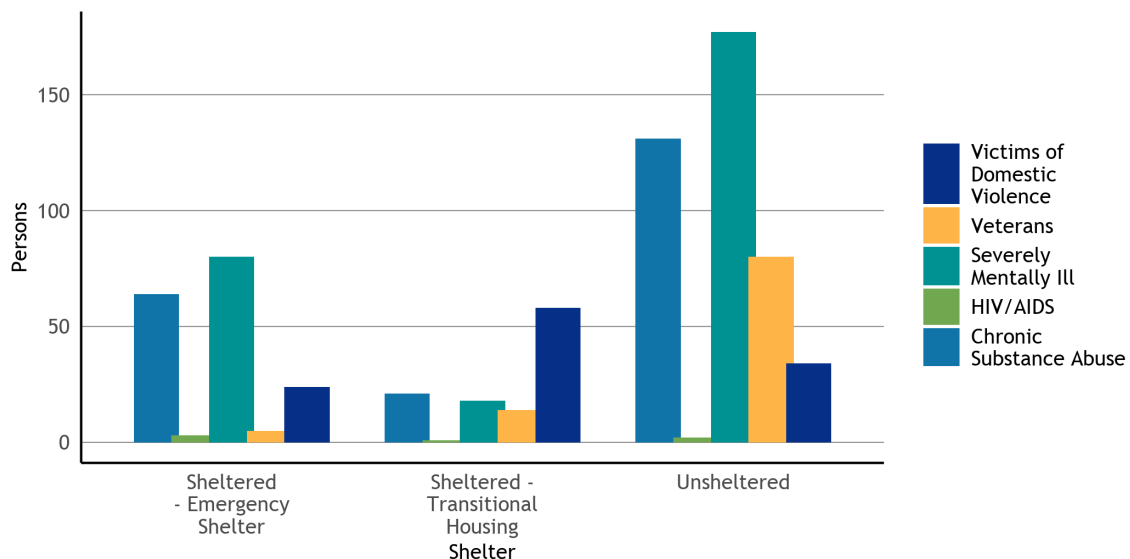
<sup>26</sup> Applied Survey Research, Marin County Homeless Count & Survey Comprehensive Report 2019, retrieved on December 9, 2021, at [https://www.marinhhs.org/sites/default/files/files/servicepages/2019\\_07/2019hirdreport\\_marincounty\\_final.pdf](https://www.marinhhs.org/sites/default/files/files/servicepages/2019_07/2019hirdreport_marincounty_final.pdf)

As a result of social distancing and public health safety precautions for the COVID-19 pandemic, the County did not conduct a full Point-in-Time unsheltered homeless count and survey in 2021. Instead, the Marin County Continuum of Care conducted a vehicle count to help understand the existing state of homelessness. The count found 486 people living in vehicles in Marin County in 2021, with 5 homeless people living in vehicles in Corte Madera. In 2022, an 18-unit permanent supportive housing development for those experiencing homelessness was developed at a former motel at 1591 Casa Buena Drive in Corte Madera.

The most recent 2022 Point-in-Time Count 830 unsheltered people experiencing homelessness in County, of which 3 people were living in Corte Madera at the time of the count. The 2022 count also identified the following characteristics and needs for the homeless population in Marin County:

- The average life expectancy of individuals experiencing homelessness is 25 years less than those in stable housing. These individuals also require longer hospitalizations, estimated at 36% more than stably housed people. Access to regular healthcare is needed.
- Approximately 63% of individuals experiencing homelessness receive assistance through federal, state and local programs such as social security, food stamps, and VA benefits. However, many individuals and families do not apply for services, believing they are ineligible. Connecting homeless individuals and families to these support services is needed.
- In addition to government assistance, there are numerous community-based services and programs available in Marin. These services include day shelters, meal programs, job training, and healthcare. The top 5 services or assistance received are: free meals, 44%; day services 24%; health services, 23%; bus passes, 21%; and emergency shelters, 15%. Connecting homeless individuals to these services is needed.

**Figure 44: Characteristics for the Population Experiencing Homelessness, Marin County**



*Universe: Population experiencing homelessness*

*Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless*

persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. These challenges/characteristics are counted separately and are not mutually exclusive, as an individual may report more than one challenge/characteristic. These counts should not be summed.

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

In Corte Madera, there were no reported students experiencing homelessness in the 2019-20 school year. By comparison, Marin County has seen a 29.9% increase in the population of students experiencing homelessness since the 2016-17 school year, and the Bay Area population of students experiencing homelessness decreased by 8.5%. During the 2019-2020 school year, there were still some 13,718 students experiencing homelessness throughout the region, adding undue burdens on learning and thriving, with the potential for longer term negative effects.

**Table 8: Students in Local Public Schools Experiencing Homelessness**

| Academic Year | Corte Madera | Marin County | Bay Area |
|---------------|--------------|--------------|----------|
| 2016-17       | 0            | 976          | 14,990   |
| 2017-18       | 0            | 837          | 15,142   |
| 2018-19       | 0            | 1,126        | 15,427   |
| 2019-20       | 0            | 1,268        | 13,718   |

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

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)

### **Strategies and Programs to Meet Projected Needs**

The Town allows emergency shelters as a permitted use in the Public/Semi-Public District and defines define transitional and supportive housing as residential uses and to allow these uses in all zones that allow residential uses, subject to the same restrictions as housing of the same type. This Housing Element includes policy *H-1.5 Special Needs Housing* and its implementation programs to provide housing and services to meet the needs of the homeless.

### **FARMWORKERS**

Across the state, housing for farmworkers has 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 housing market.

In Corte Madera, there were no reported students of migrant workers in the 2019-20 school year. The trend for the region for the past few years has been a decline of 2.4% in the number of migrant worker students since the 2016-17 school year.

**Table 9: Migrant Worker Student Population**

| Academic Year | Corte Madera | Marin County | Bay Area |
|---------------|--------------|--------------|----------|
| 2016-17       | 0            | 0            | 4,630    |
| 2017-18       | 0            | 0            | 4,607    |
| 2018-19       | 0            | 11           | 4,075    |
| 2019-20       | 0            | 0            | 3,976    |

*Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools*

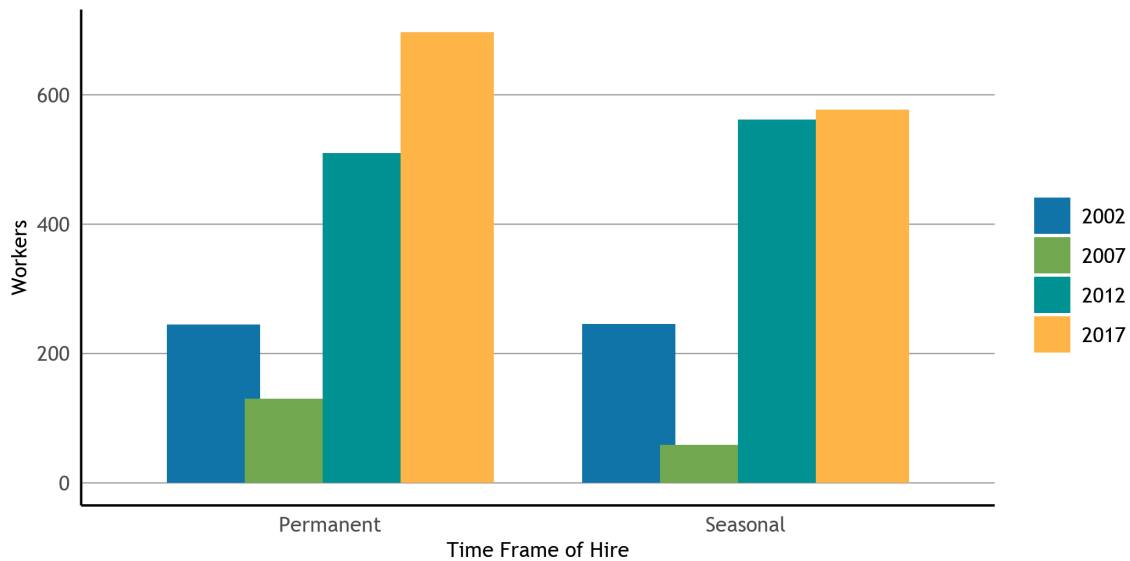
*Notes: The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.*

*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)*

*This table is included in the Data Packet Workbook as Table FARM-01.*

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 (see Figure 45).

**Figure 45: Farm Operations and Farm Labor, Marin County**



*Universe: Hired farm workers (including direct hires and agricultural service workers who are often hired through labor contractors)*

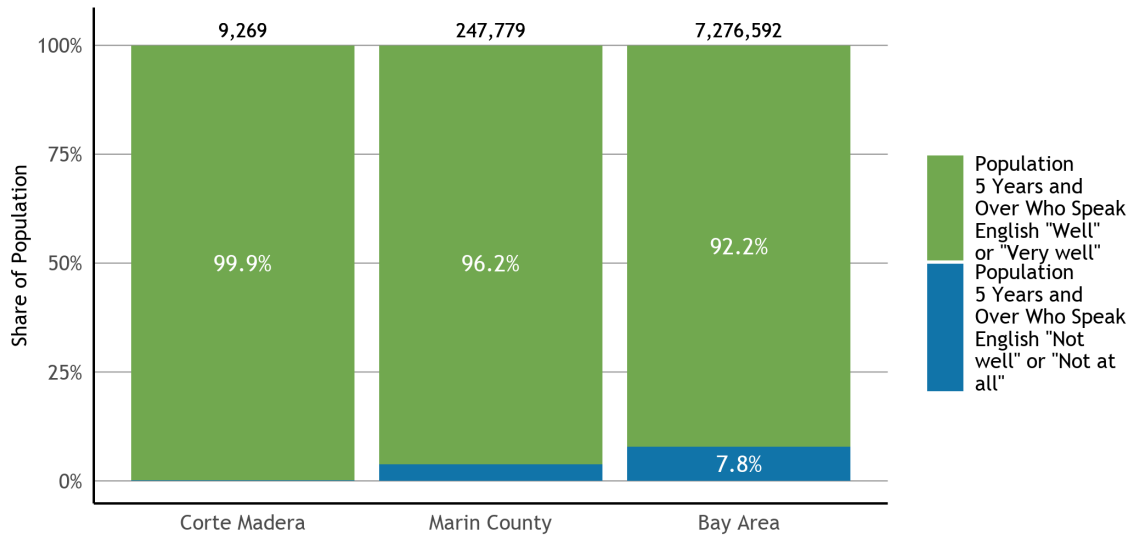
*Notes: Farm workers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.*

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

## NON-ENGLISH SPEAKERS

California has long been an immigration gateway to the United States, which means that many languages are spoken throughout the Bay Area. Since learning a new language is universally challenging, it is not uncommon for residents who have immigrated to the United States to have limited English proficiency. This limit can lead to additional disparities if there is a disruption in housing, such as an eviction, because residents might not be aware of their rights, or they might be wary to engage due to immigration status concerns. In Corte Madera, 0.1% of residents 5 years and older identify as speaking English not well or not at all, which is below the proportion for Marin County. Throughout the region the proportion of residents 5 years and older with limited English proficiency is 8%.

**Figure 46: Population with Limited English Proficiency**



Universe: Population 5 years and over

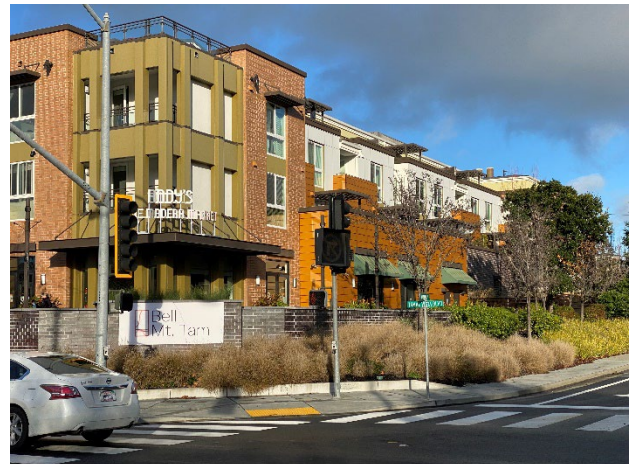
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B16005

***Strategies and Programs to Meet Projected Needs***

The Housing Element contains program *H-4.2.a Inclusive Outreach* to ensure current and future residents with limited English-speaking skills are included in Town housing discussions and decisions. The program directs the Town to target outreach to underrepresented community members, including people who do not speak English as a first language. The Town will provide housing-related materials and surveys in Spanish and provide language translation on the Town’s website and for workshops.

### 3.0 HOUSING SITES

State law requires that jurisdictions provide an adequate number of sites that are properly zoned to facilitate the production of their regional share of housing. To determine whether a jurisdiction has sufficient land to accommodate its share of regional housing needs for all income groups, that jurisdiction must identify “adequate sites.” Under state law (*California Government Code* §65583), adequate sites are those with appropriate zoning designations and development regulations – with public facilities and facilities – needed to facilitate and encourage the development of a variety of housing for all income levels. The land resources available for the development of housing in Corte Madera are addressed in this chapter.



**Tam Ridge Apartments**

#### 3.1 REGIONAL HOUSING NEEDS ALLOCATION FOR 2022–2030

The California Department of Housing and Community Development (HCD) is required to allocate the region’s share of the statewide housing need to Councils of Government (COGs) based on California Department of Finance population projections and regional population forecasts used in preparing regional transportation plans. The COGs in turn are required to prepare Regional Housing Need Plans allocating the region’s share of the statewide need to cities and counties within the region. The quantification of each jurisdiction’s share of the regional housing need is called the Regional Housing Needs Allocation (RHNA).

The RHNA is a minimum number. Jurisdictions may plan for and accommodate a larger number of dwelling units. Jurisdictions must identify adequate sites at appropriate densities and development standards to accommodate the RHNA allocation. Jurisdictions must also show how they will facilitate and encourage development of these units, but they are not required to build or finance the units.

HCD allocated 441,176 units to the nine-county Bay Area as the region’s share of the statewide housing need for the period 2022 through 2030. The Association of Bay Area Governments (ABAG), the region’s COG, adopted a RHNA for the 2022-2030 planning period that assigns 14,405 housing units to Marin cities and towns and the county unincorporated area. The Town of Corte Madera’s Regional Housing Need Allocation is 725 units (Table 9). The Town estimates the projected need for units affordable to extremely low-income households to be 50% of the very low income need, or 107 units.



**Table 10: Corte Madera’s Regional Housing Need, June 30, 2022, to December 31, 2030**

| <b>Income Category</b> | <b>Units</b> |
|------------------------|--------------|
| Very Low Income        | 213          |
| Low Income             | 123          |
| Moderate Income        | 108          |
| Above Moderate Income  | 281          |
| Total                  | 725          |

### 3.2 SITES INVENTORY

Most of the sites within residential zones in the Town are built out or are not viable for development due to environmental or topographic constraints, and therefore offer very limited new housing opportunities. The Town recognizes that it must provide opportunities for higher density residential development outside of traditional residential zones. To achieve this goal and provide the density needed to meet the RHNA within the planning period, the new multi-family sites are in commercial or mixed-use zones. All ten of the identified multi-family housing sites have a Mixed-Use Housing Element General Plan Land Use Designation, which allows both commercial and residential uses.

The development of the Sites Inventory (see Table 11) is based on analysis of the Town’s Zoning Ordinance and General Plan Land Use Element, Marin County Assessor’s information, the County’s geographical information system (MarinMap), field surveys, aerial photographs, and property files. Site analysis also included staff knowledge of existing conditions and underutilized land, development interests expressed by property owners, community input, and market trends.

In addition, the sites were assessed based on the proximity to transit; access to jobs and high performing schools; access to amenities such as parks and community services; access to schools and grocery stores; and proximity to available infrastructure and utilities.

The proposed sites are not publicly owned or leased, except for Site 9, which includes two small, vacant parcels owned by the Town totaling 0.22 acres as further described below. None of the multi-family sites were identified in the previous Housing Element planning period.

The Sites Inventory includes developed, non-residential properties that can be redeveloped for mixed-use development that includes residential uses or redeveloped as a 100% residential project. The sites inventory also includes the potential for new single-family homes on vacant sites, accessory dwelling units (ADUs), and units created through the utilization of SB 9 in single-family zones. The inventory lists individual sites by address, parcel number, General Plan land use designation, zoning district, parcel size, allowable density, realistic development capacity, anticipated units by income category, and environmental constraints.

All multi-family sites are nonvacant but are expected to be redeveloped during the planning period as described below. In all cases, infrastructure, including water, sewer, and utilities

(electricity, natural gas, telephone, cable, internet, and cellular service) is available at or adjacent to the site.

The Marin Municipal Water District (MMWD) provides water to the Town of Corte Madera as well as the incorporated cities and towns of San Rafael, Mill Valley, Fairfax, San Anselmo, Ross, Larkspur, Tiburon, Belvedere and Sausalito and communities in unincorporated areas of Marin County. MMWD's primary water supply is local surface water obtained from rainfall collected from a watershed with six reservoirs. The District receives a supplemental water supply from the Sonoma County Water Agency. The District's *2020 Urban Water Management Plan* has determined that there is adequate supply to meet demand for a projected service population of 211,961 in 2045, an increase of 20,692 people from the 2020 level. MMWD must update the Urban Water Management Plan every five years to accommodate new and projected population growth. The 2020 Urban Water Management Plan was prepared based upon the Association of Bay Area Governments (ABAG) 2017 population projections and therefore does not account for population projections associated with the 6<sup>th</sup> Cycle Housing Element updates within MMWD's service area. MMWD staff have indicated that they are in the early stages of planning to update the 2020 Urban Water Management Plan to accommodate the 6<sup>th</sup> Cycle Housing Element Updates in their service area. MMWD is currently conducting a strategic Water Supply Assessment to evaluate the district's current baseline water supply and to evaluate the impact of potential future water management alternatives that could improve MMWD's long-term water supply resiliency. Upon completion of the Strategic Water Supply Assessment, MMWD intends to update its Urban Water Management Plan to reflect ABAG's 6<sup>th</sup> Cycle Housing Element Regional Housing Needs Allocation numbers and to ensure sufficient water supplies exist to support the associated increase in residential development throughout the district's service area. Water distribution lines are located at or nearby all of the parcels listed in the Sites Inventory.

Sanitary District No. 2 provides sewage collection services for the Town of Corte Madera and limited areas of the surrounding communities of Larkspur and Tiburon, and certain unincorporated land within Marin County. Services include the installation and maintenance of sanitary sewer pipelines and pump stations, and regulation of sanitary sewer connections. The Central Marin Sanitation Agency (CMSA) provides wastewater treatment services. Both agencies have sufficient capacity to serve the additional planned housing units. Sewer lines are located at or near all of the parcels listed in the Sites Inventory.

Chapter 727, statutes of 2005, requires water and sewer providers to grant priority for service allocations to proposed developments that include housing units affordable to lower-income households. MMWD, Sanitary District No. 2, and CMSA are aware of the statute.

Chapter 727 also requires cities and counties to immediately deliver the adopted housing elements of the local general plan and any amendments to water and sewer service providers within a month after adoption. The Town will comply with this requirement.

Sites 1-8 and 10 are located in a Special Flood Hazard Area with a 1 percent or greater chance of flooding within any given year. The Town requires all residential-use areas of new buildings in Special Flood Hazard Areas to be built with finished floors at least one foot above base flood elevations established by FEMA. This standard does not apply to non-habitable areas of new residential buildings, such as parking garages, crawl space, etc. Commercial uses of a mixed-use project can either be flood-proofed or raised one foot above based flood elevations established by FEMA. This requirement has been taken into account when modeling potential

building forms and evaluating unit capacities on each site. New buildings are required to comply with the Town’s ordinances that address flood damage prevention, which are contained in Chapter 16.10 of the Municipal Code. As a result, the presence of the floodplain and the potential for flooding is not a constraint on development. San Clemente Place, a 79-unit affordable housing development for very low- and low-income households, was developed in 2006 in accordance with the Town’s floodplain regulations for residential development.

Housing opportunity sites that are in the flood plain are also vulnerable to potential sea level rise. Sea level rise projections and impacts to Corte Madera are discussed in detail Chapter 7 Flooding and Flood Plain Management of the General Plan. Chapter 7 also describes adaptation strategies and goals, policies, and programs to that will apply to new housing development that is vulnerable to sea level rise. In particular, Implementation Program F-5.2.a states that the Town will require new development, including substantial alterations, to consider and address increased flooding and sea level rise impacts and to integrate resilience and adaptation measures into project design as warranted.

None of the housing opportunity sites are in a Very High Fire Hazard Severity Zone, which would severely limit development potential. However, as discussed in Chapter 8 Public Safety and Hazards of the General Plan, wildfire is a significant threat to the hillside neighborhoods of Corte Madera where wildland and residential areas intermix, called the wildland land urban interface (WUI). The California Building Code and the Corte Madera Municipal Code establish special fire prevention standards for development in the WUI. Chapter 8 also contains goals, policies, and programs related to building in the WUI. Sites 11-29 are located in the WUI, as identified in Table 11.

## AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) SITE ANALYSIS

Assembly Bill 686 passed in 2017 requires the inclusion in the Housing Element an analysis of barriers that restrict access to opportunity<sup>27</sup> and a commitment to specific meaningful actions to affirmatively further fair housing<sup>28</sup>. AB 686 mandates that local governments identify meaningful goals to address the impacts of systemic issues such as residential segregation, housing cost burden, and unequal educational or employment opportunities to the extent these issues create and/or perpetuate discrimination against protected classes<sup>29</sup>.

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<sup>27</sup> While Californian’s Department of Housing and Community Development (HCD) do not provide a definition of opportunity, opportunity usually related to the access to resources and improve quality of life. HCD and the California Tax Credit Allocation Committee (TCAC) have created Opportunity Maps to visualize place-based characteristics linked to critical life outcomes, such as educational attainment, earnings from employment, and economic mobility

<sup>28</sup> “Affirmatively furthering fair housing” is defined to mean taking meaningful actions that “overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity” for communities of color, persons with disabilities, and others protected by California law

<sup>29</sup> A protected class is a group of people sharing a common trait who are legally protected from being discriminated against on the basis of that trait.

In addition, it:

- Requires the state, cities, towns, counties, and public housing authorities to administer their programs and activities related to housing and community development in a way that affirmatively furthers fair housing and prohibits them from taking actions materially inconsistent with their AFFH obligation.
- Adds an AFFH analysis to the Housing Element for plans that are due beginning in 2021.
- Includes in the Housing Element's AFFH analysis 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 full AFFH analysis is contained in Appendix C. In summary, the analysis finds:

- The Town should do more outreach on fair housing laws and available services. The Housing Element contains several programs to address this need.
- Corte Madera's population is mostly White (78.5%), but the population is becoming more diverse, and the Town is becoming less segregated.
- The Town's RHNA strategy does not disproportionately place lower- or moderate-income units in lower opportunity areas or in areas with higher concentrations of racial/ethnic minority populations, people with disabilities, single-parent households, low- or moderate-income households, or cost-burdened renters.
- RHNA sites in Corte Madera do not exacerbate existing fair housing conditions and ensure future households have adequate access to a variety of opportunities.
- The Town's RHNA strategy ensures that new housing units affordable to all income levels are integrated throughout the Town.

ABAG's regional housing allocation methodology for the 6<sup>th</sup> housing element cycle was specifically designed to direct more housing growth to high resource areas with higher rates of segregation, like Corte Madera, in an effort to achieve more balanced and integrated communities across the Bay Area region. As a result, the RHNA allocation is, in itself, a tool to address housing disparities, and Corte Madera's exceptionally high RHNA (10 times the previous cycle vs. 2.4 for the regional allocation) is a primary means for providing more housing opportunities for all and achieving a more diverse population.

**Table 11: Sites Inventory**

| Site | Parcel Number | Address              | GP Designation                   | Zoning District | Size (acres) | Allowable Density (du/ac) | Realistic Develop. Capacity | Very Low | Low | Mod. | Above Mod. | Environmental Constraints                                   |
|------|---------------|----------------------|----------------------------------|-----------------|--------------|---------------------------|-----------------------------|----------|-----|------|------------|---|
| 1    | 024-031-25    | 41 Tamal Vista Blvd. | Mixed Use Overlay - Corridor     | MX-1/HE-2       | 2.11         | 35-40*                    | 74                          | 48       | 26  | -    | -          | Special Flood Hazard Area                                   |
| 2    | 024-011-70    | 400 Tamal Plaza      | Mixed Use Overlay - Corridor     | M/HE-2          | 1.43         | 35-40*                    | 105                         | 34       | 18  | 53   | -          | Special Flood Hazard Area                                   |
|      | 024-011-71    | 500 Tamal Plaza      | Mixed Use Overlay - Corridor     | M/HE-2          | 1.57         | 35-40*                    |                             |          |     |      |            |   |
| 3    | 024-041-15    | 2 Fifer Ave.         | Mixed Use Overlay - Corridor     | O/HE-2          | 1.08         | 35-40*                    | 120                         | 12       | 6   | 6    | 96         | Special Flood Hazard Area                                   |
|      | 024-041-02    | 10 Fifer Ave.        | Mixed Use Overlay - Corridor     | C-3/HE-2        | 1.03         | 35-40*                    |                             |          |     |      |            |   |
|      | 024-041-12    | 110 Nellen Ave.      | Mixed Use Overlay - Corridor     | C-3/HE-2        | 0.82         | 35-40*                    |                             |          |     |      |            |   |
|      | 024-041-16    | 150 Nellen Ave.      | Mixed Use Overlay - Corridor     | C-3/HE-2        | 0.52         | 35-40*                    |                             |          |     |      |            |   |
| 4    | 024-041-17    | 111 Lucky Dr.        | Mixed Use Overlay - Neighborhood | C-3/HE-1        | 1.67         | 25-30*                    | 25                          | 16       | 9   | -    | -          | Special Flood Hazard Area; 0.68 acre is Black Kettle Lagoon |
| 5    | 024-032-22    | 1400 Redwood Hwy.    | Mixed Use Overlay - Core         | C-2/HE-3        | 7.48         | 40                        | 300                         | 30       | 15  | 15   | 240        | Special Flood Hazard Area                                   |
| 6    | 026-011-27    | 5804 Paradise Dr.    | Mixed Use Overlay - Corridor     | C-4/HE-2        | 1.16         | 35-40*                    | 41                          | 27       | 14  | -    | -          | Special Flood Hazard Area                                   |
| 7    | 026-021-20    | 5750 Paradise Dr.    | Mixed Use Overlay - Corridor     | C-4/HE-2        | 0.60         | 35-40*                    | 62                          | 6        | 3   | 3    | 50         | Special Flood Hazard Area                                   |

| Site | Parcel Number | Address                    | GP Designation                   | Zoning District | Size (acres) | Allowable Density (du/ac) | Realistic Develop. Capacity | Very Low | Low | Mod. | Above Mod. | Environmental Constraints            |
|------|---------------|----------------------------|----------------------------------|-----------------|--------------|---------------------------|-----------------------------|----------|-----|------|------------|--------------------------------------|
|      | 026-021-15    | Paradise Drive & Koch Road | Mixed Use Overlay - Corridor     | C-4/HE-2        | 0.36         | 35-40*                    |                             |          |     |      |            |                                      |
|      | 026-021-19    | Paradise Drive & Koch Road | Mixed Use Overlay - Corridor     | C-4/HE-2        | 0.80         | 35-40*                    |                             |          |     |      |            |                                      |
| 8    | 026-071-28    | 5651 Paradise Dr.          | Mixed Use Overlay - Neighborhood | C-1/HE-1        | 1.33         | 25-30*                    | 33                          | 22       | 11  | -    | -          | Special Flood Hazard Area            |
|      | 026-071-65    |                            | Mixed Use Overlay - Neighborhood | C-1/HE-1        | 0.09         |                           |                             |          |     |      |            |                                      |
|      | 026-071-66    |                            | Mixed Use Overlay Neighborhood   | C-1/HE-1        | 0.13         |                           |                             |          |     |      |            |                                      |
| 9    | 024-011-67    | 100 Tamal Plaza            | Mixed Use Overlay - Corridor     | M/HE-2          | 1.50         | 35-40*                    | 53                          | 3        | 4   | 3    | 43         |                                      |
| 10   | 024-011-66    | 240 Tamal Vista Blvd.      | Mixed Use Overlay - Corridor     | O/HE-2          | 1.57         | 35-40*                    | 55                          | 4        | 4   | 3    | 44         | Special Flood Hazard Area            |
| 11   | 033-021-03    | Meadowcrest Dr.            | Hillside Residential             | R-1-A           | 4.06         | 2.2                       | 1                           |          |     |      | 1          | Hillside Land Capacity District; WUI |
| 12   | 025-251-04    | Meadowcrest Dr.            | Hillside Residential             | R-1-C           | 3.85         | 2.2                       | 1                           |          |     |      | 1          | Hillside Land Capacity District; WUI |
| 13   | 025-241-87    | Fairview Ave.              | Hillside Residential             | R-1-B           | 0.52         | 2.2                       | 1                           |          |     |      | 1          | Hillside Land Capacity District; WUI |
| 14   | 025-111-05    | 23 Buena Vista Ave.        | Low Density Residential          | R-1             | 0.64         | 5.8                       | 1                           |          |     |      | 1          | WUI                                  |

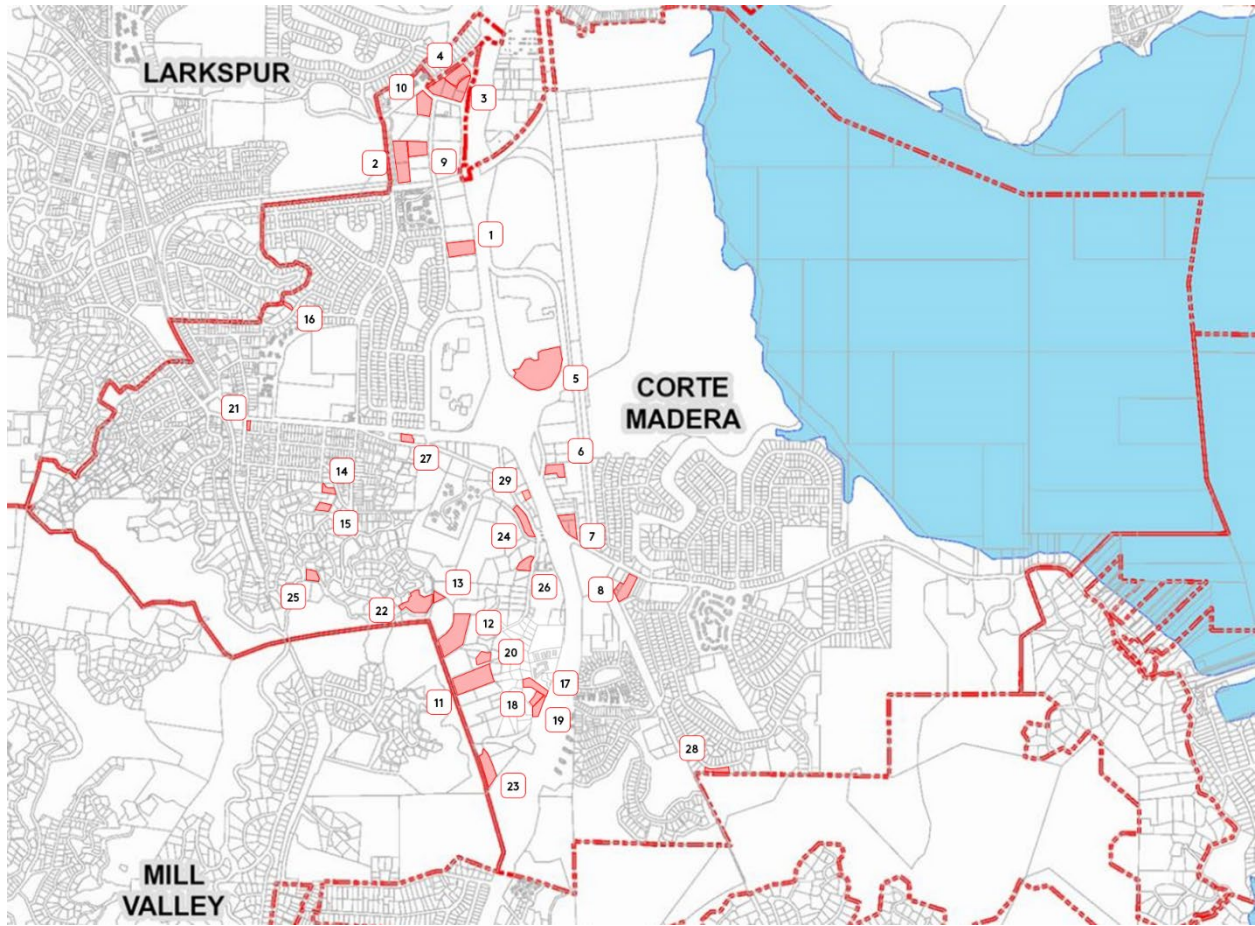
| Site | Parcel Number | Address                | GP Designation          | Zoning District | Size (acres) | Allowable Density (du/ac) | Realistic Develop. Capacity | Very Low | Low | Mod. | Above Mod. | Environmental Constraints            |
|------|---------------|------------------------|-------------------------|-----------------|--------------|---------------------------|-----------------------------|----------|-----|------|------------|--------------------------------------|
| 15   | 025-111-34    | 530 Chapman Dr.        | Low Density Residential | R-1             | 0.59         | 5.8                       | 1                           |          |     |      | 1          | WUI                                  |
| 16   | 024-062-38    | 106 Walnut             | Low Density Residential | R-1             | 0.27         | 5.8                       | 1                           |          |     |      | 1          | WUI                                  |
| 17   | 033-031-67    | Meadow Valley Rd.      | Hillside Residential    | R-1-A           | 0.59         | 2.2                       | 2                           |          |     |      | 2          | WUI                                  |
| 18   | 033-031-69    | Meadowsweet Dr.        | Hillside Residential    | R-1-A           | 0.47         | 2.2                       | 2                           |          |     |      | 2          | WUI                                  |
| 19   | 033-031-68    | Meadowsweet Dr.        | Hillside Residential    | R-1-A           | 0.50         | 2.2                       | 2                           |          |     |      | 2          | WUI                                  |
| 20   | 033-021-12    | 1035 Meadowsweet Drive | Hillside Residential    | R-1-A           | 0.56         | 2.2                       | 1                           |          |     |      | 1          | WUI                                  |
| 21   | 025-051-01    | 208 Chapman Dr.        | Low Density Residential | R-1             | 0.14         | 5.8                       | 1                           |          |     |      | 1          | WUI                                  |
| 22   | 025-221-10    | 499 Montecito Dr.      | Hillside Residential    | R-1-A           | 2.02         | 2.2                       | 1                           |          |     |      | 1          | Hillside Land Capacity District; WUI |
| 23   | 033-041-12    | 1161 Meadowsweet Dr.   | Hillside Residential    | R-1-A           | 1.97         | 2.2                       | 1                           |          |     |      | 1          | Hillside Land Capacity District; WUI |
| 24   | 025-181-05    | 817 Meadowsweet Dr.    | Hillside Residential    | R-1-A           | 1.48         | 2.2                       | 1                           |          |     |      | 1          | Hillside Land Capacity District; WUI |
| 25   | 025-201-06    | 18 Alta Terrace        | Hillside Residential    | R-1-A           | 0.71         | 2.2                       | 1                           |          |     |      | 1          | WUI                                  |
| 26   | 025-181-16    | 3 Lupine Drive         | Hillside Residential    | R-1-A           | 1.0          | 2.2                       | 1                           |          |     |      | 1          | WUI                                  |
| 27   | 025-063-05    | 645 Tamalpais Drive    | Mixed-Use Commercial    | C-1             | 0.46         | 15.1                      | 3                           |          |     |      | 3          | Special Flood Hazard Area; WUI       |
| 28   | 026-143-13    | Sonora Way             | Low Density Residential | R-1             | 0.95         | 5.8                       | 3                           |          |     |      | 3          | WUI                                  |

| Site         | Parcel Number | Address             | GP Designation       | Zoning District | Size (acres) | Allowable Density (du/ac) | Realistic Develop. Capacity | Very Low | Low | Mod. | Above Mod. | Environmental Constraints      |
|--------------|---------------|---------------------|----------------------|-----------------|--------------|---------------------------|-----------------------------|----------|-----|------|------------|--------------------------------|
| 29           | 025-182-13    | 1591 Casa Buena Dr. | Mixed-Use Commercial | C-3             | 0.28         | 15.1                      | 18                          | 18       |     |      |            | Special Flood Hazard Zone; WUI |
| ADUs         |               | Various             | Various              | Various         | Various      | Various                   | 100                         | 30       | 30  | 30   | 10         |                                |
| <b>TOTAL</b> |               |                     |                      |                 |              |                           | 1,011                       | 250      | 140 | 113  | 508        |                                |
| <b>RHNA</b>  |               |                     |                      |                 |              |                           | 725                         | 213      | 123 | 108  | 281        |                                |

\*An additional 5 units per acre is permitted for sites developed with a senior housing project. This bonus is not included in the realistic development capacity calculation.



**Figure 47: Sites Map**



### 3.3 REALISTIC DENSITY ASSUMPTIONS AND DEVELOPMENT TRENDS

All multi-family residential projects built in Corte Madera since 2008 demonstrate that housing projects typically achieve residential densities at or above the allowable maximum density. These projects demonstrate how the Town supports and facilitates redevelopment of nonvacant land at higher residential densities. The projects are summarized below and in Table 12.

- Bell Mt. Tam (formerly Tam Ridge).** This mixed-use project was built on the site of a former industrial facility in 2017. The project created 180 units and approximately 3,000 square feet of retail space. The site is 4.5 acres. In order to facilitate housing development on the site, the Town created a Mixed Use Gateway General Plan land use designation and overlay zoning district in 2011 to allow housing density of up to 40 du/ac and required 10% of the units be set aside as affordable units. The project achieved a built density of 40 du/ac and created 4 very low-income units, 12 low income units, and 2 moderate income units. The project is located at 195 Tamal Vista Blvd, within 1/4 mile of Sites 1, 2, 3, 4, 9, and 10.
- Enclave.** This residential project created 16 townhomes on a site that formerly contained two single family homes (one dilapidated and one uninhabitable). The site is 1.2 acres. The allowable maximum density is 11 du/ac and the built density is 13 du/ac. The allowable number of units per the General Plan and Zoning Ordinance is 12 units (the project used State Density Bonus law to exceed the allowable density). The development was subject to the Town’s inclusionary ordinance, which required 5% of the units to be affordable to very low-income households, 10% to be affordable to low-income households and 10% to be affordable to moderate-income households. The inclusionary requirement was applied to the base density (12 units) resulting in three affordable for-sale units (1 very low, 1 low & 1 moderate). The project was approved in 2015 and completed in 2019.
- San Clemente Place.** This 100% affordable housing project was completed in 2008. The development includes 79 multi-family dwelling units for families, seniors, and special need households. Sixty units are affordable to extremely low-income households and 19 are affordable to low income households. The General Plan land use designation is Mixed-Use Commercial. The Town adopted the Affordable Housing Mixed Use Overlay Zoning District in 2003 and rezoned the property with this zoning designation to facilitate the project. The site originally contained a lumberyard and was redeveloped with a storage facility on a 0.77-acre portion of the 3.51 acre site. The housing parcel is 2.7 acres. At the time this project was approved, the maximum allowable density was 25 du/ac. The built density on the housing parcel is 28.8 du/ac. The project is located at 33 San Clemente Drive, within 1/3 mile of Sites 5, 6, 7, and 8.

**Table 12: Multifamily Projects Built in Corte Madera since 2008**

| Project      | Zoning District   | Maximum Density | Built Density | Parcel Size | Number of Units | Affordability | Exceptions |
|--------------|-------------------|-----------------|---------------|-------------|-----------------|---------------|------------|
| Bell Mt. Tam | Mixed Use Gateway | 40 du/ac        | 40 du/ac      | 4.5 acres   | 180             | 10%           | None       |

|                    |                               |          |            |           |    |      |               |
|--------------------|-------------------------------|----------|------------|-----------|----|------|---------------|
| Enclave            | Low-Density Multiple Dwelling | 11 du/ac | 13 du/ac   | 1.2 acres | 16 | 25%  | Density Bonus |
| San Clemente Place | Mixed Use Commercial          | 25 du/ac | 28.8 du/ac | 2.7 acres | 79 | 100% |               |

In addition to the multi-family projects discussed above, the Town also approved a project in 2019 (The Residences at the Preserves) that consists of 16 single-family homes and 8 attached Accessory Dwelling Units (ADUs). This project is currently under construction and is anticipated to be completed in early 2024. This site was identified as a High Potential Housing Opportunity Area in the 2015-2023 Housing Element, with a density capacity of up to 16 single-family homes and 8 ADUs. Due to the potential environmental impacts associated with tree loss, the 2015–2023 Housing Element notes the site’s realistic development capacity may be reduced to 15 single-family homes and 8 ADUs. The ADUs range in size from 665 square feet to 742 square feet. This project achieves the Housing Element development program for the site, including the provision of providing ADUs that aid the Town in meeting an objective to provide a variety of housing options. This project also highlights the Town’s track record of approving projects consistent with the maximum development capacity allowed.

Based on this past production trends and the unit yield for these sites, the typical built density assumed for Sites 1-10 is 100% of the maximum allowable density for both market rate development subject to the Town’s inclusionary ordinance and 100% affordable projects.

Market demand in Corte Madera and Marin County is overwhelmingly for residential development. Commercial and retail space continues to contract due to the shift to remote work and online shopping. Office vacancy rates in Southern Marin County were 18.9% in the first quarter of 2022, while annual retail and food service taxable transactions in Corte Madera in 2021 were still 16% below the pre-pandemic level in 2018.

There are many examples of projects responding to market demand for housing over commercial space in Corte Madera and Marin County. A few examples follow.

- In Corte Madera, a new land use designation, Mixed-Use – Gateway Area was created in the 2009 General Plan Update for a 4.5-acre property, which at the time was occupied by a factory that produced disposable polystyrene foodware products. The new designation was intended to encourage higher-density residential development in conjunction with local-serving commercial use and allowed a non-residential floor area ratio of up to 0.34. Allowable residential density for the site was increased from 15.1-25.0 units per acre to 25.1-40 units per acre. In 2011, the site was rezoned to allow up to 10,000 square feet of commercial space. In response to softening commercial real estate demand, the project was approved with only 3,000 square feet of commercial space, which represents a non-residential floor area of 0.02. The project was completed in September 2017 and was fully occupied in January 2019.
- In Novato, the Atherton Ranch Master Plan, approved in 2000, originally permitted the construction of a mixed-use development featuring 93 single-family residences, 23 townhomes, 40 senior affordable apartments, and two office/retail buildings totaling 70,550 square feet of floor area. All of the residential components were constructed. The office/retail buildings were not constructed due to lack of demand for new office

and retail space. In 2015, the developer applied for a master plan amendment to allow 59 residential condominiums and 6,000 square feet of street-oriented retail space on the portion of the site reserved for commercial use. As commercial market conditions continued to deteriorate, the developer revised their application to reduce the retail space to 1,340 square feet, which was approved by the City in 2017. The new residential units are currently being sold, but the retail space remains vacant.

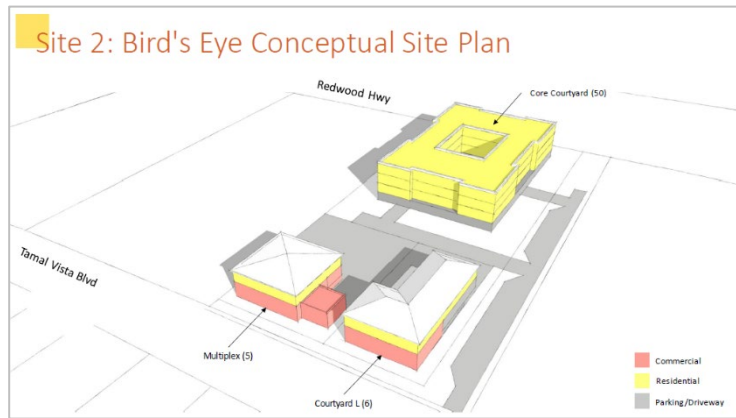
- In San Rafael, the Northgate Mall Redevelopment project proposes a comprehensive redevelopment of the existing mall into an open-air “main street experience,” surrounded by mixed-use development of retail and up to 1,441 residences. The project proposes to reduce the existing commercial retail from 775,677 square feet to 225,100 square feet and construct high-density multi-family residential buildings in the form of townhome units and five to seven story apartment buildings. The proposed project includes 138 affordable units.
- In Larkspur, the Magnolia Village Project is a 20 unit mixed-use for sale housing development currently under review. The project includes a concession request through State Density Bonus Law to allow residential use on the ground floor of the mixed-use project instead of commercial. The project site has a General Plan land use designation and zoning designation of C-2 (Commercial), which requires ground floor retail. The California Department of Housing and Community Development provided technical assistance related to the concession request and determined that the applicants proposed concession to allow residential on the ground floor fits within the State Density Bonus Law’s broad construct.

As a result of existing market demand for residential and corresponding decline in demand for commercial and retail space, the analysis assumes all mixed-use sites will be developed at or near maximum residential density (without the Town’s senior housing density bonus) with the same or less commercial space as currently exists. Sites 1-10 have been rezoned to a Housing Element overlay district, consistent with the recently approved Mixed-Use Housing Element General Plan land use designation for each site. The new overlay district allows both commercial and residential uses. The amount of commercial FAR permitted in the Housing Element overlay district is in addition to the permitted residential density. Of the 10 sites, only four sites (Sites 1, 3, 5, and 8) are required to provide a minimum square footage of commercial space. The other six sites could potentially be developed solely with residential uses. The commercial square footage requirement was taken into account when developing realistic capacities for Sites 1, 3, 5, and 8.

Although the Town is quite confident housing opportunity Sites 1-10 will be developed at maximum permitted densities, there is no required minimum residential density and there is a chance that sites will be developed at less than the realistic capacity identified in the sites inventory (Table 11). In anticipation of this possibility, the Town has identified and rezoned enough sites to provide housing capacity that exceeds the total RHNA by 40%. If a housing development is approved at a lower density than projected, the Town will determine the impact on the Town’s remaining RHNA at all income levels, and as necessary to comply with the state No Net Loss law, the Town will identify additional sites and/or increase permitted densities on existing sites to make up for any shortfall in any income category.

The Town completed conceptual modeling on representative sites to determine the unit capacities given site-specific development standards (including setbacks, building heights, commercial square footage requirements, and FAR maximums), parking requirements, and topographical and environmental constraints. Such as development within the FEMA flood hazard area. Figure 48 shows the results of a conceptual development model for Site 1. The model demonstrates that 63 units of various unit types (studios, one-bedroom, and two-bedroom units) and 4,000 square feet of commercial space could be built on the site given the Town’s development standards, and site planning and parking requirements. The unit capacities identified in the site descriptions in Section 3.4 reflect a similar analysis.

**Figure 48: Conceptual Model for Site 1**



### 3.4 SITE AND CAPACITY ANALYSIS

Existing conditions, residential density, unit capacity, and development potential of each multi-family site listed in Table 10 are described below.

Sites 1-10 are projected to accommodate a portion of the lower income RHNA. All sites allow at least 20 units per acre, the “default density” for a suburban jurisdiction like Corte Madera, and are between .5 and 10 acres in size. Most sites have an allowable maximum density of 35 du/ac, and one site is zoned for 40 du/ac. An additional 5 units an acre is allowed on the majority of housing sites (Sites 1-4 and 6 – 10) for a senior housing project. The total units shown in Table 11 do not account for additional housing units that could be constructed through the zoning incentive for senior housing on these nine sites. The total units shown in Table 11 also do not take into account State Density Bonus law, which allows for an increase in the base density for housing projects that provide affordable units. These conditions enable the economies of scale needed to produce affordable housing.

#### SITE 1

Site 1 is located at 41 Tamal Vista Boulevard and is identified in Table 11 and Figure 47 above. The site is 2.11 acres and contains an 11,040 square foot structure built in 1969. The site contained a movie theater which has been closed for several years, and the building is currently vacant. The site was recently rezoned to the HE-2 overlay district which increases the maximum density from 15.1 du/ac to 35 du/ac and up to 40 du/ac for a senior housing project. The Town received an application to demolish the theater and redevelop the site into a new mixed-use project in 2017, but the application process stalled and the property owner decided not to move ahead. The Town had conversations in Spring 2022 with the owner’s

real estate broker regarding potential new uses for the site and with prospective residential developers who have expressed interest in purchasing or leasing the site from the property owner for a new multi-family residential project. The building is dilapidated and functionally obsolete and is likely to be demolished in the near future.

The site is located off Highway 101 and has several services close by. A grocery store, an elementary school, and retail and other services are within ¼ mile walking distance. Parks and recreational facilities and the public library are less than one mile away. Marin Transit provides local bus service with stops approximately two blocks from the site, and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with stops along Highway 101 in Corte Madera. The Larkspur Ferry Terminal with service to San Francisco is 1.3 miles from the site and is serviced by Golden Gate Transit. The Sonoma Marin Area Rail Transit Larkspur station, serving Sonoma and Marin cities to the north is 1.2 miles from the site (a 6-minute bike ride or 25-minute walk).

**Figure 49: Site 1**



The age and dilapidated condition of the structure, long-term vacancy, developer interest, and underutilized nature of the parcel make this site suitable for development during the planning period. Based on a realistic density of 35 du/ac (88% of the allowable maximum of 40 du/ac), the site is projected to yield 74 very low and low-income units, in accordance with rules governing how units may be counted toward meeting the Town’s RHNA.

To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*, and *H-2.10.a Incentives for Affordable Housing*.

## SITE 2

Site 2 is located at 400 and 500 Tamal Plaza is identified in Table 11 and Figure 47 above. The contiguous parcels are 3.0 acres combined. Each site contains commercial buildings, one built in 1976 and the other in 1973. The current uses are offices, a gym, and day camp/after school activity center. There are currently vacant industrial and office spaces within the buildings.

**Figure 50: Site 2**



The site was recently rezoned to the HE-2 overlay district which increases the maximum density from 15.1 du/ac to 35 du/ac and up to 40 du/ac for a senior housing project. Staff met with the property owners via zoom on November 30, 2021. The property owners have expressed interest in redeveloping the site with multi-family housing within the planning

period and agreed to have their property identified as an opportunity site in the housing element.

The site is located off Highway 101 and has several services close by. A grocery store, an elementary school, parks, recreational facilities, the public library, and other retail and commercial services are less than one mile away. Marin Transit provides local bus service with stops approximately three blocks from the site, and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with stops along Highway 101 in Corte Madera. The Larkspur Ferry Terminal with service to San Francisco is 1.3 miles from the site and is serviced by Golden Gate Transit. The Sonoma Marin Area Rail Transit Larkspur station, serving Sonoma and Marin cities to the north is 1.2 miles from the site (a 6-minute bike ride or 23 minute walk).

The expressed owner interest, age of the structures, and underutilized nature of the parcels make this site suitable for development during the planning period. Based on a realistic density of 35 du/ac (88% of the allowable maximum of 40 du/ac), the site is projected to yield 105 very low, low, and moderate-income units in accordance with rules governing how units may be counted toward meeting the Town's RHNA.

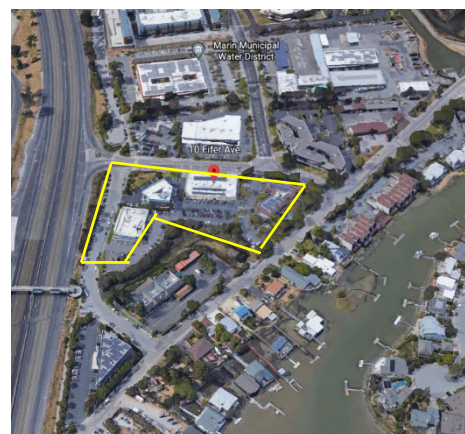
To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*, *H-2.10.a Incentives for Affordable Housing*, and *H.2.12.a Affordable Housing Ordinance*.

### SITE 3

Site 3 is located at 2 Fifer Avenue, 10 Fifer Avenue, and 110 and 150 Nellen Avenue and is identified in Table 11 and Figure 47 above. The four contiguous parcels are under single ownership. Combined, the parcels are 3.44 acres. The site currently includes retail and office space and a gym.

The site was recently rezoned to the HE-2 overlay district which increases the maximum density from 15.1 du/ac to 35 du/ac and up to 40 du/ac for a senior housing project. The property owner has expressed interest in redeveloping the site with multi-family housing within the planning period and agreed to have their property identified as an opportunity site in the element. The property owner participated in a panel discussion as part of the December 8, 2021, Housing Workshop and shared his vision for development of the property. Staff met with the property owner in person on January 28, 2022, for a site tour and again on April 25, 2022, to discuss conceptual redevelopment ideas for the property.

**Figure 51: Site 3**



The site is located off Highway 101 and has several services close by. A grocery store is approximately 0.3 miles away, and an elementary school, parks, recreational facilities, the public library, and other retail and commercial services are approximately one mile or less

away. Marin Transit provides local bus service and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with bus stops one block from the site. The Larkspur Ferry Terminal with service to San Francisco and the Sonoma Marin Area Rail Transit Larkspur station, serving Sonoma and Marin cities to the north, are 0.9 miles from the site (a 20-minute walk).

The expressed property owner interest, age of the structures, and underutilized nature of the parcels make this site suitable for development during the planning period. Based on a realistic density of 35 du/ac (88% of the allowable maximum of 40 du/ac), the site is projected to yield 120 units for households with incomes ranging from very low to above moderate in accordance with rules governing how units may be counted toward meeting the Town's RHNA.

To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*, *H-2.10.a Incentives for Affordable Housing*, and *H.2.12.a Affordable Housing Ordinance*.

#### SITE 4

Site 4 is located at 111 Lucky Drive and is identified in Table 11 and Figure 47 above. The site is 1.67 acres, including the 0.68-acre Black Kettle Lagoon. A 7,517 square foot building containing a retail clothing store is located on the parcel. The site was recently rezoned to the HE-1 overlay district which increases the maximum density from 15.1 du/ac to 25 du/ac and up to 30 du/ac for a senior housing project. The property owner has expressed interest in redeveloping the site with multi-family housing during the planning period. In addition, the Town has received developer interest in redeveloping the site with housing.

**Figure 52: Site 4**



The site is located off Highway 101 and has several services close by. A grocery store is about 0.3 miles away, and an elementary school, parks, recreational facilities, the public library, and other retail and commercial services are approximately one mile or less away. Marin Transit provides local bus service with bus stops ¼ mile away, and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with bus stops one block from the site. The Larkspur Ferry Terminal with service to San Francisco is 0.9 miles from the site and is serviced by Golden Gate Transit, and the Sonoma Marin Area Rail Transit Larkspur station, serving Sonoma and Marin cities to the north, is 0.8 miles from the site (a 17-minute walk).

The expressed property owner and developer interest, age of the structures, and underutilized nature of the parcel make this site suitable for development during the planning period. Based on a realistic density of 15 du/ac (25 du/ac net the lagoon area and 83% of the allowable maximum of 30 du/ac), the site is projected to yield 25 very low and low-income units in accordance with rules governing how units may be counted toward meeting the Town's RHNA.



To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.10.a Incentives for Affordable Housing*, and *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*.

## SITE 5

Site 5 is located at 1400 Redwood Highway and is identified in Table 11 and Figure 47 above. The site is 7.48 acres and contains a Macy's retail store, built in 1984, and a large parking lot. The site was recently rezoned to the HE-3 overlay district which increases the maximum density from 7.5 du/ac to 40 du/ac. Macy's as well as several developers have contacted the Town about redeveloping the site with a new mixed use development, reflecting a national trend to convert aging malls and anchor stores to residential use.

**Figure 53: Site 5**



Staff met with representatives of Macy's via zoom on November 18, 2021. In addition, Town staff have received several inquiries from prospective developers interested in developing a mix of housing and commercial uses at this location.

The site is located off Highway 101 and has several services close by. A grocery store is about 0.8 miles away, and an elementary school, parks, recreational facilities, the public library, and other retail and commercial services are approximately one mile away. Marin Transit provides local bus service and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with bus stops one block from the site. The Larkspur Ferry Terminal with service to San Francisco is 1.6 miles from the site and is serviced by Golden Gate Transit. The Sonoma Marin Area Rail Transit Larkspur station, serving Sonoma and Marin cities to the north, is 1.6 miles from the site (an 8-minute bike ride).

The expressed property owner and developer interest, age of the structure, and underutilized nature of the parcel make this site suitable for development during the planning period. Based on a realistic density of 40 du/ac, the site is projected to yield 300 units for households with incomes ranging from very low to above moderate in accordance with rules governing how units may be counted toward meeting the Town's RHNA.

To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*, *H-2.10.a Incentives for Affordable Housing*, and *H.2.12.a Affordable Housing Ordinance*.

## SITE 6

Site 6 is located at 5804 Paradise Drive and is identified in Table 11 and Figure 47 above. The site is 1.16 acres and contains a 7,800 square foot building. The current tenant is a dog day care facility. The site was recently rezoned to the HE-2 overlay district which increases the maximum density from 15.1 du/ac to 35 du/ac and up to 40 du/ac for a senior housing project.

The property owner has expressed interest in redeveloping the site with multi-family housing within the planning period and agreed to have their property identified as an opportunity site in the housing element. The property owner participated in a panel discussion as part of the December 8, 2021, Housing Workshop and discussed his vision for development of the property. Staff spoke with the property owner via the phone on November 23, 2021, and have conducted a site visit to understand property constraints and potential.

The site is located off Highway 101 and has several services close by. A grocery store is about 0.5 miles away, and an elementary school, parks, recreational facilities, the public library, and other retail and commercial services are approximately one mile away. Marin Transit provides local bus service and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with bus stops one to three blocks from the site. The Larkspur Ferry Terminal and Sonoma Marin Area Rail Transit Larkspur Station, with service to San Francisco and cities to the north in Marin and Sonoma respectively, is approximately 2.2 miles from the site and is serviced by Golden Gate Transit.

**Figure 54: Site 6**



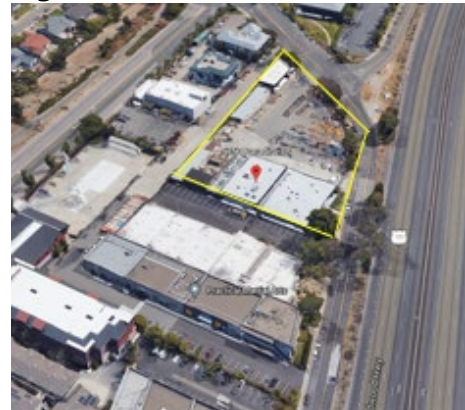
The expressed property owner interest and underutilized nature of the parcel make this site suitable for development during the planning period. Based on a realistic density of 35 du/ac (88% of the allowable maximum of 40 du/ac), the site is projected to yield 41 very low and low-income units in accordance with rules governing how units may be counted toward meeting the Town's RHNA.

To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*, and *H-2.10.a Incentives for Affordable Housing*.

## SITE 7

Site 7 is located at 5750 Paradise Drive and is identified in Table 11 and Figure 47 above. The site is made up of three contiguous parcels, under the same ownership, and combined are 1.76 acres. The existing 10,713 square foot building is situated across the three contiguous parcels, and the site is functionally consolidated. The building was built in 1975, and the current tenant is an equipment rental and storage facility. The site was recently rezoned to the HE-2 overlay district which increases the maximum density from 15.1 du/ac to 35 du/ac and up to 40 du/ac for a senior housing project.

**Figure 55: Site 7**



The site is located off Highway 101 and has several services close by. A grocery store is about 0.4 miles away, and an elementary school, parks,

recreational facilities, the public library, and other retail and commercial services are approximately one mile or less away. Marin Transit provides local bus service with bust stops two blocks away and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with bus stops 0.3 miles from the site. The Larkspur Ferry Terminal and Sonoma Marin Area Rail Transit Larkspur Station, with service to San Francisco and cities to the north in Marin and Sonoma respectively, are approximately 2.6 miles from the site and is serviced by Golden Gate Transit.

The age of the structure, underutilized nature of the parcels, and relatively recent redevelopment of a similar commercial property for affordable housing in close proximity make this site suitable for development during the planning period. Based on a realistic density of 35 du/ac (88% of the allowable maximum of 40 du/ac), the site is projected to yield 62 units for households with incomes ranging from very low to above moderate in accordance with rules governing how units may be counted toward meeting the Town's RHNA.

To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*, *H-2.10.a Incentives for Affordable Housing*, and *H.2.12.a Affordable Housing Ordinance*.

## SITE 8

Site 8 is located at 5651 Paradise Drive and is identified in Table 11 and Figure 47 above. The site is made up of three contiguous parcels (Lots 28, 65, & 66) and combined are 1.54 acres. Two of the parcels are owned by the Town (Lots 65 and 66). The two Town-owned parcels are currently used for parking. The Town acquired Lot 65 subject to a deed restriction stating that the property would be used only for public parking. The Town subsequently acquired Lot 66 in 2003 for public parking; however, the Town is not required to maintain that use in perpetuity. The two Town-owned parcels are included in Site 8 to allow for site plan flexibility and are intended to be utilized in conjunction with anticipated development at Lot 28. Lot 28 is developed with an existing 14,420 square foot building that was built in 1961, and the tenant is currently a gym. The site was recently rezoned to the HE-1 overlay district which allows residential use with a maximum density of 25 du/ac and up to 30 du/ac for a senior housing project. The adopted zoning ordinance codifies that redevelopment of this site is limited to the existing developed area of Lot 28.

The site has access to Highway 101 and has several services close by. A grocery store is located at the adjacent Paradise Shopping Center, and an elementary school, parks, trails, and other retail and commercial services are approximately one mile or less away. Marin Transit provides local bus service with bus stops one block away, and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with bus stops along Highway 101. The Larkspur Ferry Terminal with service to San Francisco and Sonoma Marin Rail Transit station are 2.7 miles from the site.

**Figure 56: Site 8**



The age of the structure, underutilized nature of the parcels, well-documented developer interest in the redevelopment of aging shopping centers, and the Town's ability to promote and leverage additional property make this site suitable for development during the planning period. Based on a realistic density of 25 du/ac of Lot 28 (83% of the allowable maximum of 30 du/ac), the site is projected to yield 33 very low and low-income units in accordance with rules governing how units may be counted toward meeting the Town's RHNA. The two Town-owned parcels are not included in the calculation to determine unit capacity.

To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.10.a Incentives for Affordable Housing*, and *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*.

## SITE 9

Site 9 is located at 100 Tamal Plaza and is identified in Table 11 and Figure 47 above. The site is 1.50 acres. The existing 23,300 square foot building was built in 1978. The site was recently rezoned to the HE-2 overlay district which allows residential use with a maximum density of 35 du/ac and up to 40 du/ac for a senior housing project. The property owner has expressed interest in redeveloping the site with multi-family housing within the planning period and requested to have their property identified as an opportunity site in the housing element.

The site has access to Highway 101 and has several services close by. A grocery store, elementary school, parks, recreational facilities, and other retail and commercial services are approximately one mile or less away. Marin Transit provides local bus service with bus stops one block away, and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with bus stops along Highway 101 approximately ¼ mile away. The Larkspur Ferry Terminal with service to San Francisco is 1.1 miles from the site and is serviced by transit from the site. The Sonoma Marin Area Rail Transit Larkspur station, serving Sonoma and Marin cities to the north, is 1.1 miles from the site (a 23-minute walk).

**Figure 57: Site 9**



The expressed owner interest, age of the structure, and underutilized nature of the parcel make this site suitable for development during the planning period. Based on a realistic density of 35 du/ac (88% of the allowable maximum of 40 du/ac), the site is projected to yield 53 units affordable to a range of household incomes, from very low to above moderate in accordance with rules governing how units may be counted toward meeting the Town's RHNA.

To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*, *H-2.10.a Incentives for Affordable Housing*, and *H.2.12.a Affordable Housing Ordinance*.

## SITE 10

Site 10 is located at 240 Tamal Vista Boulevard and is identified in Table 11 and Figure 47 above. The site is 1.57 acres. The existing 25,071 square foot building was built in 1975. The site was recently rezoned to the HE-2 overlay district which allows residential use with a maximum density of 35 du/ac and up to 40 du/ac for a senior housing project. The property owner has expressed interest in redeveloping the site with multi-family housing within the planning period and requested to have their property identified as an opportunity site in the housing element.

The site has access to Highway 101 and has several services close by. A grocery store, elementary school, parks, recreational facilities, and other retail and commercial services are approximately one mile or less away. Marin Transit provides local bus service with bus stops at the site, and Golden Gate Transit provides commuter bus service from Santa Rosa to San Francisco with bus stops along Highway 101 approximately one block away. The Larkspur Ferry Terminal with service to San Francisco is 1.1 miles from the site and is serviced by transit from the site. The Sonoma Marin Area Rail Transit Larkspur station, serving Sonoma and Marin cities to the north is 1.0 miles from the site (a 20-minute walk).

**Figure 58: Site 10**



The expressed owner interest, age of the structure, and underutilized nature of the parcel make this site suitable for development during the planning period. Based on a realistic density of 35 du/ac (88% of the allowable maximum of 40 du/ac), the site is projected to yield 55 units affordable to a range of household incomes, from very low to above moderate in accordance with rules governing how units may be counted toward meeting the Town's RHNA.

To encourage and facilitate affordable and senior housing on the site, the Town will utilize programs *H-1.7.a Incentives for Senior Housing*, *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*, *H-2.10.a Incentives for Affordable Housing*, and *H.2.12.a Affordable Housing Ordinance*.

## PROGRAMS AND POLICIES TO SUPPORT NONVACANT SITES

As discussed above, vacant sites cannot accommodate Corte Madera's share of the regional housing need and the Town relies on underutilized properties to accommodate its lower income RHNA.

The nonvacant sites were selected based on the expressed interest of the property owners, analysis of zoning that supports high density affordable housing, market trends, age of the structures on site, and underutilized sites analysis. In addition, the nonvacant sites are not constrained by topography, airport safety zones, wildlands, infrastructure, or hydrology. The nonvacant sites included in the Sites Inventory are located along commercial corridors, near freeways, and in proximity to the best public transit, and reflect recent multi-family

development patterns in Corte Madera, most notably at Bell Mt. Tam, San Clemente Place Apartments, and the Enclave (see pg. 73 above)

All of the nonvacant sites are developed and therefore have no environmental constraints. Site 4 – 111 Lucky Drive – includes a lagoon; however, the realistic capacity for this site excludes the area of the lagoon. Housing Element programs and policies demonstrate the Town’s commitment to facilitating redevelopment and have established actions and timeframes that support and encourage the likelihood of residential development of nonvacant sites within the planning period. These added incentives include target densities of 20 to 40 du/ac, flexible development standards, lot consolidation, permit streamlining for projects that include affordable units, and affordable housing partnerships and outreach as identified in Programs *H-1.7.a Incentives for Senior Housing*, *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*, *H-2.10.a Incentives for Affordable Housing*, and *H.2.12.a Affordable Housing Ordinance*. See Section 5.1 for a detailed list of policy and programs actions and timeframes.

Based on the expressed interest of the property owners, the age of the existing structures, the recent rezoning to significantly higher residential densities, and the new programs and policies that incentivize lot consolidation and affordable housing, the use of nonvacant lots will support the development of residential housing units to meet the RHNA during the planning period. None of the sites require rezoning to accommodate the proposed units.

Nonvacant sites are expected to accommodate more than 50% of the Town’s lower income housing need. Therefore, the Town will include findings, based on substantial evidence, in the resolution adopting the housing element. These findings will be based on the site characteristics described above for Sites 1 through 10.

## SITE 30

Site 30 is located at 1591 Casa Buena Drive and is identified in Table 11 and Figure 47 above. The site is 0.28 acres. In November 2020, the County of Marin purchased a motel at the site with grant funding through Project Homekey and other County housing program funds. The motel was redeveloped to provide supportive housing for individuals experiencing homelessness. The project provides 18 independent living units for very low-income households. The Town facilitated community workshops and a resident-led working group to encourage open communication and relationships among the surrounding neighborhood and the entire town, County officials, Homeward Bound of Marin (the housing operator), and the residents at the facility. The working group has become a model for other transitional and supportive housing projects in Marin County. The project received a Certificate of Occupancy on July 11, 2022. According to HCD’s Housing Element Site Inventory Guidebook of June 10, 2020 (page 5), “Projects that have been approved, permitted, or received a certificate of occupancy since the beginning of the RHNA projected period may be credited toward meeting the RHNA allocation based on the affordability and unit count

**Figure 59: Site 30**



of the development.” The Homekey project at 1591 Casa Buena Drive received a Certificate of Occupancy on July 11, 2022, after the start of the RHNA period on June 30, 2022. Therefore, the 18 very low-income units have been counted towards the 6<sup>th</sup> cycle RHNA period.

### 3.5 ACCESSORY DWELLING UNITS

Accessory Dwelling Units (ADUs) are an increasingly popular housing type. ADUs are independent homes on a residential property that can either be part of or attached to the primary dwelling or free standing. They offer infill development consistent with surrounding built form, a potential supplemental income source for homeowners, and in some cases affordable housing.

An ADU, also known as an in-law unit or second unit, is an additional residential dwelling unit on a single-family or multi-family residentially zoned property. An ADU can be an attached or detached dwelling unit, providing independent living facilities for one or more persons that has a full, separate kitchen (including stove, refrigerator, and sink), separate bathroom and separate entrance.

A Junior Accessory Dwelling Unit (JADU) is an additional, independent living unit generally created through the conversion of an existing bedroom in a single-family residentially zoned residence and has a separate entrance. A JADU does not need to have all the same features as an ADU, such as a separate bathroom.

Since 2017, the State legislature has passed a series of new laws that significantly increase the potential for development of new ADUs and JADUs by removing development barriers and allowing ADUs through ministerial permits. State law requires jurisdictions to allow residential properties to have at least one ADU per lot, plus one JADU.

The Town most recently revised its ADU ordinance in 2020 to comply with new State laws. ADUs are allowed in all residential and mixed-use zones with limited exceptions. Development standards are consistent with State law and are summarized in Table 13.

**Table 13: ADU Standards**

| ADU STANDARDS           |   |
|-------------------------|---|
| <b>Min/Max ADU size</b> | <p>Minimum: 150 square feet (minimum permitted by building code at time of application)</p> <p>Maximum: 800 square feet if the ADU exceeds standards related to lot coverage, floor area ratio, or reduces side or rear yard setbacks</p> <p>850 square feet for studio/one bedroom</p> <p>1,000 square feet for more than one bedroom (may exceed up to 1,200 square feet if approved through Design Review process)</p> <p>JADUs Maximum: 500 square feet</p> |

|                                     |  |
|-------------------------------------|--|
| <b>Lot size</b>                     | None   |
| <b>Lot or location restrictions</b> | <p>Lot Coverage: An ADU may exceed standards for lot coverage, but the ADU is limited to a maximum size of 800 square feet.</p> <p>Restrictions: Number of ADUs is limited in the Christmas Tree Hill Overlay district to 10% of due to public safety concerns related to fire risks and evacuation routes.</p>  |
| <b>ADU building height</b>          | Up to 16 feet and one story. If 50% or more of ADU is above an existing or proposed garage, the total combined structure up to 25 feet.  |
| <b>Setbacks</b>                     | None for conversions of existing living area or structure. 4-foot side and rear setbacks for new construction. When a side yard or rear yard setback is reduced, the ADU is limited to a maximum size of 800 sf. Side and rear setbacks must meet fire safety requirements.  |
| <b>Parking requirements</b>         | One parking space per ADU unless 1) within ½ mile of transit, historic district or car share, 2) located within an existing structure, or 3) created by converting or demolishing garage or carport, then none required. Tandem parking and parking in setbacks are both allowed.  |
| <b>Deed or income restrictions</b>  | None   |
| <b>Number of ADUs/Bedrooms</b>      | One detached ADU and one JADU allowed on each single-family property. Also allowed on multi-family properties under state law.   |
| <b>Owner occupancy</b>              | Not required for ADU or primary residence. Required for JADU.  |
| <b>Other requirements</b>           | <ul style="list-style-type: none"> <li>• Exterior Lighting: must be dark sky compliant and/or have a BUG rating of B5, U0 and G5 or less, with a color temp of 3500K or lower (warm not cool). Filaments, light sources or lenses must be shielded with opaque materials and not visible at property lines.</li> <li>• Fire Sprinklers: needed if required for primary residence.</li> <li>• Grading: not to exceed 50% of the volume of the structure, not including areas above the height of the perimeter walls, such as attic spaces of a pitch roof.</li> <li>• Landscaping: any tree removed over 30 inches in circumference must be replaced by a box tree at least 24 inches, unless the Fire Marshal determines it <b>is not</b> consistent with vegetation management standards.</li> <li>• Windows: must be at least 6.5 feet above floor height if facing adjoining property and located within 15 feet of the shared property line. Standard does not apply in instances when written approval is provided by the adjacent property owner or a Design Review application is approved.</li> </ul> |



|                   |  |
|-------------------|--|
|                   | <ul style="list-style-type: none"> <li>Rental restriction: an ADU shall not be rented for less than 30 consecutive days.</li> </ul>  |
| <b>Process</b>    | <p>ADU Permit not required for JADUs, ADUs within existing structures, or detached ADUs 800 sf or less; only a Building Permit needed.</p> <p>Attached ADUs or detached ADU more than 800 sf are processed through ministerial approval process with an application fee of \$850.</p>  |
| <b>Exceptions</b> | <p>No setback is required for:</p> <ul style="list-style-type: none"> <li>An existing living area or accessory structure that is fully or partially converted to an ADU.</li> <li>A structure constructed in the same location and to the same dimensions as an existing living area or accessory structure that is fully or partially converted to an ADU.</li> </ul> |

The Town provides checklists for construction of ADUs and JADUs on its website.

The Town has collaborated with other Marin County jurisdictions to provide resources and education materials to facilitate building, permitting, and renting second units. ADU Marin is a partnership between ten cities and towns and the County of Marin to promote ADU development in Marin County. ADU Marin created a website at [adumarin.org](http://adumarin.org) to guide people through the process of building an ADU. The website covers each step of the process, from thinking about building an ADU to permits and construction. The webpage also includes resources on being a landlord, including setting a rent price and complying with fair housing laws. The website features stories from homeowners who have built an ADU and renters now living and working in Marin. The webpage also includes floor plans and a calculator to estimate what it might cost to build an ADU.

As a result of the new second unit development standards and permitting process and robust public outreach and education, the Town has experienced a marked increase in ADU development, especially in the last two years. The Town approved 7 units in 2018, 4 units in 2019, 4 units in 2020, and 24 units in 2021, for an average of 9.75 units per year. Based on this annual average, the Town would conservatively expect to develop 78 ADUs during the 8-year planning period. However, the Town is adopting new programs in the Housing Element to expand outreach and education efforts and increase ADU production to 12.5 units per year. As of June 30, 2022, the Town had permitted ten ADUs in the first 6 months of the year, which puts the Town on track to produce or exceed the 100 ADUs over the 8-year planning period projected in the Site Inventory in Table 11.

In general, ADUs are affordable for several reasons:

- Many units are available for no or low-cost rent to family members or friends. Additionally, a smaller number of owners intentionally rent their ADUs below market because they believe affordable housing is important.
- ADUs tend to be fewer square feet than units in apartment buildings after controlling for bedroom size, which results in lower prices.
- ADU owners tend to prefer their choice of tenant versus maximizing rent. Additionally, they will often not significantly raise rents once they have a tenant they like.

- ADU owners often do not know the value of their unit so they may underprice it unintentionally.

Potential affordability levels for projected ADU development are based on the Affordability of Accessory Dwelling Units report prepared by the ABAG Housing Technical Assistance Team. The report recommends the following affordability assumptions for new ADUs: Very Low Income, 30%; Low Income 30%, Moderate Income, 30%; and Above Moderate Income, 10%. Therefore, the Town projects ADU affordability for the 100 units as follows: 30 Very Low Income, 30 Low Income, 30 Moderate Income, and 10 Above Moderate Income.

To encourage and facilitate ADUs, the Housing Element contains *Policy H-2.14 Accessory Dwelling Units; Program H-2.14.a Track and Evaluate Accessory Dwelling Unit Production;* and *Program H-2.14.b Conduct Outreach and Education for Accessory Dwelling Unit Production.*

### **3.6 SENATE BILL 9 UNITS AND SINGLE FAMILY HOMES**

Senate Bill (SB) 9 was signed by Governor Newsom on September 16, 2021, and became effective on January 1, 2022. The legislation allows single-family lots greater than 2,400 square feet to be split under certain conditions and allows both vacant and developed single-family lots to be developed with two single-family homes. In December 2022, the Town adopted an ordinance establishing regulations for the subdivision and development of qualified SB 9 applications. The Town's regulations allow for larger unit sizes than the 800 square feet established by state statute. In instances where the proposed unit meets the setbacks of the applicable zone, the maximum allowable size is 1,200 square feet. One reason the Town adopted the larger size standard is to facilitate development of more affordable housing for small families entering the housing market.

The Town received eight urban lot split applications within the first eleven months after the law went into effect. An applicant withdrew one of the urban lot split applications submitted to the Town. This application is not included in Table 11. These applications are identified as Sites 20-26 in the Site Inventory in Table 11; each of these parcels are currently developed with one single family home. The Town is projecting development of one additional single-family home on these lots. Sites 11-19 identify existing vacant single-family lots. The majority of the vacant lots are steeply sloped; therefore, the Town is projecting development of one single-family home on six of the vacant lots and two single-family homes on three of the vacant lots. The Town projects a total of 18 single-family homes affordable to above-moderate income households.

### **3.7 ZONING FOR A VARIETY OF HOUSING TYPES**

Housing Element Law requires that jurisdictions demonstrate the availability of sites, with appropriate zoning, that will encourage and facilitate a variety of housing types including multi-family rental housing, factory-built housing, mobile homes, single room occupancy units, housing for agricultural employees, supportive housing, transitional housing, and emergency shelters. Table 14 summarizes the housing types currently permitted in each of Corte Madera's residential zoning districts.

## ACCESSORY DWELLING UNITS

ADUs are allowed by right in all single family and multi-family zoning districts. JADUs are allowed by right in all single-family zoning districts (see Section 3.5 above for a description of the Town's accessory dwelling unit regulations).

## MULTI-FAMILY RENTAL HOUSING

Multi-family rentals are allowed by right in the R-2 and R-3 districts, the four existing affordable housing overlay districts, the existing Mixed-Use zoning district (MX-1), and the three new mixed-use overlay districts. The R-2 district is a relatively standard, medium density zoning district that allows up to 10.9 units per acre. The R-3 district allows up to 17.7 units per acre. Additional density is permitted for deed restricted senior housing in the R-2 and R-3 districts. Development standards such as setbacks, coverage allowances, and height restrictions have not been a barrier to development in the R-2 and R-3 zones. Residential development in the R-2 and R-3 zoning districts is approved through the design review permitting process. The Enclave (2019) was developed pursuant to R-2 zoning district regulations.

The Housing Element Overlay District that applies to Sites 1-10 allows both commercial and residential uses. Of these 10 sites, only four sites (Sites 1, 3, 5, and 8) are required to provide a minimum square footage of commercial uses. The other six sites could be developed solely with residential uses. The Housing Element Overlay District includes three subareas as follows:

- **HE-1.** This district applies to two of the housing opportunity sites. These sites are adjacent to and mostly tucked into residential neighborhoods. Residential density for this sub area is 25 units/acre and 30 units/acre for senior housing. The housing opportunity sites in the HE-1 district are:
  - Site 4: 111 Lucky Drive
  - Site 8: 5651 Paradise Drive
- **HE-2.** This district applies to seven of the housing opportunity sites. These sites are located in commercial areas that already have larger buildings or more significant scale. These sites are also generally closer to the highway. Residential density for this overlay district is 35 units an acre and 40 units/acre for senior housing. The housing opportunity sites in the HE-2 subarea are:
  - Site 1: 41 Tamal Vista Boulevard
  - Site 2: 400 & 500 Tamal Plaza
  - Site 3: 2 & 10 Fifer Avenue, 110 & 150 Nellen Avenue
  - Site 6: 5804 Paradise Drive
  - Site 7: 5750 Paradise Drive
  - Site 9: 100 Tamal Plaza
  - Site 10: 240 Tamal Vista Boulevard
- **HE-3.** This district applies to one of the housing opportunity sites. This particular site lends itself to a higher density since it is located in proximity to the highway and public transportation. This site is also the largest site, at approximately 7.5 acres. The

residential density for this overlay district is 40 units/acre. The housing opportunity site in the HE--3is:

- Site 5: 1400 Redwood Highway

The affordable housing overlay districts (the AHO, AHE-A, AHE-B, AHMU, and MUGD districts) provide strong incentives for both market rate and affordable housing. In each of these districts, the “base” density is set by the underlying district. The overlay districts allow density at 25 units per acre in return for providing affordable housing. In the AHO and AHE-B districts, 100% of the units must be affordable to qualify for the higher density. The AHE-A and AHMU districts specify that 50% of the units will be affordable in return for the 25 units per acre density. The AHMU also offers a commercial FAR bonus of up to 300% in return for affordable housing. The parking and site development standards are reduced, relative to lower density districts, as a further incentive for affordable housing development. The MUGD district specifies that 10% of the units will be affordable in return for a density of 40 units per acre.

**Table 14: Housing Types by Residential Zoning Districts**

| Zoning District                            | Single family | ADUs | Multi-Family | Factory Built | Mobile Homes | SRO | Transitional | Supportive |
|--|---------------|------|--------------|---------------|--------------|-----|--------------|------------|
| R-3 and R-2 Multiple Dwelling              | P             | P    | P/C*         | P             | P            | P   | P            | P          |
| R-1 Medium Density                         | P             | P    |              | P             | P            |     | P            | P          |
| R-1-A Low Density                          | P             | P    |              | P             | P            |     | P            | P          |
| R-1-B Very Low Density                     | P             | P    |              | P             | P            |     | P            | P          |
| R-1-C Open Residential                     | P             | P    |              | P             | P            |     | P            | P          |
| AHO Affordable Housing Optional Overlay    |               | P    | P/C*         | P             | P            | P   | P            | P          |
| AHE-A Affordable Housing Exclusive Overlay |               | P    | P/C*         | P             | P            | P   | P            | P          |
| AHE-B Affordable Housing Exclusive Overlay |               | P    | P/C*         | P             | P            | P   | P            | P          |
| AHMU Affordable Housing                    |               | P    | P/C*         | P             | P            | P   | P            | P          |

|                                |  |   |     |   |   |   |   |   |
|--------------------------------|--|---|-----|---|---|---|---|---|
| Mixed Use Overlay              |  |   |     |   |   |   |   |   |
| MUGD Mixed Use Gateway Overlay |  | P | P** | P | P | P | P | P |

P=Permitted C=Conditionally Permitted

\* The R-2 district allows multiple dwellings (structures with 2 or more units for rent or for lease) by right with no requirement for a use permit and allows multiple houses (structures with 2 or more units for sale) with a conditional use permit.

\*\*Multiple dwellings permitted only. Multiple houses are not allowed.

### FACTORY BUILT HOUSING AND MOBILE HOMES

The California Government Code requires that the siting and permit process for manufactured housing must be regulated in the same manner as a conventional or stick-built structure. Specifically, Government Code Section 65852.3(a) requires that, with the exception of architectural requirements, a local government shall only subject manufactured homes (mobile homes and other factory built housing) to the same development standards to which a conventional single-family residential dwelling on the same lot would be subject, including, but not limited to, building setback standards, side and rear yard requirements, standards for enclosures, access, and vehicle parking, aesthetic requirements, and minimum square footage requirements.

The Town applies the same development standards and design review process to manufactured housing and mobile homes as it uses for stick-built housing of the same type. Recently, the Town issued building permits for three manufactured homes as accessory dwelling units.

### SINGLE-ROOM OCCUPANCY UNITS

Single room occupancy units (SROs) are small, one-room units intended for occupancy by one person. SROs are usually in hotels, and they are distinct from efficiency or studio units that include a kitchen and bathroom. Currently, the Corte Madera Zoning Ordinance does not include specific standards for SROs. The Housing Element includes a program to add a definition and standards to the Zoning Ordinance that would regulate SROs in the same manner as hotels.

### TRANSITIONAL HOUSING AND SUPPORTIVE HOUSING

Effective January 1, 2008, SB 2 (Chapter 633, Statutes of 2007) requires every California town, city, and county to engage in a detailed analysis of emergency shelters and transitional and supportive housing in their next Housing Element revision, regulates zoning for these facilities, and broadens the scope of the Housing Accountability Act to include emergency shelters as well as supportive and transitional housing.

Transitional housing is a type of housing used to facilitate the movement of homeless individuals and families to permanent housing. A homeless person may live in a transitional apartment for a predetermined period of time while receiving supportive services that enable independent living. Every locality must identify zones that will allow the development of transitional housing. Supportive housing is permanent rental housing linked to a range of support services designed to enable residents to maintain stable housing and lead fuller lives. Typically, supportive housing is targeted to people who have risk factors such as homelessness, or health challenges such as mental illness or substance addiction.

The Corte Madera Zoning Ordinance treats transitional and supportive housing in the same manner as other residential uses. The ordinance does not require transitional or supportive housing to obtain permits or approvals other than those required for any other residential development. In January 2015, the Town adopted a Zoning Code amendment to include transitional and supportive housing to the definitions of single-family dwelling, multiple dwelling, and multiple house, thereby ensuring that supportive housing and transitional housing are treated as residential uses subject to the same restrictions as residential dwellings of the same type in the same zoning district. Supportive housing is a use by right in all zones where multifamily and mixed uses are permitted. In 2021, the Town adopted Title 22, which specifies that Supportive and Transitional Housing are subject to the objective design and development standards of the form-based code that apply to other multi-family development in the same zone.

## HOMELESS SHELTERS

Government Code Section 65583(a)(4) requires jurisdictions to accommodate at least one year-round emergency shelter with the capacity to provide for the unmet needs of homeless individuals. Effective January 1, 2008, Senate Bill 2 amended State Housing Element law to require jurisdictions to allow emergency shelters without discretionary approvals such as use permits.

In January 2015, the Town adopted a Zoning Code amendment to allow emergency shelters as a permitted use in the P/SP Public and Semi-Public Facilities District, subject to operational standards permitted by State law including parking requirements, on-site management and security requirements, location of waiting/intake areas, proximity to other shelters, lighting, and length of stay. The maximum number of beds or clients permitted to be served in an emergency shelter is 13. As documented in Chapter 2 Housing Needs Analysis of this Housing Element, there is a documented unmet need for 3 emergency shelter beds in Corte Madera according to the 2022 Point-in-Time Count.

Government Code 65583(a)(4)(A)(ii) states that the local jurisdiction may apply written, objective standards to provide “[s]ufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.” Corte Madera Municipal Code Section 18.16.320 states that “[o]n-site parking shall be provided at a ratio of one parking space for every two beds.” The Zoning Code should be revised to comply with the state code. SB 2 requires that the Housing Element analyze the compatibility and suitability of zoning districts proposed for homeless shelters. The Housing Element must demonstrate that a zone permitting homeless shelters by right has sufficient capacity to accommodate the

need and that it has a realistic potential for development or reuse opportunities in the planning period. The analysis of capacity must also consider physical features and location.

The P/SP Public and Semi-Public Facilities District applies to all public and semipublic facilities and public service installations except flood control and drainage facilities, and parks, open space and natural habitat districts. Uses allowed in the P/SP district include public schools; town, county, state, and federal facilities; places of religious assembly; and eleemosynary institutions and facilities. A total of 66.8 acres are zoned P/SP in Corte Madera. Existing uses in the P/SP districts are consistent with the range of allowed uses, including public and private schools, Town Hall, a public library, and a church. P/SP zoning is scattered throughout the town. Eleven sites are zoned P/SP, ranging in size from 0.6 acres to 13.4 acres.

The Town anticipates that homeless shelters would develop in the P/SP district by reusing existing structures rather than constructing new buildings. However, in the event that new construction is needed to develop a homeless shelter, the development standards for the P/SP district would not be a constraint. There is no FAR, coverage, or frontage standard for the P/SP district. Rather, the Zoning Ordinance provides that the site area and frontage requirements shall be "sufficient and appropriate for the intended use" as determined by the design review approval. The setback standards are the same as the closest residential district. Using this standard, the front setback is 20 feet, the side yard requirement is 6 feet, and the rear yard setback would be 25 feet.

The P/SP district is judged to be compatible and suitable for a homeless shelter because it is intended for public service and assembly. Properties with P/SP zoning are designed to have an attractive, healthy, and positive environment and avoid the potential adverse effects or stigma that may be associated with industrial or commercial zoning districts. In all but one case, P/SP-zoned properties are located on or within one block of an arterial street, assuring convenient vehicle and pedestrian access. The exception is the Granada School site, which is located two blocks from an arterial street. All of the P/SP properties are adjacent to residential neighborhoods. None of the P/SP properties is vacant, although a number could be converted to emergency shelter use.

[Pursuant to AB 2339 which went into effect on January 1, 2023, and is applicable to local governments that submit a Housing Element draft to HCD after April 1, 2023, the Housing Element includes program H-1.9.b Zoning for Emergency Shelters. The program directs the Town to amend the Zoning Code to identify one or more zoning districts that allow residential uses, including mixed uses, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit and are suitable for residential uses. The identified zoning districts must have sufficient capacity to accommodate the need for emergency shelters pursuant to Government Code Section 65583\(a\)\(4\).](#)

## LOW BARRIER NAVIGATION CENTERS

A "low barrier navigation center" is a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low barrier" means best practices to reduce barriers to entry and may include, but is not limited to, the following:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.
3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

Government Code 65660 requires a low barrier navigation center to be a use by right in mixed use and nonresidential zones that permit multi-family housing if it meets the following criteria:

1. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
2. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing.
3. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.
4. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System.

Program H-1.4.a Housing Types directs the Town to amend the Corte Madera Municipal Code to allow low-barrier navigation centers as a use by right in mixed use and nonresidential zones that permit multi-family housing, subject to the criteria of Government Code 65660.

## HOUSING FOR EMPLOYEES AND AGRICULTURAL WORKERS

The housing needs analysis in this Housing Element indicates that there are no farmworkers or agricultural employment in Corte Madera. Accordingly, the Town has not identified a need for specialized farmworker housing beyond overall programs for housing affordability.

The Town complies with the Employee Housing Act. Pursuant to Health and Safety Code Section 17021.5, the Town deems any employee housing providing accommodations for six or fewer employees as a single family structure. No conditional use permit, zoning variance, or other zoning clearance is required of employee housing serving six or fewer employees that is not required of a single-family dwelling in the same zone.

### 3.8 OPPORTUNITIES FOR ENERGY CONSERVATION

Housing Elements are required to identify opportunities for energy conservation in residential development. The Housing Element must inventory and analyze the opportunities to encourage the incorporation of energy saving features, energy saving materials, and energy efficient systems and design for residential development. Planning to maximize energy efficiency and the incorporation of energy conservation and green building features can contribute to reduced housing costs for homeowners and renters, in addition to promoting sustainable community design and reduced dependence on vehicles. Such planning and development standards can also significantly contribute to reducing greenhouse gases.



The 2009 General Plan includes Chapter 3, the Resource Conservation and Sustainability Element. Chapter 3 includes policies and programs that promote community sustainability and effective management of renewable and non-renewable natural resources through energy conservation, solid waste management and recycling, natural area resource conservation, and preservation of cultural and historic resources. Important General Plan energy conservation goals, policies, and programs aimed at housing include the following:

- GOAL RCS - 2 Reduce consumption of non-renewable energy sources in Corte Madera.
- POLICY RCS-2.2 Increase energy conservation and efficiency within Corte Madera.
- Implementation Program RCS-2.2f: Cooperate with Regional Energy Programs

Cooperate with regional energy programs such as the Marin County Energy Watch Partnership to promote energy efficiency in Town facilities, residences, and commercial buildings.

- POLICY RCS– 2.3 Develop programs to increase energy conservation within Corte Madera residences.
- Implementation Program RCS-2.3.a: Utility Energy Efficiency Programs

Encourage homeowners to utilize programs offered by the utility services when designing plans for residences as a means of reducing energy demands and costs.

- Implementation Program RCS-2.4.b: Renewable Energy

Provide for use of renewable energy systems to help meet future energy needs of the community. This may include use of photovoltaic solar collection systems to reduce dependency on fossil fuels. Include provisions for use of such systems in the Town's Design Guidelines.

- POLICY RCS-2.6 Reduce energy consumption in buildings by balancing energy efficient design with good planning principals.
- Implementation Program RCS-2.6.a: Energy Efficient Building Design

Require energy efficient site and building design in all new development projects consistent with the requirements of Title 24 of the California Administrative Code. Measures may include, but are not limited to, building orientation and shading, landscaping, use of active and passive solar heating and hot water system, etc.

- Implementation Program RCS-2.6.b: Design Approaches

The Town's Design Guidelines shall include an emphasis on environmentally sensitive design approaches that incorporate resource-conserving construction practices.

- Implementation Program RCS-2.6.c: Green Building

Provide information to project designers regarding the Marin County Green Building Program.

- Implementation Program RCS-2.6.d: Green Building Guidelines

Adopt Green Building guidelines for new construction, renovations and municipal projects. Integrate green building requirements into the development review and building permit process. Collaborate with local jurisdictions to share resources, and develop green building policies and programs that are optimized for the region. This approach may include the following:

- Optional or incentive based green building provisions to encourage compliance.
- Conservation of natural resources when planning site development.
- Use of green building materials, including recycled-content materials.
- Promotion of water efficiency and conservation measures, including low impact development strategies.
- Increased energy efficiency in building and site designs.
- Promotion of the use of renewable energy.
- Improved indoor air quality that includes the use of formaldehyde-free, non-toxic construction materials.
- POLICY RCS-2.7 Expand public participation in energy conservation and efficiency measures.
- Implementation Program RCS-2.7.a: Public Conservation Outreach

Coordinate with local utilities to provide energy conservation information to the public. Periodically include information sources in the Town’s newsletter.

- Implementation Program RCS-2.7.b: Energy Conservation and Efficiency Education.

Educate planning and building staff and citizen review bodies on energy conservation and efficiency issues, including the Town’s energy conservation policies, and instruct that they work with applicants to achieve energy conservation goals.

- Implementation Program RCS-2.7.c: Promotion of Energy Efficient Products

Promote the purchase of Energy Star appliances rated at least “Energy Star” and fuel efficient or alternative fuel vehicles by Town businesses and residents.

The Town has also adopted a Climate Action Plan (CAP), most recently updated in 2020. The CAP is designed to reduce community-wide greenhouse gas emissions 49% below 1990 levels by 2030, which exceeds the State’s goal to reduce statewide emissions 40% by that year. The CAP contains actions to improve energy efficiency, expand the use of renewable energy, and electrify the built environment. Specific programs call for the adoption of a green building reach code that ultimately bans the use of natural gas in new and remodeled residential as well as non-residential development; promotion of energy efficiency and electrification incentives and programs; and outreach and education to community members, including low-income households, on ways to improve the energy efficiency of homes, electrify appliances and heating systems, and reduce household emissions.

The Housing Element addresses the energy conservation needs of lower income households with Programs *H-3.5.b Rehabilitation Loan Programs* and *H-3.6.a Provide Information on Energy Efficiency and Renewable Energy Programs*.

## 4.0 HOUSING CONSTRAINTS

### 4.1 OVERVIEW

The Housing Element must identify and analyze potential and actual governmental constraints to the maintenance, improvement, and development of housing for all income levels, including housing for persons with disabilities. The analysis must identify the specific standards and processes and evaluate their impact, including cumulatively, on the supply and affordability of housing. The analysis must determine whether local regulatory standards pose an actual constraint and must also demonstrate local efforts to remove constraints that hinder a jurisdiction from meeting its housing needs. The Housing Element must analyze non-governmental constraints as well.

### 4.2 LAND USE DESIGNATIONS AND ZONING STANDARDS

Corte Madera’s regulatory standards assure procedural consistency, promote a cohesive built environment, and protect the long-term health, safety, and welfare of the community. However, regulations can conflict with policies and constrain the development of affordable housing. The following analysis assesses the Town’s land use regulations, procedures, and fees to identify possible conflicts.

#### GENERAL PLAN LAND USE ELEMENT

The General Plan Land Use Element provides five residential land use designations, which are summarized in Table 15 below.

**Table 15: General Plan Residential Land Use Designations**

| Designation                | Minimum Lot Size   | Residential Development Density | Description  |
|----------------------------|--------------------|---------------------------------|--|
| Open Residential           | 5 acres            | 0 to 0.2 units per acre         | Steep slopes; unstable soils.  |
| Hillside Residential       | 20,000 square feet | 0.2 to 2.2 units per acre       | Neighborhoods constrained by steep slopes and narrow streets.          |
| Low Density Residential    | 7,500 square feet  | 0.2 to 6.0 units per acre       | Single family detached neighborhoods.                                  |
| Medium Density Residential | 8,000 square feet  | 6.0 to 11.0 units per acre      | Applies to majority of existing multi-family developments.             |
| High Density Residential   | 8,000 square feet  | 11 to 25 units per acre         | Designation is provided to encourage affordable and workforce housing. |

Most land designated for residential development in Corte Madera has been built upon. The majority of the remaining vacant residential parcels are constrained by steep slopes that increase development costs and limit development potential. In response to the continuing need to develop housing, the Town adopted four mixed-use designations in the 2009 General Plan. These designations are intended to encourage residential development in commercial areas. Mixed-use land use designations are shown in Table 16. Each of these designations is designed to provide incentives for redevelopment projects that include affordable housing. In October 2016, the Town adopted a new Mixed-Use district (MX-1) and rezoned seven properties along Tamal Vista Blvd. to encourage mixed-use developments in this area. The Town intends to adopt other Mixed-Use Districts that will apply to other areas of Town to better align the General Plan policies and the zoning districts. The Mixed-Use Gateway designation was put into effect with a single-site zoning district developed solely for the former WinCup property. This property has been developed with a mixed-use project that includes 180 residential units. AHO zoning was applied to the area designated Mixed-Use, Old Corte Madera Square in 2003 and remains in effect.

In January 2023, the Town adopted an amendment to the Land Use Element of the General Plan to create a new Mixed-Use Housing Element land use designation to ensure consistency between the General Plan and Zoning Ordinance. The Mixed-Use Housing Element land use designation is intended to support infill multi-family residential development at densities to meet the Town’s RHNA. This designation promotes site and building redevelopment within multi-family residential and mixed-use neighborhoods, along mixed-use and commercial corridors, and within commercial shopping centers. The Mixed-Use Housing Element designation consists of three variants that are differentiated by minimum lot sizes, permitted residential densities, and applicable zoning districts. The three variants include Housing Element Mixed-Use Neighborhood, Housing Element Mixed Use Corridor, and Housing Element Mixed-Use Core as further described below.

As shown in Table 16, the maximum commercial FAR for the Mixed-Use Housing Element land use designations is in addition to the maximum residential density.

**Table 16: General Plan Mixed Use Designations**

| Designation                            | FAR   | Residential Development Density   |
|--|---|---|
| Mixed-Use Region-Serving Commercial    | 0.47  | 5.0 to 7.5 units per acre. Up to 9.4 units per acre with density bonus  |
| Mixed-Use – Gateway Area               | 0.34  | 25.1 to 40.0 units per acre   |
| Mixed-Use: Old Corte Madera Square     | 1.0   | 15.1 to 25.0 units per acre. Up to 31 units per acre with density bonus |
| Mixed-Use Commercial                   | 0.34; up to 0.4 for mixed-use development with residential                      | 15.1 units per acre; 20.0 units per acre for senior project             |
| Housing Element Mixed-Use Neighborhood | 0.2 commercial FAR in addition to residential density for mixed-use development | Up to 25.0 units per acre and 30.0 units per acre for senior housing    |

|                                    |  |  |
|------------------------------------|--|--|
| Housing Element Mixed-Use Corridor | 0.2 for commercial FAR in addition to residential density for mixed-use development  | Up to 35.0 units per acre and 40 units per acre for senior housing |
| Housing Element Mixed-Use Core     | 0.34 for commercial FAR in addition to residential density for mixed-use development | Up to 40.0 units per acre  |

In addition to the mixed-use land use designations, the Town has adopted policies in the Land Use Element of the General Plan to further encourage in-fill and mixed-use development in the commercial areas of the community, especially along the Highway 101 corridor that provides access to transit routes and the freeway (see pages 2-53 to 2-56 in the Land Use Element). The Town does not have growth controls or prohibitions against multi-family in the General Plan or in any other part of its regulatory system.

The General Plan provides a comprehensive program, including mixed-use land use designations, to promote housing development at all income ranges. The General Plan is not a constraint to housing development.

## RESIDENTIAL DEVELOPMENT STANDARDS

The Town of Corte Madera zoning ordinance includes five “base” low- and medium-density residential districts with typical suburban development standards and four high-density overlay districts that are designed to encourage affordable housing. The development standards for the base residential districts and the affordable housing overlay districts are summarized in Tables 17 and 18.

**Table 17: Residential Development Standards in Residential Zoning Districts**

| Residential Zoning Base Districts |         |        |             |            |  |  |
|-----------------------------------|---------|--------|-------------|------------|--|--|
| Zoning district                   | R-1-C   | R-1-B  | R-1-A       | R-1        | R-2  | R-3  |
| Building height                   | 30      | 30     | 30          | 30         | 30   | 35   |
| Lot frontage                      | 100     | 50     | 30          | 30         | 30   | 30   |
| Floor area ratio                  | NA      | NA     | .4 to .6    | .4 to .6   | NA   | NA   |
| Setbacks                          |         |        |             |            |  |  |
| Front                             | 35      | 30     | 25          | 15-20      | 20   | 20   |
| Interior Side                     | 25      | 20     | 10          | 5-6        | 6  | 6  |
| Street Side                       | 25      | 20     | 20          | 10         | 15   | 15   |
| Rear                              | 100     | 50     | 35          | 25         | 25   | 25   |
| Minimum Lot Area                  | 5 acres | 1 acre | 20,000 s.f. | 7,500 s.f. | 8,000 s.f.   | 8,000 s.f.   |
| Lot Area per D.U.                 | 5 acres | 1 acre | 20,000 s.f. | 7,500 s.f. | 4,000 s.f.<br>2,000 s.f./du<br>for senior<br>housing | 2,460 s.f.<br>2,000 s.f./du<br>for senior<br>housing |

|                          |   |     |     |          |  |  |
|--------------------------|---|-----|-----|----------|--|--|
| Lot coverage (maximum %) | Evaluated based on site characteristics | 15% | 40% | 30 – 35% | 35%  | 35%  |
| Minimum Open Space       | NA                                      | NA  | NA  | NA       | 300 s.f./du  | 100 s.f./d.u.                                      |
| Parking spaces per D.U.  | 2                                       | 2   | 2   | 2        | 1 bdrm: 1.5<br>>1 bdrm: 2<br>Guests:<br>1 / 10 units | 1 bdrm: 1.5<br>>1 bdrm: 2<br>Guests:<br>/ 10 units |

**Table 18: Residential Development Standards in Affordable Housing Overlay Zoning Districts**

| Zoning district           | Affordable Housing Overlay  |  |   |   |   |
|---------------------------|---|--|---|---|---|
|                           | AHO   | AHE-A  | AHE-B   | AHMU  | MUGD  |
| Building height           | 30  | 38   | 38  | 38  | 38 and 48   |
| Lot frontage              | Set by base district  | 30   | 30  | Set by base district  | None  |
| FAR                       |   |  |   |   |   |
| Commercial                | NA  | NA   | NA  | 1.0   | None  |
| Residential               | None  | None   | None  | None  | None  |
| Setbacks                  |   |  |   |   |   |
| Front                     | Set by base district  | 20   | 20  | Set by base district  | Flexible  |
| Interior Side             | 5   | 6  | 6   | 5   | Flexible  |
| Street Side               | Set by base district  | 15   | 15  | Set by base district  | Flexible  |
| Rear                      | 5   | 25   | 25  | 5   | Flexible  |
| Minimum Lot Area          | No minimum  | No minimum   | No minimum  | No minimum  | 1 acre  |
| Lot Area per D.U. (s.f.)  | 1,742 s.f. (25 du/ac)   | 1,742 s.f. (25 du/ac)  | 1,742 s.f. (25 du/ac)   | 1,742 s.f. (25 du/ac)   | 1,089 s.f. (40 du/ac)   |
| Lot coverage (maximum %)  | Set by base district  | 35%  | 35%   | Set by base district  | None  |
| Minimum Open space (s.f.) | 150 s.f./du   | 150 s.f./du  | 150 s.f./du   | 150 s.f./du   | 50 s.f./du  |
| Parking spaces per D.U.   | 1 bdrm: 1<br>2 bdrm: 1.5<br>≥3 bdrm: 2<br>Guests:<br>1 / 10 units | 1 bdrm: 1<br>2 bdrm: 1.5<br>≥3 bdrm: 2<br>Guests:<br>1/ 10 units | 1 bdrm: 1<br>2 bdrm: 1.5<br>≥3 bdrm: 2<br>Guests:<br>1 / 10 units | 1 bdrm: 1<br>2 bdrm: 1.5<br>≥3 bdrm: 2<br>Guests:<br>1 / 10 units | 1 bdrm: 1<br>2 bdrm: 1.5<br>≥3 bdrm: 2<br>Guests:<br>1 / 10 units |

**Table 19: HE-1 Neighborhood District**

| Development Standard                 | 111 Lucky Drive           | 5651 Paradise Drive   |
|--------------------------------------|---------------------------|---|
| Density                              | 25 du/ac                  | 25 du/ac <sup>1</sup>   |
| Non-residential square footage, min. | N/A                       | 3,000 sf <sup>2</sup>   |
| Non-residential square footage, max  | 20%                       | 5,000 sf  |
| Max. height to highest eave          | 34 feet                   | 34 feet   |
| Max height overall                   | 40 feet                   | 40 feet   |
| Front setback, min.                  | 15 feet                   | 15 feet   |
| Front setback, max.                  | N/A                       | N/A   |
| Rear setback, min.                   | 5 feet                    | 15 feet   |
| Side setback, interior, min.         | 5 feet                    | 5 feet  |
| Side setback, street side, min.      | 15 feet                   | N/A   |
| Side setback, street side, max.      | N/A                       | N/A   |
| Ground floor requirements            | N/A                       | Ground floor uses limited to retail use, on-site parking for residential uses, ancillary residential uses |
| Curb cuts                            | Limited to 1 per frontage | Limited to 1 per frontage   |

1. Town-owned land shall not be included in the calculation of permitted density.
2. Non-residential use must be retail uses on the ground floor and may not include any drive-through use.

**Table 20: HE-2 Corridor District**

| Development Standard                 | 41 Tamal Vista  | 400 & 500 Tamal Plaza | 2 Fifer, 10 Fifer, 110-150 Nellen | 5804 Paradise | 5750 Paradise | 100 Tamal Plaza | 240 Tamal Vista |
|--------------------------------------|---|-----------------------|-----------------------------------|---------------|---------------|-----------------|-----------------|
| Density                              | 35 du/ac  | 35 du/ac              | 35 du/ac                          | 35 du/ac      | 35 du/ac      | 35 du/ac        | 35 du/ac        |
| Non-residential square footage, min. | 5%  | N/A                   | 5%                                | N/A           | N/A           | N/A             | N/A             |
| Non-residential square footage, max. | 20%   | 20%                   | 20%                               | 20%           | 20%           | 20%             | 20%             |
| Max. height                          | 35-50 feet  | 50 feet               | 50 feet                           | 50 feet       | 50 feet       | 50 feet         | 50 feet         |
| Stepback minimum <sup>1</sup>        | 10 feet   | 10 feet               | 10 feet                           | 10 feet       | 10 feet       | 10 feet         | 10 feet         |
| Front setback, min.                  | 20 feet   | 10 feet <sup>2</sup>  | 12 feet                           | 15 feet       | 15 feet       | 12 feet         | 12 feet         |
| Front setback, max                   | 30 feet   | N/A                   | 25 feet                           | N/A           | N/A           | 25 feet         | 25 feet         |
| Rear setback, min.                   | 30 feet   | 15 feet               | 5 feet                            | 20 feet       | 15 feet       | 15 feet         | 15 feet         |
| Side setback, interior min.          | 10 feet   | 5 feet                | N/A                               | 5 feet        | 5 feet        | 5 feet          | 5 feet          |
| Side setback, street side, min.      | N/A   | 10 feet <sup>3</sup>  | 15 feet                           | N/A           | 10 feet       | N/A             | 12 feet         |
| Side setback, street side, max.      | N/A   | N/A                   | N/A                               | N/A           | N/A           | N/A             | 25 feet         |
| Curb cuts                            | Limited to one per street frontage when the frontage length is less than 300 feet. Frontages that are 300 feet or more may have a maximum of two curb cuts per street frontage. |                       |                                   |               |               |                 |                 |

1 Stepback required above 3<sup>rd</sup> story provided no existing stepback exists; corner elements exempt.

2 Front setback parallel to Tamal Vista Blvd.; 3. Street side setback refers to side setback adjacent to the trail



**Table 21. HE-3 Corridor District**

| Development Standard                 | 1400 Redwood Highway |
|--------------------------------------|----------------------|
| Density                              | 40 du/ac             |
| Non-residential square footage, min. | 7%                   |
| Non-residential square footage, max  | 34%                  |
| Max height                           | 70 feet              |
| Stepback minimum <sup>1</sup>        | 10 feet              |
| Front setback, min                   | 20 feet              |
| Rear setback, min                    | 0 feet               |

1. Stepback required above 5<sup>th</sup> story; corner elements exempt

***Low density residential districts***

Description. The R-1-A, R-1-B, and R-1-C districts regulate steeply sloped and potentially geologically unstable areas of the community. These single-family districts allow one home per parcel. Accessory dwelling units/junior accessory dwelling units are allowed by right in these districts consistent with the Town’s ADU ordinance. Lot size is the controlling standard in these districts, which serves to minimize grading for home sites, roads, and utilities by requiring larger lots for steeper topography. The R-1-C district applies to the steepest areas of the Town, requiring a five-acre minimum lot size. The R-1-B and R-1-A districts address progressively less steep parcels and permit smaller lot sizes at 1 acre and 20,000 square feet respectively. The lot width and setback standards are designed to minimize grading, drainage impacts, and tree loss, while maintaining a separation between homes that is characteristic of these hillside neighborhoods. The R-1 district comprises most of the single-family neighborhoods in Corte Madera, including all of the “flat land” neighborhoods and portions of the older hillside residential areas. The R-1 district is designed to maintain the low-density character of these areas, and the development standards are structured accordingly. Minimum lot sizes are 7,500 square feet, and front, interior side, and rear yard setbacks are 15-20, 5-6, and 25 feet respectively.

The R-1 and the R-1-A, -B, and -C districts share the same FAR formula, which ranges from 0.6 for properties 4,600 square feet or less to 0.4 for parcels 7,700 square feet or more. All of the zoning districts in the R-1 series have a height limit of 30 feet. Similarly, all of the R-1 series require two parking spaces per dwelling unit, one of which must be covered. An additional covered parking space is required for dwelling units containing more than 4,000 square feet of habitable area.

Analysis. R-1 and the R-1-A, -B, and -C districts development standards are analyzed below:

- ***Building height.*** Chapter 18.04 of the Corte Madera Municipal Code defines “Building height” as the vertical distance from the finished grade to the highest point of the structure. Maximum height is measured from finished grade to an imaginary plane located the allowed number of feet above and parallel to the finished grade. Thus, the height envelope “flexes” with the finished grade of the property, thereby assuring that the 30-foot height limit allows at least two stories can be built on any parcel. The

method for measuring height also allows portions of building to be below grade without a height penalty, and places no limits on the number of levels that may be allowed. For this reason, it is possible to build three story homes on flat lots in the low-density districts, and four-level houses on sloped lots.

- *Minimum Lot width.* The 30-foot minimum lot width in the R-1 and R-1-A districts allows maximum flexibility in lot configuration, and in this sense minimizes one of the typical obstacles to housing development. The larger minimum widths required for the R-1-B and R-1-C districts – 50 and 100 feet respectively – do not act as constraints in these districts due to the large lot sizes (1 and 5 acres). For example, if a property owner chose to create a minimum-size parcel in the R-1-C with the minimum frontage, the parcel could be more than 2,175 feet deep. This example demonstrates that the lot-width requirement in the R-1-C is not unduly restrictive. The same analysis applies to the R-1-B lot width standard, with the same result.
- *FAR.* The floor area ratio standard ranges from .6 for parcels of 4,600 square feet or less, to a maximum of .4 for lots of 7,700 square feet or larger. Thus, for example, a 2,760 square foot home can be built on a 4,600 square foot parcel. While .4 is the maximum FAR for larger lots, there is no maximum home size. The generous FAR for small lots promotes development in the pre-1920's neighborhoods, where parcels tend to be smaller, and the lack of a maximum home size standard allows builders to meet market expectations on the larger hillside lots. For these reasons, the FAR standard is not a constraint on development.
- *Setbacks.* The standard parcel in the R-1 district measures 75 feet wide by 100 feet deep. When front, rear and side setbacks are subtracted, 3,465 square feet of lot area remains available to accommodate a footprint of up to 3,000 square feet as allowed by the 40% coverage factor. Thus, the two dimensional development envelope created by the R-1 setbacks is substantially larger than needed for the building foundation, allowing the builder flexibility in locating and configuring the home, and avoiding artificial, and possibly costly, constraints. The R-1 district recognizes that many parcels in the district are substandard size and allows reduced front and side yard setbacks for lots that have less than the minimum lot area (i.e., 15 foot front setback and 5 foot side setback). As another example, a minimum size, square lot (approximately 141 feet wide by 141 feet deep) in the R-1-A district has an envelope slightly larger than 9,800 square feet that can easily accommodate the 5,000 square foot building footprint allowed by the 25% coverage limit. Narrower lots result in larger envelopes because they have the effect of minimizing the lot area devoted to the front and rear yard setbacks, which are proportionately larger than the side yard setbacks. In the unlikely situation that an otherwise conforming R-1-A lot were so wide that it resulted in an envelope too small to accommodate the maximum coverage standard, the property would qualify for a variance. As in the R-1 district, the R-1-A setback standards create a generous envelope for construction and are not a constraint on housing development. The R-1-B and -C setbacks are slightly larger than the R-1-A requirements, but due to the substantially larger lot sizes (1 and 5 acres) the resulting development envelope is proportionally larger.
- *Minimum lot area.* As discussed above, lot size standards are set by hillside conditions in the case of the R-1-A, -B, and -C districts, and by the prevailing neighborhood development patterns in the R-1 district. However, the zoning ordinance recognizes the existence of many substandard size lots, and provides that development is permitted on all lots irrespective of parcel size. The ordinance also states that

development on substandard size lots shall not be considered “legal nonconforming” by virtue of lot size, thereby avoiding the need for use permits to replace a damaged or destroyed building on a non-conforming lot. Further, the R-1 district has reduced setback and FAR standards for substandard size lots.

- *Lot coverage* ranges from 40% in the R-1 district to 15% in the R-1-B district. This range is appropriate for the minimum lot sizes of the respective districts and is not a constraint on housing development. For example, the coverage standard allows a 2,000 square foot building footprint on a 5,000 square foot lot in the R-1 district to accommodate up to 2,800 square feet of building floor area. In the R-1-B district, the maximum lot coverage on a standard size lot is 6,534 square feet. Based on these examples, the coverage standards are not unduly restrictive. In the R-1-C district, coverage is determined based on site characteristics. These properties are generally the steepest lots in the community and therefore need to be evaluated for coverage on a case-by-case basis, due to soil conditions and the possible need to correct landslide conditions.

Senate Bill 9. Senate Bill (SB) 9 allows single family lots greater than 2,400 square feet to be split under certain conditions and allows both vacant and developed single family lots to be developed with two single family homes. Both newly created parcels must be no smaller than 1,200 square feet, and no parcel may be smaller than 40 percent of the lot area of the original parcel. Consistent with State law, the Town imposes only objective, zoning, subdivision, and design standards that do not conflict with the statute. In January 2022, the Town adopted specific application procedures and development standards for SB 9 lot splits and units as allowed by State law. In 2021, the Town adopted Objective Design and Development for qualifying multi-family housing developments, including new units proposed under SB 9. The objective design and development standards within Title 22 include a zone (T3 Edge Neighborhood) for SB 9 projects in single-family zoning districts. The intent of the T3 Edge Neighborhood Zone is to create a walkable environment of small to medium footprints, and low intensity housing that is compatible with the single-family neighborhood context. The development standards in the T3 Edge Neighborhood Zone are very similar to the development standards in the R-1 zoning district. The height of SB units is limited to 16 feet in instances where the side or rear yard setback is reduced beyond those of the underlying zoning district. The maximum unit size for SB 9 units is 1,000 square feet. During the first eleven months after the law went into effect, the Town received eight applications for urban lot splits. One of the applications was subsequently withdrawn by the applicant.

Conclusions. The R-1 and the R-1-A, -B, and -C development standards have not constrained housing construction in Corte Madera, nor have they been a barrier to the development of affordable housing. Existing densities generally match General Plan land use designations, and the larger lot sizes of the R-1-A, -B, and -C districts are necessary due to hillside conditions. The cumulative effect of the low-density housing regulations has been to permit the development of 20 single family homes and 52 ADUs in the past housing element cycle. SB 9 has significantly increased the development potential of single family lots, both vacant and with existing single family homes.

### ***Medium density residential district***

Description. The R-2 district is Corte Madera’s “base” multi-family zoning district. The R-2 district is distributed throughout the flat areas of the community. The minimum lot size is

8,000 square feet, with 4,000 square feet required per dwelling unit. This formula equates to a density of 10.9 units per acre, however, densities up to 21.75 units per acre are allowed for senior housing. The R-2 district allows multiple dwellings (structures with 2 or more units for rent or for lease) by right with no requirement for a use permit and allows multiple houses (structures with 2 or more units for sale) with a conditional use permit. Setback and height standards in the R-2 zoning district match those in the R-1 district. The R-2 district has a usable open space standard of 300 square feet per unit. There is no FAR formula for the R-2 zoning district. The allowable lot coverage is 35%. Parking in the R-2 district is based on the number of bedrooms in each dwelling unit, with 1.5 spaces required for an efficiency or single bedroom unit, and 2 spaces required for each unit with more than 1 bedroom. One guest parking space must be provided for every 10 units.

Analysis. Essential elements of the R-2 development standards are assessed below:

- *Building height, lot width, setbacks, and coverage.* These development standards match the corresponding R-1 standards. As discussed above in the analysis of the R-1 standards, the definition and method for measuring height allow for three-story buildings. The lot width and setback standards are minimal and do not act as constraints. The 35% coverage standard allows adequate space to accommodate required parking and landscaping without unduly restricting the potential development yield.
- *Minimum lot area.* The requirement for an 8,000 square foot minimum lot size does not constrain housing development because it is consistent with the lotting patterns in the areas where the R-2 district is applied. Also, the zoning ordinance permits development of substandard lots without the requirement for a variance from the lot area standard.
- *Lot area per dwelling unit.* The requirement for 4,000 square feet of lot per unit results in a density range of up to 10.9 units per acre. The R-2 standards facilitate senior housing by allowing 2,000 square feet of lot area for age-restricted housing.

Conclusions. The R-2 standards are minimal and do not constrain housing development. During the past planning period, 16 units, including three affordable units, were developed as part of the Enclave project in an R-2 district.

### ***High density residential district***

Description. The R-3 district is Corte Madera's high density multi-family zoning district. The district includes two parcels which are developed with high density multi-family buildings. The minimum lot size is 8,000 square feet, with 2,460 square feet required per dwelling unit. This equates to a density of 17.7 units per acre, however, densities up to 21.75 units per acre are allowed for senior housing. The R-3 district allows multiple dwellings (structures with 2 or more units for rent or for lease) by right with no requirement for a use permit and allows multiple houses (structures with 2 or more units for sale) with a conditional use permit. Setbacks in the R-3 district match the R-2 district, while the maximum building height is higher at 35 feet. The R-3 district has a usable open space standard of 100 square feet per unit. There is no FAR formula for the R-3 zoning district. The allowable lot coverage is 35%. Parking in the R-3 district is based on the number of bedrooms in each dwelling unit, with 1.5 spaces

required for an efficiency or single bedroom unit, and 2 spaces required for each unit with more than 1 bedroom. One guest parking space must be provided for every 10 units.

Analysis. Essential elements of the R-3 development standards are assessed below:

- *Building height, lot width, setbacks, and coverage.* As discussed above in the analysis of the R-1 standards, the definition and method for measuring height allow for three-story buildings. The lot width and setback standards are minimal and do not act as constraints. The 35% coverage standard allows adequate space to accommodate required parking and landscaping without unduly restricting the potential development yield.
- *Minimum lot area.* The requirement for an 8,000 square foot minimum lot size does not constrain housing development because it is consistent with the lotting patterns in the areas where the R-3 district is applied. Also, the zoning ordinance permits development of substandard lots without the requirement for a variance from the lot area standard.
- *Lot area per dwelling unit.* The requirement for 2,460 square feet of lot per unit results in a density range of up to 17.7 units per acre. The R-3 standards facilitate senior housing by allowing 2,000 square feet of lot area for age-restricted housing.

Conclusions. The R-3 standards are minimal and do not constrain housing development. However, the two parcels currently zoned R-3 are currently developed with multi-family buildings at 15.8 units per acre and 18.9 units per acre.

## AFFORDABLE HOUSING OVERLAY DISTRICTS

Description. While the base residential districts are not an obstacle to housing development, the lack of vacant residentially zoned property for medium- and high-density housing is a significant impediment. In response to this problem, in 2003 the Town amended the zoning ordinance to include four housing overlay districts as part of the implementation program for the 2002 Housing Element. The AHO, AHE-A, AHE-B, and AHMU districts allow densities at 25 units per acre by right without the requirement for a use permit and provide other incentives to redevelop properties for affordable housing. In AHE-A districts, 50% of the units must be affordable to qualify for the increased density allowance. The affordability requirement in the AHE-B district is 100% to qualify for the 25 unit per acre density standard. The AHO and AHMU districts are designed to overlay commercial districts, which allow a maximum of 15.1 units per acre. The AHMU district allows 25 units per acre in return for 50% of the units being affordable. The AHO district is similar to the AHMU, except that it requires 100% affordability.

In 2011, the Town amended the zoning ordinance to include a Mixed Use Gateway Overlay (MUGD) district. The MUGD district allows 40 units per acre in return for 10% of the units being affordable.

The Town adopted four mixed-use designations in the 2009 General Plan. These designations were intended to encourage residential development in commercial areas of Town.

Analysis. Relevant development standards for the overlay districts are discussed below:

- *Base districts.* The AHO district applies to the Old Corte Madera Square neighborhood, where the base zoning is R-2 Low Density Multiple Dwelling and C-1 Local Shopping.

- Applying the AHO establishes a density standard to properties zoned C-1 where there is currently no density standard, and more than doubles the density standard in the R-2 district. The AHE-A and -B districts can be used to overlay the R-2 district outside the Old Corte Madera Square area, thereby more than doubling the allowed residential density in return for providing affordable housing. The AHMU district may be placed over the C-1, C-2 and C-4 commercial districts. The effect is to increase the maximum permitted density 65% and allow high-density housing by right without the requirement for a use permit in commercial districts that otherwise require a use permit for housing for which there is no density standard. The overlay allows mixed use multi-family residential and local serving commercial uses.
- *Building height.* The AHO limits building height to 30 feet. This effectively limits housing to two stories, which is designed to preserve the historic character of the Old Corte Madera Square neighborhood. The AHE and the AHMU districts allow building heights up to 38 feet, which is generally considered an incentive for higher densities and affordable housing. The MUGD district allows building heights of 38 feet along the street frontage and 48 feet on inner portions of the lot.
  - *FAR.* The AHO, AHE and MUGD districts do not regulate floor area ratios. The AHMU allows a 1.0 FAR for commercial development in return for providing affordable housing. This is a significant increase over the .34 FAR allowed by the base districts.
  - *Setbacks.* In the AHO, the front set back is the same as the base district – 20 feet in the case of the R-2 and 10 feet for the C-1 district. The purpose of this standard is to maintain the character of the street frontage in Old Corte Madera Square. The AHO requires 5-foot setbacks for the side and rear yards, which is considered a minimum standard necessary for access. The AHE-A and -B districts have the same front, side, and rear yard setbacks as the R-2 district; historically, these setbacks have not constrained high-density housing in Corte Madera. The AHMU overlay has the same setbacks as AHO district. The front setbacks are set by the base district in order to preserve the existing street frontage patterns. The requirement for 5-foot side and rear yard setbacks is necessary for pedestrian access. The MUGD district has flexible setbacks.
  - *Minimum lot area.* With the exception of the MUGD district, the overlay districts do not have minimum lot area standards, thereby avoiding a potential constraint on housing development. The MUGD district has a minimum lot area of one acre.
  - *Lot coverage.* Lot coverage for the AHO overlay is set by the base districts, which have a 35% coverage standard in the case of the R-2, and no coverage limits in the C-1 base district. The AHO relies on the base districts in order to maintain the design character of the Old Corte Madera Square neighborhood, where it is applied. The AHE districts have the same 35% coverage requirement as the R-2 base district, so as to be consistent with adjacent R-2 properties where the overlay may not be in effect. The coverage standard for the AHMU is set by the underlying base districts, which have no coverage standards. The MUGD district has no lot coverage standard.

Conclusions. The overlay districts promote high density and affordable housing with a variety of incentives, including increased densities, density bonuses in excess of state density bonus law requirements, increased height limits at 38 to 48 feet, a commercial FAR bonus in the AHMU, reduced setbacks in the AHO and AHMU, and reduced parking and open space requirements in all five overlay districts. To date, two projects have used standards in the overlay districts as a basis for developing affordable housing. The 79-unit San Clemente Place

project was developed in the AHMU district, and the 180-unit Tam Ridge Residences project was developed in the MUGD district. This experience has shown that the development standards in these overlay districts are an effective incentive for affordable housing.

No projects have taken advantage of the incentives provided in the AHO district. As a result, Program H-2.8.a directs the Town to evaluate the existing height limit of 30 feet as a constraint to development and to consider amending the Zoning Code to allow height up to 3 stories.

Neither the base residential districts nor the affordable housing overlay districts have restrictions or require use permits for multi-family rental housing, factory-built housing, mobile homes, supportive housing or transitional housing. The R-2 and R-3 districts and the overlay districts allow multi-family rental housing by right without the requirement for a use permit.

### HOUSING ELEMENT OVERLAY DISTRICT

On January 17, 2023, the Town Council adopted an ordinance rezoning 18 parcels comprised of 10 housing opportunity sites associated with the Town of Corte Madera's Housing Element (6<sup>th</sup> Cycle). The ordinance creates a Housing Element Overlay District with three subareas. The overlay district is applied to the housing opportunity sites (sites 1-10). The adopted zoning ordinance amendment creates a Housing Element Overlay District within Chapter 18.18 (Special Purpose Overlay Districts) of the Corte Madera Municipal Code. The regulations in the Housing Element Overlay will apply to housing sites that are developed with residential uses, mixed-use developments that includes residential uses, and residential care facilities. The overlay framework allows property owners to continue to use the existing "underlying" zoning districts for non-residential only projects.

The overlay districts allow both commercial and residential uses. Of the 10 housing opportunity sites, only four sites (Sites 1, 3, 5, and 8) are required to provide a minimum square footage of commercial uses. The other six sites could potentially be developed solely with residential uses. Subarea HE-1 allows up to 25 units per acre and 30 units per acre for senior housing. Subarea HE-2 allows up to 35 units per acre and 40 units per acre for senior housing. Subarea HE-3 allows up to 40 units per acre.

The new Housing Element Overlay District promotes the development of the housing opportunity sites at the identified realistic capacities. Site specific development and parking standards consistent with the recently adopted Objective Design and Development Standards (ODDS) will facilitate residential development on these sites. The parking standards in the overlay district is 1 space for a studio or 1-bedroom and 1.5 spaces for a two bedroom, which is less than the required parking standards in the R-2 and R-3 zoning districts. In addition, the overlay district includes special standards for senior housing projects, which include an increase of five dwelling units/acre above the base density and a reduced parking standard. The Town adopted these special standards to promote senior housing projects. Staff met with property owners, developers, and architects to gather feedback on the development standards in the draft zoning ordinance amendment. Modifications were made to the draft standards based on this feedback. The development standards included in the ordinance were carefully evaluated and designed to encourage housing at the capacities allowed for Sites 1-10. These standards are identified in Tables 19-21.

## DEVELOPMENT STANDARDS FOR COMMERCIAL DISTRICTS PERMITTING RESIDENTIAL USES

A new Mixed-Use Zoning District MX-1 was adopted in 2016 as part of the Tamal Vista Corridor Study which applies to Tamal Vista Boulevard between Madera Boulevard and Wornum Drive. The MX-1 District allows residential densities at 15.1 units per acre or 20 units per acre for senior housing exclusive of a density bonus. The MX-1 district allows a maximum gross floor area of 0.40 for projects that include residential uses provided that .04 FAR is non-residential uses. The MX-1 district establishes two zones – the Neighborhood Zone and the Highway Zone. The maximum building height in the Neighborhood Zone is 25 feet or two stories, whichever is lower and the maximum height in the Highway Zone is 35 feet, or three stories, whichever is lower.

Program H-2.9.a will add additional Mixed-Use Zones to the Zoning Ordinance to establish standards for other areas with a Mixed-Use General Plan land use designation.

## OBJECTIVE DESIGN STANDARDS

Housing legislation defines an "objective" standard as one that involves no personal or subjective judgment by a public official and uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official prior to submittal.

In 2021, the Town adopted objective design and development standards for qualifying new multi-family housing developments, codified as Title 22 in the Corte Madera Municipal Code. Title 22 is applied when a proposed development project requests permit streamlining in compliance with State law. Title 22 establishes a form-based code that implements the Town of Corte Madera General Plan vision through the application of zones and standards that reflect a context-specific approach based on walkable development patterns. The patterns are walkable because of their interconnected streets and blocks; variety of housing choices; and proximity to services, shopping and/or transit.

The intent of the form-based code is to:

- Provide clear and effective development standards that allow for streamlined review processes and the predictable production of housing;
- Support a diversity of housing choices appropriate to their location;
- Ensure appropriately-scaled infill development;
- Reinforce and enhance community design and character in support of the community's vision with: a variety of neighborhoods; main street areas as the cultural and commercial heart of the community; and neighborhoods with centers along pleasant and convenient corridors that interconnect the Town;
- Remove barriers to revitalization and reinvestment through clear, objective, and context-sensitive standards;
- Ensure that each building plays a role in creating a better whole, not just a good building; and
- Promote development patterns that support safe, effective, and multi-modal transportation options for all users and help reduce greenhouse gas emissions.



Pursuant to California state law, affordable housing projects, farmworker housing and emergency shelters are subject to objective design review standards. However, the Town recognizes that for certain projects, Title 22 may be more burdensome than the Town's standard zoning process under Title 18. To further the intent of the State Legislature in streamlining the application and approval process for these projects, the Town requires the applicant to select one of the following set of objective design standards to apply to their project: (1) Title 18 (Zoning) or (2) Title 22 (Objective Design and Development Standards). Eligible projects under Senate Bill 35 and Senate Bill 9 must utilize the objective standards in Title 22.

The Housing Element contains several programs to implement Title 22 and evaluate and revise, as necessary, the Town's objective design and development standards (programs *H-3.1.a Incorporate Housing Design Principles into Design Review Process*, *H-3.1.b Objective Development and Design Standards*, and *H-3.1.c Evaluate Objective Development and Design Standards*).

## AFFORDABLE HOUSING ORDINANCE

Inclusionary zoning, also known as inclusionary housing, refers to a range of policies and practices that mandate or provide incentives for the inclusion of affordable housing units in new developments. Inclusionary zoning is a tool that cities and counties can adopt to increase the supply and funding for affordable housing. Inclusionary zoning policies establish a variety of requirements for the development of new housing, such as the number of affordable units required to be constructed in an otherwise market-rate residential development project, the minimum project size where inclusionary housing requirements would apply, affordability targets, and alternative means of achieving affordable housing goals when constructing new residential development projects.

Adopted in 2003, the Corte Madera Zoning Ordinance sets inclusionary housing requirements for residential development projects (CMC 18.24.120 – Affordable Housing). In accordance with the 2015 Housing Element Program *H-12.12.b Affordable Housing Ordinance*, the ordinance was updated in 2022. The Town joined six other Marin County jurisdictions to develop a common inclusionary policy among all participating jurisdictions, to the extent practicable, to reduce variation and complexity in the various inclusionary ordinances and make it easier for developers to assess project costs across jurisdictions. In addition, the Town sought to remove constraints to development by ensuring that its inclusionary requirements were not more restrictive than other jurisdictions' ordinances and that the inclusionary requirements would not create a cost burden that rendered a project financially infeasible. The jurisdictions engaged an economics consultant to conduct stakeholder outreach and research and provide recommendations.

The updated ordinance reduced the inclusionary requirement from 25% to 20% for both for-sale and rental development projects, consistent with the requirements of many other jurisdictions in the Bay Area. The Town also revised the minimum project size threshold from one unit to two (excluding new single-family dwelling units, ADUs, and up to one SB 9 unit).

Affordability levels for inclusionary units were also revised. The original ordinance required projects that included 10 or more units to include 5% of the units for very low-income households, 10% of the units for low-income households, and 10% of the units for moderate-

income households. The revised affordability targets differ for for-sale projects and rental projects, as it is a common practice for jurisdictions to target lower-income households for renter housing than for ownership housing. This is because it is generally easier for low and moderate-income households to meet typical lending requirements for for-sale (i.e. homeownership) housing units and more difficult for very low-income households. The affordability targets also differ based on project size (i.e., higher percentage targeted for lower AMI for larger projects). The updated affordability levels and in-lieu fee requirements for-sale projects are shown in Table 20. Developers may choose between the two options for rental projects as shown in Tables 23 and 24.

**Table 22: Required Affordable Unit Set Aside for For-Sale Projects**

| Project Size     | Required Affordable Unit Set Aside |          |                |
|------------------|------------------------------------|----------|----------------|
|                  | Low                                | Moderate | Above Moderate |
| 2-4 units        |                                    |          | 20%            |
| 5-29 units       | 5%                                 | 5%       | 10%            |
| 30 or more units | 5%                                 | 10%      | 5%             |

**Table 23: Inclusionary Units and In-Lieu Fee for Rental Projects – Option 1**

| Project Size     | Required Affordable Unit Set Aside and In-Lieu Fee |     |          |             |
|------------------|--|-----|----------|-------------|
|                  | Very Low   | Low | Moderate | In-Lieu Fee |
| 2-10 units       | 10%  |     |          | 10%         |
| 11-29 units      | 10%  |     | 10%      |             |
| 30 or more units | 15%  |     |          | 5%          |

**Table 24: Inclusionary Units and In-Lieu Fee for Rental Projects – Option 2**

| Project Size     | Required Affordable Unit Set Aside and In-Lieu Fee |     |          |             |
|------------------|--|-----|----------|-------------|
|                  | Very Low   | Low | Moderate | In-Lieu Fee |
| 2-10 units       |  | 15% |          | 5%          |
| 11-29 units      |  | 15% | 5%       |             |
| 30 or more units | 10%  | 5%  | 5%       |             |

The ordinance also establishes the target Area Median Income (AMIs), which determines the maximum rent or sales price that can be charged for each unit required to be affordable pursuant to Town policies. The target AMIs are the same for rental projects and for for-sale projects and reflect the most recent AMIs for Marin County as published by HCD (see Table 25). The target AMIs for the low-, moderate-, and above moderate-income units are set at the mid-point within the income range. The target AMI for very low-income units is set at the upper end of the income range, which is consistent with State density bonus law.

**Table 25: Target AMIs for Maximum Rent and Sales Prices**

| Very Low <sup>1</sup> | Low | Moderate | Above Moderate <sup>2</sup> |
|-----------------------|-----|----------|-----------------------------|
| 50%                   | 65% | 100%     | 135%                        |

<sup>1</sup> Not applicable for for-sale projects.

<sup>2</sup> Not applicable for rental projects.

Projects that meet the inclusionary ordinance are entitled to a density bonus in accordance with State law. Projects in the affordable housing overlay zones are exempt from the ordinance because by definition they provide affordable housing at ratios in excess of the inclusionary requirements.

In-lieu fees were also analyzed in the inclusionary study and revised in the updated ordinance. The affordable housing in-lieu fees are calculated based on the housing affordability gap – the difference between what households at various income levels (very low, low, and moderate) can pay for housing and the cost of developing market rate housing.

The in-lieu fees for the study were calculated for three development types: for-sale single-family subdivisions, for-sale condominium townhomes, and rental apartments. The prototypes evaluated in the study were informed by recently built and proposed development projects in Marin as well as conversations with developers with experience in Marin County. The in-lieu fees are based on the affordability gap for 90% AMI. In-lieu fees are currently \$289,905 for a single-family subdivision; \$203,088 for a condominium townhome project; and \$362,817 for rental units. The in-lieu fee is increased or decreased in accordance with the year over year increase or decrease in the California Construction Cost Index.

In addition to modifying the in-lieu fee, the revised ordinance also broadens the ways in which fees that are collected can be utilized. Previously, collected funds could only be expended on new construction of affordable housing. As amended, the collected in-lieu fees can be now also be expended on such things as financial assistance to other government entities, non-profit organizations, or private individuals for the acquisition of property or construction of affordable households; acquisition of property and property rights, including acquisition of existing housing units and the provision of long-term affordability covenants on those units; and costs of program development and ongoing administration of the housing fund program. These changes are intended to increase the options available to the Town to meet affordable housing goals through the expenditure of funds from the Affordable Housing Fund and are similar to options provided to other Marin cities.

Program *H-2.12.b Monitor the Affordable Housing Ordinance* states the Town will monitor the Inclusionary Ordinance throughout the planning period and consider adjusting the number and/or percentage of required affordable units as necessary in order to achieve the Town’s affordable housing goals without unduly impacting overall housing production and supply.

### 4.3 FEES AND EXACTIONS

Development fees charged by the Town of Corte Madera fall into three categories:

1. Processing fees for direct Town services.

2. Development impact fees charged to finance the cost of capital improvements or mitigate project impacts.
3. Fees collected by the Town for other governmental agencies.

Processing fees are collected when a development application is filed. The Town sets the rate for application fees based on the cost to process the application, including the initial receipt of the application materials, analysis and approval of the application, and post-approval administration such as inspections. Most application fees are charged on a time and materials basis. In these cases, the applicant pays a deposit, and the Town draws down on the deposit based on the number hours worked based on an hourly rate that covers the salary of the employee performing the service. Work performed by a consultant is similarly charged; however, an overhead fee is also applied. The overhead fees for consultants were reduced in 2021 from a 10% charge on total invoice amount to a maximum fee of \$50 per invoice. Applications for services that require minimal review times are charged flat rates. These rates are based on time studies that have determined the average processing time for a particular service. Table 26 lists the processing fees for residential development. It is Town policy to consider waiver of processing fees for affordable housing projects.

The Town of Corte Madera collects four impact fees, listed in Table 27 below, to mitigate the effects of residential development projects on the local environment. The impact fee rates were set based on nexus studies as required by the Mitigation Fee Act (Government Code section 66000–66025).

New subdivisions are required to dedicate land for parks or pay an in-lieu fee pursuant to the Quimby Act. The Park Dedication Ordinance sets a formula for the amount of land to be dedicated for each new lot resulting from subdivision. Due to the small amount of vacant land remaining for subdivision, a fee is collected in lieu of land dedication. The fee formula is based on the appraised value of the property being subdivided.

The Town may waive impact fees for affordable housing projects. The Town waived the Traffic impact fee for the San Clemente Place project.

The Town collects a connection fee for the Marin Municipal Water District and collects impact fees for the Larkspur-Corte Madera and Reed school districts as listed in Table 28 below.

Compared to the fee information provided in the 2015 Housing Element, the Accessory Dwelling Unit Permit fee was reduced from \$1,195 to \$850 to encourage ADU production.

Pursuant to Government Code 65940.1(a)(1), the Town posts all development fees, zoning ordinances, and development standards on its website.

**Table 26: Processing Fees**

| Application            | Fee              |                  |
|------------------------|------------------|------------------|
|                        | Single-family    | Multi-family     |
| Planning and Zoning    |                  |                  |
| General Plan Amendment | Time & materials | Time & materials |
| Rezoning               | Time & materials | Time & materials |
| Environmental Review   | Time & materials | Time & materials |

|   |  |  |
|---|--|--|
| Design Review Application   |  |  |
| Minor Improvements  | \$412  | \$412  |
| ZA Approval   | \$1,320  | \$1,320  |
| PC Approval   | Time & materials   | Time & materials   |
| Conditional Use Permit  |  |  |
| ZA Approval   | \$1,320  | \$1,320  |
| PC Approval   | Time & materials   | Time & materials   |
| Variance  |  |  |
| ZA Approval   | \$1,320  | \$1,320  |
| PC Approval   | Time & materials   | Time & materials   |
| ADU Permit  | Flat Fee = \$850 *   | NA   |
| Subdivision   |  |  |
| Lot Line Adjustment   | Time & materials   | Time & materials   |
| Tentative Map   | Time & materials   | Time & materials   |
| Final Map   | Time & materials   | Time & materials   |
| Building Permits  |  |  |
| Plan Review Fees  | Time & materials   | Time & materials   |
| Building Permit Fees  | \$2,750 – 1 story<br>\$3,000 – 2 story   | \$4,850 for up to 2 stories<br>\$2,400 for each additional story                         |
| SMIP Fee  | .00013 x building valuation  | .00013 x building valuation up to 3 stories<br>.0028 x building valuation over 3 stories |
| Plan Retention  | \$1 per page or sheet  | \$1 per page or sheet  |
| Fire Protection   |  |  |
| Fire Sprinkler Systems  | \$374  | \$872  |
| Fire Alarm Systems  | n/a  | \$747  |
| Fire Code Permit  | \$249 (1 hr.)  | \$249 (1 hr.)  |
| Public Works  |  |  |
| Sanitary Sewer Permit   | \$500  | Time & materials   |
| Erosion & Sediment Control Permit                                   | <ul style="list-style-type: none"> <li>• Surface improvement, less than 1,000 sq. ft. -- \$325</li> <li>• Surface improvement, 1,000 to 5,000 sq. ft. -- \$550</li> <li>• Surface improvement greater than 5,000 sq. ft. – Time &amp; materials</li> </ul> |  |
| Grading & Drainage Permit   | <ul style="list-style-type: none"> <li>• &lt;100 cubic yards -- \$375</li> <li>• 100 to less than 1,000 cubic yards \$600</li> <li>• &gt;1,000 cubic yards – Time &amp; materials</li> </ul>   |  |
| Floodplain Development Permit (for FEMA Special Flood Hazard Areas) | Cumulative improvement ratios: <ul style="list-style-type: none"> <li>• Less than 40% -- \$275</li> <li>• 40-50% -- \$375</li> <li>• Greater than 50% -- Time &amp; materials</li> </ul>   |  |
| Plan Check/Inspection Fees  | Time & materials   | Time & materials   |

\*An ADU Permit is only required for certain types of ADUs, e.g., detached ADU greater than 800 square feet or an attached ADU. Many ADUs only require a building permit.

**Table 27: Impact Fees**

| Category             | Fee   |   |
|----------------------|---|---|
|                      | Single-family   | Multi-family  |
| Park Land Dedication | Dedicate 540 sq. ft. of land per unit<br>payment of equivalent current<br>value of land | Dedicate 488 sq. ft. of land per unit<br>or payment of equivalent current<br>value of land  |
| Traffic Impact Fee   | Payment based on type/location of<br>new constructions per Council<br>Resolution        | Fee is proportional to the traffic<br>generated in the thirtieth highest<br>peak hour of the year by each<br>project on streets and intersections<br>where improvements are required. |
| Street Impact        | 1% of project valuation; charged to<br>projects valued at more than<br>\$10,000         | 1% of project valuation; charged to<br>projects valued at more than<br>\$10,000   |

**Table 28: Fees Collected for Other Agencies**

| Agency                                      | Category                | Fee   |   |
|---|-------------------------|---|---|
|   |                         | Single-family   | Multi-family  |
| Marin Municipal<br>Water District           | Water<br>Connection Fee | \$29,260/acre-feet of estimated annual water consumption;<br>residential use is based on area average annual consumption.<br>The area averages in Corte Madera range from .19 acre-feet<br>(\$5,111) to .46 acre-feet (\$12,374). There are 15 areas, each<br>with a different average. |   |
| Central Marin<br>Sanitation Agency          | Sewer Connection<br>Fee | \$7,666   | \$7,666 per unit  |
| Larkspur-Corte<br>Madera School<br>District | School Impact<br>Fee    | \$3.36/s.f.   | <ul style="list-style-type: none"> <li>• \$3.36/s.f.</li> <li>• \$0.42/s.f. for senior<br/>housing</li> </ul> |
| Reed School<br>District                     | School Impact<br>Fee    | \$2.38/s.f  | \$2.38 /s.f   |

*Note: School District fees are charged additions over 500 square feet.*

Table 29 lists the fees that would be collected for a single-family infill home and a 50-unit multi-family project. The single-family unit is assumed to be 3 bedrooms, with 2,400 square feet of floor area on a 10,000 square foot lot with a 400 square foot garage at a density of 2 units per acre and a construction valuation of \$386 per square foot, or \$926,400. The multi-family project is assumed to be 50 1-bedroom units, each with 1,000 square feet of gross floor area, on a 1.5-acre parcel with a construction valuation of \$584 per square foot, or \$584,000 per unit.

**Table 29: Residential Development Fees**

| Category   | Fee   |  |
|--|---|--|
|  | Single-family<br>2-story<br>2,400 SF<br>\$926,400 valuation | Multi-family<br>50 units, 4-story<br>50,000 SF<br>\$29.2 million valuation |
| <i><b>Fees Charged by the Town of Corte Madera</b></i> |   |  |
| Design Review Application                              | \$3,250   | \$15,000   |
| Building Plan Check Fees                               | \$1,955   | \$12,000   |
| Building Permit Fees                                   | \$4,455   | \$42,000   |
| SMIP Fee   | \$120   | \$8,176  |
| Plan Retention Fee                                     | \$296   | \$2,600  |
| Continuation Education Fee                             | \$370   | \$11,680   |
| Erosion & Sediment Control Permit                      | \$325   | \$3,000  |
| Grading & Drainage Permit                              | \$600   | \$5,000  |
| Public Works Plan Check Fees                           | \$1,200   | \$10,000   |
| Sanitary Sewer Permit                                  | \$500   | \$10,000   |
| Traffic Impact Mitigation Fee                          | \$0   | \$25,000   |
| Street Impact Fee                                      | \$9,264   | \$292,000  |
| Subtotal   | \$22,335  | \$436,456  |
| <i><b>Fees Charged by Other Agencies</b></i>           |   |  |
| Fire Sprinklers & Alarm Systems Permit                 | \$534   | \$671  |
| Fire Plan Review                                       | \$328   | \$1,640  |
| Sanitary District 2 Connection Fee                     | \$2,103   | \$105,150  |
| Water Connection Fee                                   | \$14,285  | \$262,500  |
| Sewage Treatment Capacity Charge                       | \$7,666   | \$383,300  |
| Larkspur Corte Madera School Impact Fee                | \$8,064   | \$168,000  |
| Subtotal   | \$32,980  | \$921,261  |
| TOTAL  | \$55,315  | \$1,357,717  |
| <b>TOTAL PER UNIT</b>                                  | <b>\$55,315</b>   | <b>\$27,154</b>  |

The preceding analysis shows that the total development fee in Corte Madera represents 6% of the construction valuation of a single family home, and 4.6% of the value of a 50-unit multi-family project. When the fees charged by other jurisdictions are discounted from the totals, the Town’s fees represent 40% and 32% of the fee burden for single-family and multi-family development, respectively. While these costs are typical for the market area, development fees and exactions can pose a constraint to the development of affordable housing. In an effort to remove this constraint, the Town will consider reducing and/or waiving fees for affordable housing through program *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*.

#### 4.4 PROCESSING AND PERMIT PROCEDURES

The Town's Zoning Ordinance specifies residential uses allowed in each district and the required permits (see Table 12). Single-family homes are allowed in all of the "R" districts and the affordable housing overlay districts without discretionary review, except design review. Similarly, multi-family rental projects are allowed in the R-2 district and the affordable housing overlay districts with design review. Conditional use permits are required for housing in the C-1 commercial district and for multi-family for-sale projects in the R-2 district. ADU permits and new SB 9 units are approved ministerially according to State law.

The Town approved two recent residential projects (a multi-family project and a single-family subdivision) which highlight that permit processing times and procedures are not a constraint to development. These projects are further discussed below.

- **645 Tamalpais Apartments.** This project includes a new 2,560 square foot 3-unit apartment building at 645 Tamalpais Drive. The project site is developed with an existing 1-story office building (which is being retained) and parking areas. The new building is proposed over an existing rectangular parking area that is in between the existing commercial building at 645 Tamalpais Drive and the commercial building at the adjacent property. The ground floor consists of parking and the residential units are on the second and third floors. The applicant submitted an application to the Town in April 2021 for a Variance and Design Review application. Construction of the proposed apartment building will require approval of a lot line adjustment with the adjacent property owner because a small portion of the parking area associated with the project is located on the adjacent property. There was a delay in scheduling the public hearing because the applicant needed to obtain written approval from the adjacent property owner for the lot line adjustment. The Planning Commission held a public hearing on the project in July 2022 and unanimously approved the project. The applicant has not yet submitted a building permit application to the Town. Staff has had several conversations with the applicant about the building permit and anticipates that it will be submitted soon.
- **The Residence at the Preserves.** The applicant submitted an application to the Town in May 2017 for a Zoning Amendment to enable a Planned Development for a clustered subdivision on Robin Drive in eastern Corte Madera. The planning entitlements included a Zoning Amendment, Preliminary Plan, Precise Plan, Tentative Map, and Design Review. The project subdivided the property into 19 lots with a private access road, and construction of 16-unit single-family subdivision with 8 attached Accessory Dwelling Units. The Planning Commission held a public hearing in February 2019 and recommended that the Town Council approve the project. The Town Council approved the project in April 2019. Building permits were issued in July 2021. The project is currently under construction and is anticipated to be completed in early 2024.

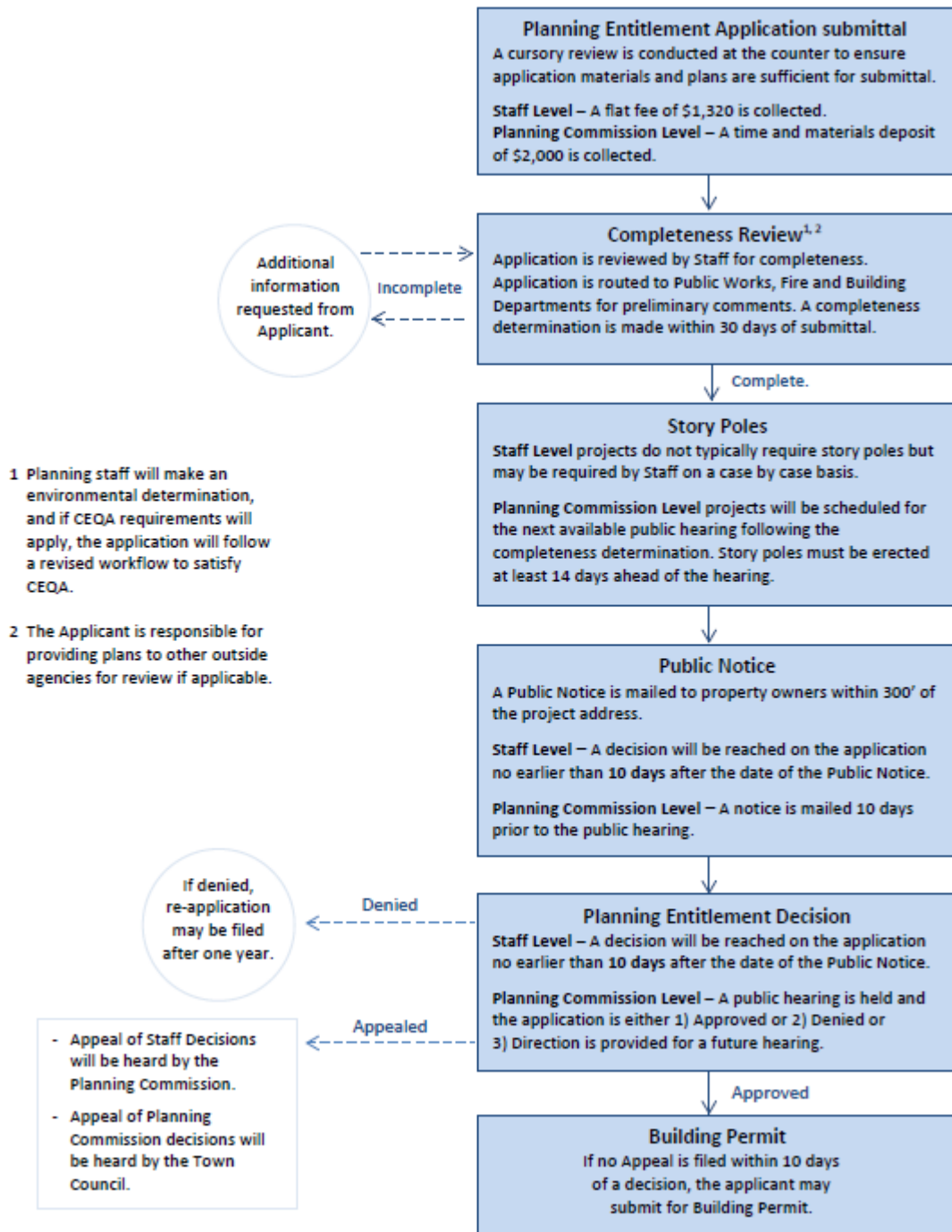
There are many circumstances that are beyond the Town's control, such as market and economic conditions. The Town recognizes that these circumstances could impact the financing of a project, which in turn could delay the construction of a project. As such,



the zoning ordinance allows for an approval to be renewed. An approved project (i.e., Design Review) lapses one year following the date on which the approval became effective (effective date is 10 days after the approval date) unless it is extended before that time. Prior to the expiration date, an applicant may request in writing to the Planning Division for a one-year extension. These extension requests are always granted, and no fee is required to extend a permit. Additionally, the Zoning Ordinance includes a provision for the Zoning Administrator or Planning Commission to grant design approval for a period not to exceed three years from its effective date in cases when the anticipated time for site preparation will exceed one year.

The Planning Division has prepared information sheets for each permit type to clarify the application process. Application forms for each permit type include a checklist that guides property owners and their consultants through the process of preparing a complete application. A flow diagram illustrating the typical development review process for both single family and multifamily projects is presented in Figure 60. Permit procedures and standards are discussed below. The time between planning approval and building permit submittal is highly variable and dependent upon factors outside the Town's control. Nonetheless, the average time is three months for a single-family home and six months for a multifamily development, based on Town records over the last five years.

**Figure 60: Planning Application Review Process**



## OBJECTIVE DESIGN STANDARDS AND STREAMLINED REVIEW

As discussed in Section 4.2, the Town has adopted objective design and development standards for qualifying new multi-family housing developments, codified as [Title 22](#) in the Corte Madera Municipal Code. Title 22 is applied when a proposed development project requests permit streamlining in compliance with State law (i.e., Senate Bill 9) and for reviewing applications under the Housing Accountability Act (HAA). The intent of Senate Bill 35 (SB 35) and the Housing Accountability Act is to facilitate and expedite the construction of housing through the application of objective standards and with SB 35, ministerial and streamlined approval procedures. Title 22 establishes application and review procedures consistent with State law.

Consistent with State law (i.e., Senate Bill 330), the Town allows a housing developer to submit a “preliminary application” for a development project that includes residential units; a mix of commercial and residential uses with two-thirds of the project’s square footage used for residential purposes; or transitional or supportive housing. The pre-application allows a developer to provide a specific subset of information on the proposed housing development ahead of providing the full amount of information required by the Town. Upon submittal of an application and a payment of the permit processing fee, a housing developer is allowed to “freeze” the applicable fees and development standards that apply to their project while they assemble the rest of the material necessary for a full application submittal. After submitting the preliminary application to the Town, an applicant has 180 days to submit a full application, or the preliminary application will expire.

Also in compliance with SB 330, the Town limits the number of public hearings for applicable housing development projects to five, including study sessions and Planning Commission, Town Council, and appeal hearings. Eligible projects are required to comply with objective zoning standards and General Plan requirements as well as CEQA. CEQA hearings or hearings related to zoning variances or code exemptions are not including in the public hearing limit.

Title 22 establishes the palette of form-based zones, which include T3 Edge Neighborhood, T4 Suburban Neighborhood Small, T4 Core Neighborhood Medium, and T4 Suburban Main Street Small. The zones focus on mixed-use, walkable environments, and range in function and intensity from primarily residential areas with a mix of lower intensity building types (T3 Edge Neighborhood), to moderate intensity neighborhoods (T4 Suburban Neighborhood Small), to moderate intensity centers (T4 Suburban Main Street Small), to higher intensity neighborhoods (T4 Core Neighborhood Medium). Each zone includes a variety of development standards, including but not limited to number of stories, maximum building height, setbacks, allowable encroachments, parking standards, and frontage requirements.

Title 22 provides specific objective standards for various building types including house, duplex side-by-side, duplex stacked, cottage court, fourplex, neighborhood townhouse, neighborhood courtyard, pocket neighborhood, multiplex, and main street building. Standards address width and depth of building components, massing composition, pedestrian access, vehicle access and parking, and open space. Title 22 also includes general standards that apply to all design sites. These standards include such things as screening, landscaping, lighting, parking & loading, slope standards, public frontage standards, and privacy standards.

The Town of Corte Madera is not currently subject to SB 35. Nonetheless Title 22 includes procedures for filing applications under SB 35. These procedures do not currently apply in

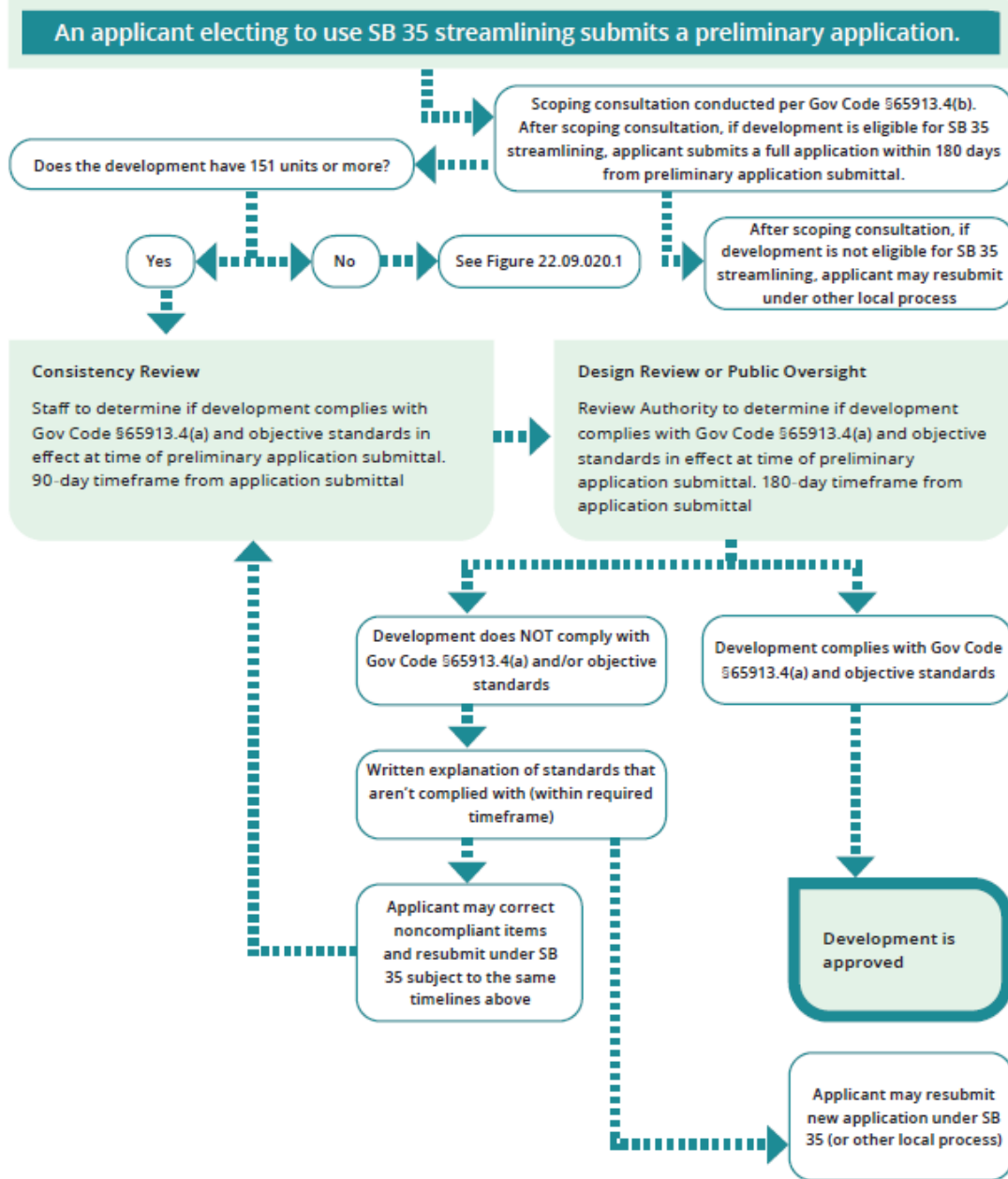
Corte Madera; however, they were included to ensure that there is a procedure in place if/when the Town becomes subject to SB 35. Section 22.090.020 of Title 22 details procedures for filing applications under SB 35, including filing a preliminary application consistent with Government Code Section 65941.1. Applicants are instructed to file a preliminary application using the standardized form adopted by HCD and to submit a full SB 35 application within 180 days of submitting the preliminary application. The Review Authority's scope of review is limited to all of the provisions contained in Government Code §65913.4(a) and applicable objective standards in effect at the time of application submittal. The Community Development Director determines if the application is consistent with Government Code §65913.4(a) and applicable objective standards within 60 calendar days for a housing development that includes 150 or fewer units and within 90 calendar days for a housing development that includes 151 or more units. Any design review or public oversight (i.e., Planning Commission) review may take up to 90 calendar days for a housing development that includes 150 or fewer units and up to 180 calendar days for a housing development that includes 151 or more units. Applications that are non-compliant and ineligible for SB 35 streamlined processing may elect to submit an application for the applicable discretionary review. Title 22 also details application and review procedures for projects consistent with the HAA. Figures 61-63 illustrate the review process under SB 35 and the HAA.

Consistent with State law, the Town's SB 9 ordinance creates a ministerial review process for all SB 9 eligible housing units proposed in single-family zoning districts. Title 22 includes a zone (T3 Edge Neighborhood zone) that will apply to all future housing units proposed using the provisions of SB 9. The intent of the T3 Edge Neighborhood Zone is to create a walkable neighborhood environment of small to medium footprints, and low intensity housing that is compatible with the single-family neighborhood context. The development standards in the T3 Edge Neighborhood Zone are very similar to the development standards in the R-1 (Medium Density) zoning district, which is the most common of the residential zoning districts in Corte Madera. Any new developments seeking to utilize SB 9 are required to utilize the House or Duplex (side by side) typology in Title 22. Additional objective standards in Title 22, including privacy, landscaping, lighting, and fences will also apply.

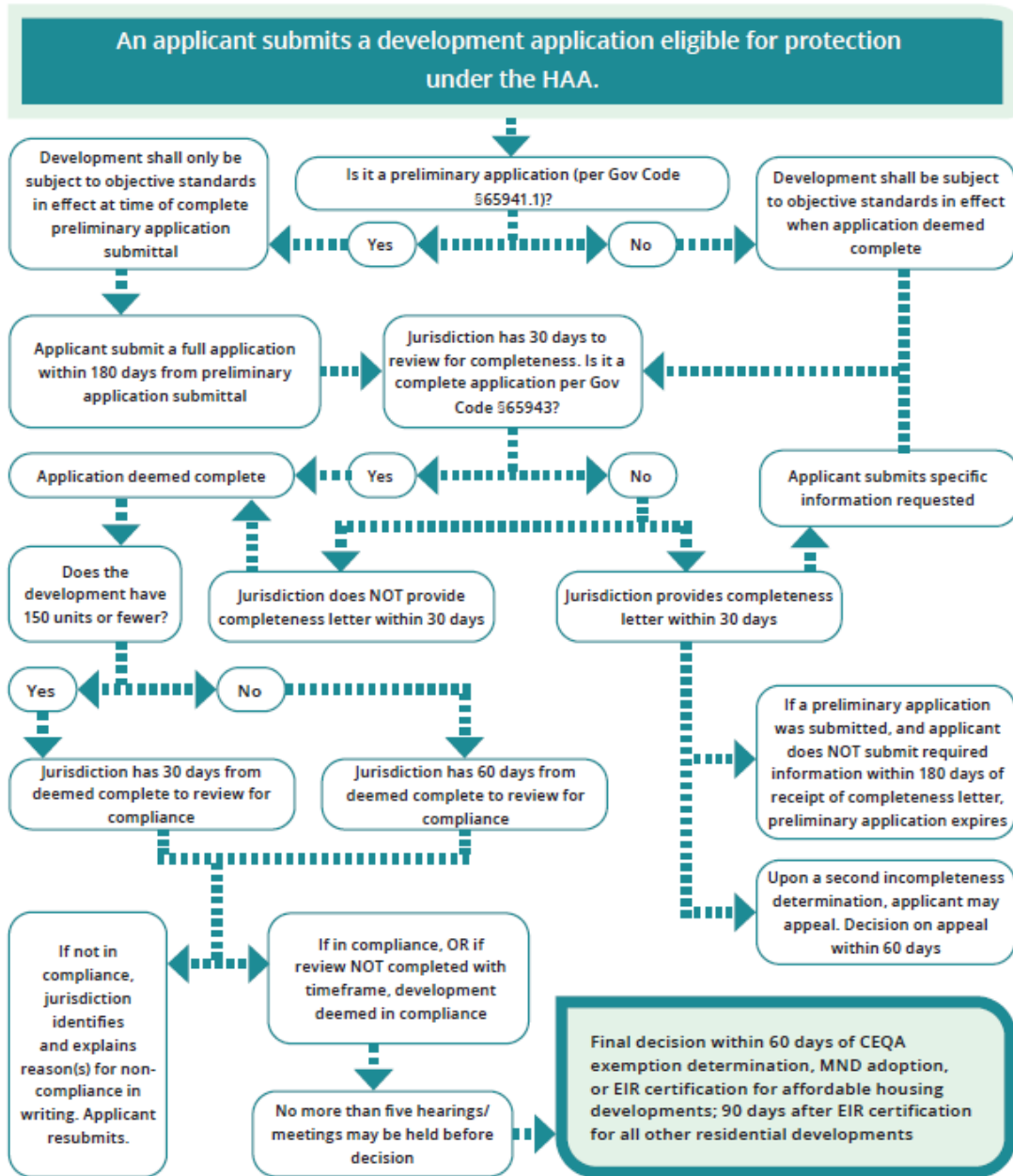
The Town adopted Title 22 in December 2021 and has had limited experience processing applications under its provisions. No applications for SB 330 or SB 9 projects have been received to date. As a result, the housing element contains program H-3.1.c which requires the Town to biennially evaluate the Town's objective design and development standards to determine if the standards are facilitating development and to revise Title 22 as necessary.



Figure 62: Process for Developments Eligible for Senate Bill 35 Streamlining with 151 units or More (Government Code §65913.4)



**Figure 63: Process for Developments Eligible for Housing Accountability Act Protection (Government Code §65589.5)**



## PERMITTED USES

Permitted uses are allowed without any type of permitting requirement, except Building Permits if construction is involved. Residential care facilities are permitted uses pursuant to California Health and Safety Code section 1502. Residential uses requiring a Design Review permit may be treated as permitted uses if they do not involve significant exterior building modifications that would otherwise trigger Design Review. For example, converting a single family home to a duplex in the R-2 district would be treated as a permitted use if the exterior building modifications were modest.

## DESIGN REVIEW PERMITS

In most instances, a Design Review Permit is required in the "R" districts for any structure or addition larger than 250 square feet or taller than 15 feet. Design Review Permits do not regulate or allow residential uses per se. Rather, the design review process controls architecture and site development including the following:

- Location of the structure on the site, especially in relation to adjoining sites in terms of view and privacy impacts.
- Grading and tree loss.
- Size and bulk of the proposed building in relation to the character of other buildings in the vicinity.
- Site planning, architectural, and landscaping details.
- Improvements to existing buildings and site features.

Design Review Permits may be approved at the staff level by the Zoning Administrator without a public hearing or by the Planning Commission with a public hearing. Residential remodeling projects that are confined to the first floor are generally reviewed by the Zoning Administrator. Design Review applications for second story additions and new homes, including multi-family projects, are approved by the Planning Commission.

The Design Review chapter of the Zoning Ordinance provides the following design guidelines:

- Single story design is encouraged in all residential districts.
- In hillside areas, natural landforms and vegetation should be preserved to the maximum extent possible, natural materials and earth tone colors should be used, and grading should be minimized.
- In bay front areas, views are to be preserved by clustering development.
- On exposed hillsides, building design should follow the natural contours of the site.
- Landscaping should use native plants and drought-tolerant species.
- New utilities are to be underground.
- Senior housing proposals requesting density bonuses are reviewed for proximity to services, compatibility with the character of the surrounding neighborhood, ambient noise levels, parking, and pedestrian access.

The Planning Commission approves Design Review permit applications at public hearings. Many Design Review applications are approved with a single hearing, and the Planning Commission's decision is final unless appealed to the Town Council. The Planning Commission,



or the Town Council on appeal, must make the following findings to approve a Design Review Permit application:

- The application is consistent with the General Plan and Zoning Ordinance.
- The project will not unnecessarily remove trees or natural vegetation, and will preserve natural landforms.
- The project will not significantly affect views, privacy, and sunlight.
- The project is in scale and harmonious with development in the vicinity.
- Development materials and techniques are high quality.
- The structure(s), site plan, and landscaping have an internal sense of order.
- To the maximum extent feasible, the project would improve existing sites structures and landscaping and correct code violations.
- Signs are consistent with the character of building on site.

Consistent with State law, a property owner may submit an application for a housing unit(s) using the provisions of Senate Bill 9. A housing unit submitted pursuant to SB 9 is required to comply with the objective development standards in Title 22. The Town's SB 9 ordinance allows for larger units sizes than the 800 square feet established by state statute. In instances where the proposed unit meets the setbacks of the applicable zone, the maximum allowable size is 1,200 square feet. In the event a property owner wanted to build a larger unit than what is allowed under the Town's SB 9 ordinance (larger than 1,200 square feet), then the property owner could opt to submit a Design Review application to the Town. Review of the application would be evaluated by the Planning Commission under the normal discretionary review process described above.

## USE PERMITS

Housing may be allowed in the C-1 Local Shopping District with a discretionary conditional use permit approved by the Planning Commission. Zoning Ordinance standards for the C-1 district allow "residential units in locations and at densities determined by the Planning Commission to conform to the General Plan." The Town used this authority to approve the 118-unit Aegis senior assisted living complex at the Paradise Shopping Center, which is zoned C-1 Local Shopping District.

The Planning Commission conducts public hearings to review applications for a use permit for housing in the C-1 district. After considering information in the application and evidence presented at the hearing, the Planning Commission may approve a use permit if it makes the following findings:

- The proposed location of the conditional use is consistent with the objectives of the Zoning Ordinance and the provisions of the applicable zoning district.
- The proposed location and the conditions under which the use would be operated will not be detrimental to the public health, safety, or welfare.
- The proposed conditional use will comply with the General Plan and with the applicable Zoning Ordinance regulations.

## VARIANCE PROCEDURES

The Corte Madera Zoning Ordinance includes a variance procedure to allow development on properties that have special circumstances such that literal enforcement of the zoning regulations would cause practical difficulties or hardships that would be inconsistent with the intent of the ordinance and the General Plan. In Corte Madera, most variance applications are approved by the Zoning Administrator without a public hearing. A limited number of variance applications are reviewed by the Planning Commission at public hearings, usually in tandem with design review applications. The Zoning Administrator and the Planning Commission may grant variances, subject to making the following findings:

- There are special circumstances that apply to the property, including size, shape, topography, location, or surroundings that do not apply to other properties with the same zoning.
- Due to the special circumstances, strict application of the zoning regulations would result in practical difficulty that would deprive the property of privileges available to other properties in the same zoning classification.
- The variance would not constitute a special privilege.
- Granting the variance would not be detrimental to the public welfare or injurious to property in the vicinity.
- The variance would be consistent with the objectives of the Zoning Ordinance and the General Plan.

Most variances for housing projects are for relief from setback standards. The special circumstances are usually substandard lot size or steep topography.

Design Review Permits often require variances. In these cases, the Town's policy is to process the applications jointly for a single fee in a combined public hearing. This saves time and costs, and generally simplifies the process.

## LAND DIVISION

The Corte Madera Municipal Code recognizes three types of land division:

- Lot line adjustment in which property lines between two or more parcels are moved and no new lots are created.
- Parcel maps that divide a property into four or fewer parcels.
- Subdivision of a property into more than four lots.

Lot line adjustments are ministerial and are approved by the Community Development Director without public hearing. No further Town approvals are required to allow the property owner to record a lot line adjustment.

Parcel maps that subdivide an existing parcel to create no more than two new parcels for an Urban Lot Split pursuant to Government Code Section 66411.7 (SB 9) are ministerial and approved by the Zoning Administrator without discretionary review, public hearing, or Design Review.

The Planning Commission conducts public hearings to review applications for all other parcel maps. Subdivision improvement standards apply to parcel maps. The Planning Commission

may grant exceptions from the subdivision standards when it approves parcel maps subject to making findings that match the findings for variance approval. The exception process is integral to parcel map hearings and does not involve a separate review process. The applicants may record a final parcel map after the Town Engineer has reviewed the documents for compliance with the Planning Commission’s action.

Subdivision is a three-step hearing process involving public hearings on the Tentative Map by the Planning Commission and the Town Council, and a third hearing by the Town Council on the Final Map. The Planning Commission’s determination on the Tentative Map is advisory to the Town Council. The Town Council considers the Planning Commission’s recommendation on the Tentative Map, but the Council’s hearing is *de novo*. The Town Council acts on the Final Map without a recommendation by the Planning Commission. The Council’s action on the final map is ministerial.

The requirement for dual hearings on Tentative Map applications before both the Planning Commission and the Town Council is not a significant constraint on development. The need to conduct a Town Council hearing adds three weeks to the process. However, given that the public is unfamiliar with the subdivision process because subdivision occurs so infrequently in Corte Madera, it is reasonable to expect that Planning Commission Tentative map approvals would be appealed to the Town Council if the requirement for a Council hearing were not already in place. An appeal hearing would add more time to the process than the requirement for a Town Council *de novo* hearing given the need for ten day filing window before the appeal hearing can be scheduled. Also, once an appeal has been filed, the Planning Division must prepare a separate staff report on the matters under appeal, in addition to the reporting that is required for the Tentative Map application. The need to draft a staff report on the appeal would extend the Tentative Map processing timeline. Accordingly, by eliminating the need for an appeal process, the dual hearing requirement for Tentative Map applications is not a constraint on housing development.

**REZONING**

Property owners or the Town may initiate rezonings. The Planning Commission considers rezoning proposals at public hearings. If the Commission concurs with the request, it must make a finding that the revision is consistent with the General Plan and forward its recommendation to the Town Council. The Council in turn considers the requested rezoning at public hearings and may approve the proposal on a

**Table 30: Processing Time by Permit Type from Application Completion Date**

| Type of Approval or Permit            | Median Processing Time (weeks) |
|---------------------------------------|--------------------------------|
| Design review                         |                                |
| Zoning Administrator:<br>Home remodel | 3                              |
| Planning Commission:<br>Home remodel  | 4                              |
| New Home                              | 4                              |
| Variance                              |                                |
| Zoning Administrator                  | 3                              |
| Planning Commission                   | 4                              |
| ADU permits                           | 3                              |
| Use Permit                            |                                |
| Zoning Administrator                  | 3                              |
| Planning Commission                   | 4                              |
| Land Division                         |                                |
| Lot line Adjustment                   | 4                              |
| Parcel Map                            | 4                              |
| Tentative Map                         | 6                              |
| Rezoning                              | 6                              |
| General Plan Amendmer                 | 6                              |

finding that the change would be consistent with the General Plan. The Town's rezoning process is the minimum required by the California Government Code and does not involve any unusual constraints on development.

## PROCESSING TIME

Processing time for residential development varies, depending on the scope and complexity of the project. Table 27 lists processing times for the various land use approvals that could be required for residential projects. The listed processing times are for the amount of time between the date an application is complete and the date the application is approved. The data for design review, variance, second units and use permits are based on applications processed in 2015 through 2022. Due to the lack of applications, comparable data is not available for the land division, rezoning, and general plan amendment processes. The times listed for these activities are estimates. Permit processing times in Corte Madera are not a constraint on housing development or maintenance.

## 4.5 CODES AND ENFORCEMENT

Corte Madera adopts and enforces the California Building Standards Code and subsidiary regulations, contained in Title 24 of the California Code of Regulations. While these standards raise construction costs, they are necessary to protect the public health and safety and are required pursuant to State law. Title 24 results in energy savings and lower operating cost for property owners and residents. The Town has amended the Fire Code to require sprinklers for all new residential structures and for any addition or substantial remodel that exceeds 50% of the original structure. The Town believes that this amendment is critical to life safety. Corte Madera has also adopted the Wildland-Urban Interface Code, which reduces fire exposure to buildings that are in or near fire-prone open space areas.

The Town's code enforcement program is complaint-driven. The Town's Code Enforcement Officers, in consultation with planners and the Building Official, investigate alleged code violations and most complaints are resolved voluntarily. The Town has a nuisance abatement ordinance that may be used if necessary. The Town may charge additional fees when work has been done without permits and require that the work be brought up to code standards.

The Town is cognizant of Health and Safety Code section 17980(b)(2) and administers code enforcement accordingly.

## 4.6 ON AND OFF-SITE IMPROVEMENTS

The Town of Corte Madera is built out, and all infrastructure, including curbs, gutters, sidewalks, streets, and utilities are in place. Residential development involves hooking up to the existing utilities, which already exist in the right-of-way. All new development would be required to conform to ADA regulations.

The Town requires new development to add missing, and repair existing, sidewalk segments along abutting front and/or side streets and plant street trees along abutting front or side streets where there is adequate room to also maintain sufficient width for traffic lanes, pedestrian sidewalks, and bicycle facilities.

New development that creates one or more blocks must install raised curbs drained by inlets, crosswalks with curb ramps at new and adjacent intersections, and bike lanes. The zoning ordinance amendments adopted for the housing opportunity sites includes public frontage standards related to sidewalks and street trees. Housing sites that abut a public right-of-way are required to either provide a minimum sidewalk width of 10 feet inclusive of required street trees within a tree grate or provide a minimum 8-foot clear sidewalk width with a separated minimum 4-foot wide planting strip adjacent to the curb and gutter. Street trees are required to be planted along the entirety of the street frontage with a maximum spacing of 30 feet on center.

Objective standards for streets, sidewalks, and curbs, and planting strips for various street types are specified in Chapter 17.12 of the Municipal Code. Street widths are as follows: major street, 30 feet in each direction; secondary and collector street, 40 feet; minor street, 30 feet; minor street on natural ground with gradient of more than 15 percent, 26 feet; two-level minor street, 16 feet in each direction; minor street in -S slope conservation district where natural ground slope is 18 percent or more, 22 feet; cul-de-sac serving five lots or less in -S slope conservation district, is 18 feet. Although on and off-site requirements may add to the cost of housing development, they are necessary for the safety and welfare of residents. For example, street trees represent an added cost, but they are useful in shading streets and buildings and sequestering carbon, thereby reducing energy use and greenhouse gas emissions, and mitigating health impacts due to excessive heat. Required on-site improvements were taken into account when determining the realistic capacity of each housing opportunity site and do not reduce the feasibility of new development.

On-site grading and drainage improvements are frequently required for new and remodeled housing, especially in Corte Madera's older, hillside neighborhoods. Although the public improvements are in place, extensive on-site drainage improvements are often necessary on steep lots to channel flows to the Town's system. On-site drainage improvements can also involve grading and retaining wall work to mitigate erosion and sliding, both for the safety of the property and its occupants and for the protection of adjacent public infrastructure. While these improvements may add to the cost of housing on affected properties, they are necessary for public safety.

#### **4.7 HOUSING FOR PERSONS WITH DISABILITIES**

As noted in the Special Needs section of the Housing Needs Analysis, persons with disabilities have a number of housing needs related to the accessibility of dwelling units; access to transportation, employment, and commercial services; and alternative living arrangements that include on-site or nearby supportive services. The Town ensures that new housing developments comply with the California Building Standards Code and federal requirements for accessibility.

## REASONABLE ACCOMMODATION

Federal and State law impose an affirmative duty on local government to make reasonable accommodations in their zoning and other land use regulations to remove barriers to disabled persons who are seeking housing. The Housing Element must contain policies and programs to implement fair housing laws and to provide housing for all needs groups. In particular, the Housing Element should identify and remove constraints to the development of housing for persons with disabilities, including land use and zoning regulations, and provide reasonable accommodation as one method of promoting equal access to housing. The fair housing laws require that municipalities apply flexibility or waive standards when necessary to eliminate barriers to persons with disabilities. For example, it may be necessary to waive setback standards to allow installation of a ramp to facilitate access to a home.

The California Attorney General has opined that the usual variance or use permit procedure does not provide the correct standard for making fair housing determinations. In the typical process of granting relief from a zoning standard, the focus is on special characteristics of the property. However, in the case of disabled access, the issue is the special need of the individual that makes the zoning standard a barrier to accessing housing. In response to this problem, many California municipalities are adopting fair housing reasonable accommodation procedures to address barriers in land use and zoning regulations.

## PROCEDURES FOR ENSURING REASONABLE ACCOMMODATION

In 2014, the Town amended the Zoning Ordinance to provide a procedure for people with disabilities to request reasonable accommodation in the application of zoning laws and other land use regulations, policies, and procedures. Applications are reviewed and approved by the Community Development Director if no discretionary permit approval is required other than the request for reasonable accommodation. Otherwise, the request is reviewed by the appropriate reviewing authority.

The reviewing authority issues a written decision to grant, grant with modifications, or deny a request for reasonable accommodation that is consistent with fair housing laws and is consistent with the following criteria:

1. The housing which is the subject of the request for reasonable accommodation will be used by individual(s) with a disability protected under fair housing laws;
2. The requested accommodation is necessary to make housing available to individual(s) with a disability protected under the fair housing laws;
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 design and location of the accommodation is done in a way to minimize impacts on neighboring properties and the design character of the neighborhood to the extent feasible; and
6. The requested accommodation would not impose an undue hardship on the health, safety or welfare of the subject property owner/occupant or adjacent property owners.

The Town analyzed the criteria noted above and determined that five of the six criteria are not a constraint to the approval of reasonable accommodation requests. Specifically However, criteria five ~~is not a~~ is subjective and could be a constraint to development. The Housing Element contains program H-1.6.d Reasonable Accommodation Ordinance to provide objective criteria and remove this constraint. ~~because this criterion only requires a homeowner to explore alternatives to the design and location of the accommodation to minimize impacts on neighboring properties. In instances where this is not feasible and the accommodation will result in impacts, the Town would nonetheless approve the request.~~

The Town of Corte Madera does not impose additional zoning, building code, or permitting procedures on group homes other than those allowed by State law. There are no Town initiated constraints on housing for persons with disabilities caused or controlled by the Town of Corte Madera. The Town also allows residential retrofitting to increase the suitability of homes for persons with disabilities in compliance with accessibility requirements. Such construction is regulated under Chapter 11A, Housing Accessibility, of the California Building Standards Code.

## ZONING AND OTHER LAND USE REGULATIONS

Corte Madera implements and enforces Chapter 11A, Housing Accessibility, of the California Building Standards Code. The Town provides information to all interested parties regarding accommodations in zoning, permit processes, and application of building codes for housing for persons with disabilities.

The Town has not identified any zoning or other land-use controls that could discriminate against persons with disabilities or restrict access to housing for disabled individuals. Examples of the ways in which the Town of Corte Madera facilitates housing for persons with disabilities through its regulatory and permitting processes include:

- The Town permits group homes in all residential districts with no regulatory restrictions, except compliance with the building code.
- The Town does not restrict occupancy of unrelated individuals in group homes and does not limit the number of persons living in a housing unit.
- The Town permits housing for special needs groups, including persons with disabilities, without regard to distances between uses. The Land Use Element of the General Plan does not restrict the sites of special needs housing.

## PERMITTING PROCEDURES

The Town does not impose special permit procedures or requirements that could impede the retrofitting of homes for accessibility. The requirements for building permits and inspections are the same as for other residential projects and are not burdensome. Town officials are not aware of any instances in which an applicant experienced delays or rejection of a retrofitting proposal for accessibility to persons with disabilities.

As discussed above, the Town of Corte Madera allows group homes by right, as required by State law. No use permit or other special permitting requirements apply to such homes. The Town does not impose special occupancy permit requirements or business licenses for the

establishment or retrofitting of structures for residential use by persons with disabilities. If structural improvements were required for an existing group home, a building permit would be required. If a new structure were proposed for a group home use, design review would be required as for any other new residential structure. The Town's design review process has not been used to deny or substantially modify a housing project for persons with disabilities to the point where it is no longer feasible. All residential projects in the Town require the same level of design review.

## 4.8 NON-GOVERNMENTAL CONSTRAINTS

### LAND COSTS

Two major factors contribute to high land costs in Corte Madera: high demand and limited supply. Land costs in Marin vary both between and within jurisdictions based on factors such as the desirability of the location and the permitted density. In Corte Madera, a 9,021 square foot vacant lot at 220 Morningside Drive sold in April 2022 for \$300,000<sup>30</sup>.

Generally, land zoned for multi-family and mixed-use developments is more expensive than property zoned for single-family. Based on the assessed land value of the 180-unit Tam Ridge Residences project (\$16,977,850 for 4.54 acres) and the recent sale of the property for \$156 million, the estimated value of land zoned for multi-family housing with a development capacity of 40 units per acre is \$5,750,000 per acre.<sup>31</sup> That represents \$143,700 per unit.

Land costs can be a constraint to development in Corte Madera because affordable housing developers may look to less expensive areas to develop projects. To address this constraint and improve the financial feasibility of housing development, the Town significantly increased the maximum permitted density on the identified housing opportunity sites as follows:

- Site 4 from 15.1 units per acre to 25 units per acre and 30 units per acre for a senior housing project.
- Sites 1, 2, 3, 6, 7, 9 and 10 from 15.1 units per acre to 35 units per acre and 40 units per acre for a senior housing project.
- Site 5 from 7.5 units per acre to 40 units per acre.
- Site 8 from a density determined through a discretionary review process to 25 units per acre and 30 units per acre for a senior housing project.

In addition, density bonuses and development concessions are permitted under State law for developments that include affordable units; these are designed to increase the financial feasibility of affordable housing development. The adopted rezoning also allows an additional five units an acre above the base zoning for a senior housing project at Sites 1-4 and 6-10. Program *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites* identifies a variety of actions the Town will take to improve the financial feasibility of providing affordable housing, including regulatory

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<sup>30</sup> Realtor.com, accessed 5/11/22.

<sup>31</sup> The total assessed value for tax roll 2021 for the property was \$101,492,387.



incentives, fast track processing, fee waivers, lot consolidation, community outreach, and assistance in completing funding applications.

## CONSTRUCTION COSTS

Construction costs include both hard costs, such as labor and materials, and soft costs, including architectural and engineering services, development fees, and insurance. According to Cumming, a real estate cost consulting firm, hard construction costs (excluding sitework) for a medium quality, single-family detached house in San Francisco cost between \$322 and \$386 per square foot in 2021. A mid-rise multi-family building cost \$449 to \$584 per square foot in 2021.<sup>32</sup> Construction costs in San Francisco are among the highest in California and in the nation (second only to New York City). Comparable construction costs at the low-end of the reported range for a mid-rise multi-family project are 44% lower in Sacramento, 39% lower in San Diego, and 35% lower in Los Angeles.<sup>33</sup>

An inclusionary and in-lieu fee study prepared for the Town and several other Marin County jurisdictions in 2021 estimated development construction costs (excluding land cost) as follows: single-family subdivision, \$299 per square foot; condominium townhome, \$304 per square foot; and rental apartment building, \$611 per square foot. Assuming comparable construction costs for Corte Madera, a 50-unit development with a gross building area of 50,000 square feet would have construction costs of approximately \$30.55 million, or about \$611,000 per unit.

Construction costs are a constraint to development in Corte Madera and the San Francisco Bay Area, as affordable housing developers may look to less expensive areas to stretch their limited development dollars. To address this constraint and improve the financial feasibility of housing development, the Town significantly increased the maximum permitted density on the identified housing opportunity sites as discussed above in the Land Cost section. Program *H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites* identifies a variety of actions the Town will take to improve the financial feasibility of providing affordable housing, including regulatory incentives, fast track processing, fee waivers, lot consolidation, community outreach, and assistance in completing funding applications.

## FINANCING

Housing development depends heavily on lending liquidity. When conditions are favorable for lenders, construction volume tends to increase. Loan activity has continued to rise over the

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<sup>32</sup> Cumming, U.S. Costs per Square Foot of Gross Floor Area 2021, San Francisco, <https://ccorpinsights.com/costs-per-square-foot/>, accessed 5/10/22.

<sup>33</sup> Cumming, U.S. Real Estate and Construction Lending Activity, <https://ccorpinsights.com/lending-activity/>, accessed 5/10/22.

past 5 years, although residential and commercial real estate loan origination activity began to taper off in 2021.<sup>34</sup>

Over the past year, mortgage rates for conventional 30-year fixed rate loans have increased from about 3.0 percent to 5.3 percent (Freddie Mac). These conforming loans, which are backed by the federal government through the Federal Housing Administration and the Government Sponsored Entities of Fannie Mae and Freddie Mac, are generally available to home buyers with good credit histories and adequate down payments. Interest rates on non-conforming loans (also known as “jumbo” loans) for loan amounts over \$970,800 (in Marin County) are about one-quarter percentage point higher than conforming loan rates. Interest rates are expected to increase, which may put downward pressure on housing prices. If housing prices stabilize or continue to increase, the overall cost of owning a home will rise.

Small changes in the interest rate for home purchases dramatically affect affordability. A 30-year home loan for \$500,000 at three percent interest has monthly payments of roughly \$2,025. A similar home loan at five percent interest has payments of roughly 25 percent more, or \$2,575.

Affordable housing developments face additional constraints in financing. Though public funding is available, it is allocated on a highly competitive basis and developments must meet multiple qualifying criteria, often including the requirement to pay prevailing wages. Smaller developments with higher per unit costs are among the hardest to make financially feasible. This is because the higher costs result in a sale price that is above the affordability levels set for many programs. Additionally, smaller projects often require significant inputs of time by developers, but because the overall budget is smaller and fees are based on a percentage of total costs, the projects are often not feasible. The Town selected housing sites over ½ acre and close to transit and services to improve the financial feasibility of development and ability to attract grant funding for affordable housing.

The availability of financing, as well as general market and economic conditions, can impact a developer’s decision to move forward with construction after receiving planning approval. In these cases, the Town typically approves a permit approval extension without charging a fee.

## AFFORDABLE HOUSING FUNDS

In 2001 the Corte Madera Town Council adopted a nonresidential development impact fee ordinance and established an Affordable Housing Fund. The impact fee is assessed on a sliding scale based on the expected density of employees, ranging from \$.40 per square foot to \$8.38 per square foot, depending on the non-residential use. Nonresidential impact fee proceeds are deposited in the Affordable Housing Fund.

The Affordable Housing Fund also receives affordable housing in-lieu fees that are paid by market rate housing projects to comply with the inclusionary housing ordinance. In-lieu fees

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<sup>34</sup> Cumming, U.S. Real Estate and Construction Lending Activity, <https://ccorpinsights.com/lending-activity/>, accessed 5/10/22.

are currently \$289,905 for a single-family subdivision; \$203,088 for a condominium townhome project; and \$362,817 for rental units. The in-lieu fee is increased or decreased in accordance with the year over year increase or decrease in the California Construction Cost Index.

As discussed in Section 4.2, the Inclusionary Ordinance was modified in 2022. Previously, collected funds could only be expended on new construction of affordable housing. Expenditures from the Affordable Housing Fund, including any interest derived from the fund, can now be used for:

- Construction of housing affordable to households of very low, low- and moderate-income households, including costs associated with planning, administration, and design.
- Acquisition of property and property rights, including acquisition of existing housing units and the provision of long-term affordability covenants on those units.
- Financial assistance to other governmental entities, non-profit organizations, or private individuals in the acquisition of property or construction of housing affordable to households of very low-, low- and moderate-incomes.
- Costs of program development and ongoing administration of the housing fund program; only be for "the land or building costs associated with developing housing affordable to low- and very low-income households.

In 2005, the Town awarded \$84,000 from the fund as a grant for the San Clemente Place housing project. Due to the prior limitations on fund expenditures, the Town has not expended any additional funds since that time. The changes are expected to increase the options available to the Town to meet its affordable housing goals. Funding will be prioritized to facilitate affordable housing development and leverage other funding sources on opportunity sites identified in the Sites Inventory (Table 10) and discussed in Section 3.4. As of 2022, there was approximately \$557,000 in the Affordable Housing Fund.

## AFFORDABLE HOUSING FUNDING PROGRAMS AND SOURCES

California needs both public and private investment, as well as land use solutions to address critical housing challenges and ensure access to jobs in neighborhoods of opportunity for those living here today and the generations to follow. Land-use regulations can be modified to increase housing supply, encourage development of more affordable housing, and build a variety of housing types located near jobs, transportation, high-performing schools, and other services.

However, even with drastic changes in land-use policy to increase supply, a large number of Californians will always remain priced out of both the ownership and rental housing market. Public investment in housing programs is necessary to meet the needs of those who struggle the most to keep roofs over their heads.

The overview of funding sources below focuses on active local, state, and federal programs implemented by the Marin Housing Authority, Marin County, HCD, and other agencies to address housing needs in Corte Madera, especially the needs of extremely low, very low, and low income persons and families.

**Affordable Housing & Sustainable Communities Program.** Funding for housing, transportation, and land preservation projects that support infill and compact development in proximity to transit to reduce greenhouse gas (GHG) emissions.

**Affordable Housing and Home Buyer Readiness Program.** The Affordable Housing and Homebuyer Readiness Program is a financial coaching series designed to help individuals and families overcome obstacles, learn to set goals, and devise a plan to reach them. The program provides information on how to purchase a below market rate unit in Marin County, improve a credit score, avoid and reduce debt, and prepare an affordable housing unit application.

**Below Market Rate (BMR) Home Ownership Program.** The BMR Home Ownership program offers low and moderate-income, first-time homebuyers the opportunity to purchase specified condominium units in Marin County at less than market value. Marin Housing administers the sale of newly constructed units as well as previously owned units being offered for resale. There are approximately 340 homes in the program located throughout Marin County.

**CalHome.** Provides grants to local public agencies and nonprofit corporations for first-time homebuyer and housing rehabilitation assistance, homebuyer counseling and technical assistance activities.

**Community Development Block Grant Program (CDBG).** CDBG funds community & economic development & disaster recovery to create suitable living environments by expanding economic opportunities & providing decent housing to low-income households. CDBG grants are administered by the Marin County Community Development Agency, which makes grant funds available to eligible nonprofit agencies and local governments.

**Emergency Solutions Grants (ESG) Program.** Grants to address homelessness by providing funding for supportive services, emergency shelter/transitional housing, homelessness prevention assistance, and permanent housing.

**Golden State Acquisition Fund.** Loans to developers for acquisition or preservation of affordable housing. Loans are up to five years and a maximum of \$13,950,000.

**HOME American Rescue Plan.** Assists individuals or households at risk of, or experiencing homelessness, and other vulnerable populations, by providing housing, rental assistance, supportive services, and non-congregate shelter.

**HOME Investment Partnerships Program.** Creates and retains affordable housing for lower-income renters, homebuyers, or homeowners by funding tenant assistance, or single- or multi-family acquisition and/or rehabilitation or new construction.

**Homekey.** Grants to acquire and rehabilitate a variety of housing types to rapidly expand housing for persons experiencing or at risk of homelessness.

**Home Match.** [Home Match](#) is a free, non-profit home sharing program that connects home providers (homeowners and master tenants) looking to rent a room in their home, apartment, or ADU on their property with home seekers looking for affordable housing options. Home Match is a high-touch service that vets and gets to know both program participants and facilitates matches based on shared lifestyle preferences and communication styles. Home Match serves anyone over 18, but most home providers are older adults who need financial support through rent and, or social support through companionship and task exchange to age

in place. Most home seekers are older adults living on a fixed income and working class professionals looking for affordable housing options close to work. Home Match provides comprehensive services, including room readiness support, vetting of participants, personalized matching services, assistance with developing agreements about shared use of space, and ongoing mediation support throughout the match.

**Housing for a Healthy California.** Funds the creation and support of new and existing permanent supportive housing for people who are experiencing chronic homelessness or are homeless and high-cost health users.

**Infill Infrastructure Grant Program.** Grant funding for infrastructure improvements that are an integral part of or necessary to facilitate new infill housing in residential and/or mixed-use projects.

**Local Housing Trust Fund Program.** Matching grant funds to local and regional housing trust funds dedicated to the creation, rehabilitation, or preservation of affordable housing, transitional housing, and emergency shelters.

**Mobile Home Park Rehabilitation & Resident Ownership Program.** Low-interest loans to finance the preservation of affordable mobile home parks for ownership or control by resident organizations, nonprofit housing sponsors, or local public agencies.

**Multifamily Housing Program.** Low-interest, long-term deferred-payment loans for new construction, rehabilitation, and preservation of permanent rental housing for lower-income households.

**National Housing Trust Fund.** Federal program to increase and preserve the supply of affordable housing, with an emphasis on rental housing for extremely low-income households.

**Predevelopment Loan Program.** Short-term loans to finance predevelopment costs to preserve, construct, rehabilitate or convert assisted housing for low-income households.

**Reissued Mortgage Credit Certificate Program.** Administered by the Marin Housing Authority, the program provides certificates for lenders and current mortgage credit certificates who refinance their mortgage.

**Residential Rehabilitation Loan Program.** Administered by MHA, the Residential Rehabilitation Loan program provides low-interest property improvement loans and technical assistance to qualified very-low-income homeowners to make basic repairs and improvements, correct substandard conditions, and eliminate health and safety hazards.

**SB 2 Planning Grants Program.** Provides funding and technical assistance to local governments to adopt and implement plans and process improvements that streamline housing approvals and accelerate housing production.

**Section 8 Housing Choice Voucher Program.** The Section 8 Housing Choice Voucher Program provides decent, safe, and sanitary affordable rental housing for very low-income families throughout Marin County. Housing is made affordable by assisting the family with a portion of the rent. A family pays approximately 30% of their monthly income for rent and Marin Housing pays the remainder of the rent directly to the owner. The program is administered by the Marin Housing Authority.

**Shelter Plus Care Program.** Marin County Shelter plus Care Program is a housing subsidy program for individuals who are chronically homeless and suffers from qualifying disability. The Program is funded by the U.S. Department of Housing and Urban Development and Marin County Behavioral Health and Substance Use Services. Participants pay approximately 30% of their income towards rent and receive ongoing supportive services by the case managers from Marin Housing Authority.

## 5.0 GOALS, POLICIES, AND PROGRAMS

### 5.1 OVERVIEW

The Housing Element must identify programs to: (1) identify adequate sites, with appropriate zoning and development standards; (2) assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households; (3) address, and remove governmental constraints, including housing for persons with disabilities; (4) conserve and improve the condition of the existing affordable housing stock; (5) preserve assisted housing developments at-risk of conversion to market-rate; and (6) promote equal housing opportunities for all persons.



**The Enclave**

The goals, policies, and programs listed in this section outline the means the Town will use to achieve the quantified objectives represented by the Regional Needs Housing Allocation discussed in Section 3.1 and the quantified objectives discussed below.

### 5.2 QUANTIFIED OBJECTIVES

California law requires that housing elements include quantified objectives for the number of units likely to be constructed, rehabilitated and conserved/preserved by income level for the planning period. The Town of Corte Madera quantified objectives for the 2023-2031 Housing Element are shown in Table 28 below.

**Table31: Quantified Objectives**

|                               | <b>Extremely Low</b> | <b>Very Low</b> | <b>Low</b> | <b>Moderate</b> | <b>Above Moderate</b> | <b>Total Units</b> |
|-------------------------------|----------------------|-----------------|------------|-----------------|-----------------------|--------------------|
| New construction              | 107                  | 103             | 123        | 108             | 281                   | 725                |
| Rehabilitation                |                      |                 |            | 5               | 5                     | 10                 |
| Conservation/<br>preservation |                      |                 | 6          | 2               |                       |                    |

Corte Madera can meet its remaining Regional Housing Needs Allocation for new construction by December 31, 2030, with the sites described in the available land inventory and the programs described in this section. While the available land inventory shows additional capacity, the new construction objectives are a conservative estimate recognizing current economic trends.

There are 79 privately managed affordable units in the community at San Clemente Place. These were built in 2008 and are subject to restrictions to keep them affordable for 55 years. Given this restriction that is set in part by the project funding as well as the conditions of approval, these units are not part of the objectives for conserving/preserving affordability. However, there are 35 below market ownership units in the community that must be monitored to assure that they remain affordable on resale. Eight of these units have deed restrictions that are expiring during the planning period. The Marin County Housing Authority, under contract to the Town, monitors these units and is required to advise the Town when there is a risk that affordability could be compromised.

### **5.3 GOALS, POLICIES, AND PROGRAMS**

Corte Madera's housing goals, policies, and programs have been revised in response to the outreach process and the evaluation of the 2015 Housing Element as summarized in Section 1.7 of the Housing Element and as described in detail in Appendix B.

The goals, policies, and programs are organized as follows:

- Goals are broad statements reflecting community values and ideal future vision. Goals are numbered H-1, H-2, etc.
- Policies are specific statements that guide decision-making in order to promote the achievement of a goal. In some instances, a policy may be specific enough to provide clear direction as to how implementation will occur. Policies are listed with corresponding goals and are numbered H-1.1, H-1.2, etc.
- An implementation program is an action or procedure that carries out a policy. Most policies have one or more corresponding implementation programs. Implementation programs are in sequence with goals and policies, and are numbered H-1.1.a, H-1.1.b etc.

#### **Goal H-1 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.

##### **Policy H-1.1**

**Diversity of Population.** Consistent with the community's housing goals, it is the desire of the Town to achieve a diversity of age, social, and economic backgrounds among residents throughout Corte Madera by encouraging a variety of housing sizes, types, tenure, and affordability levels. Housing opportunities for families with children should not be limited because necessary facilities are not provided on site.



## Policy H-1.2

**Equal Housing Opportunity.** To the extent possible, the Town will ensure that individuals and families seeking housing in Corte Madera 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.

### *Implementation Program H-1.2.a Anti-Discrimination Ordinance*

The Town will continue to enforce its Anti-Discrimination Ordinance to prohibit discrimination based on the source of a person's income or the use of rental subsidies, including Section 8 and other rental programs. Amend the ordinance to include protections for prospective tenants. The Town will also require non-discrimination clauses in affordable housing agreements for deed-restricted units.

|                 |   |
|-----------------|---|
| Responsibility: | Community Development Department  |
| Financing:      | Staff time  |
| Objective:      | Post information and assure effective implementation and enforcement of anti-discrimination policies. |
| Timeframe:      | Ongoing   |

### *Implementation Program H-1.2.b Housing Discrimination Complaints*

The Community Development Director is the designated Equal Opportunity Coordinator in Corte Madera with responsibility to investigate and deal appropriately with complaints. The Town will refer discrimination complaints to the appropriate legal service, county, or state agency, such as Fair Housing Advocates of Northern California (FHANC). 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. Publicize this program in coordination with Marin Fair Housing and post information on the housing discrimination referral process on the Town's website. Encourage FHANC to conduct more fair housing testing in Corte Madera to ascertain patterns and trends in fair housing violations.

|                 |  |
|-----------------|--|
| Responsibility: | Community Development Department   |
| Financing:      | Staff time   |
| Objective:      | Respond to discrimination complaints and improve awareness of housing discrimination referral process. Increase fair housing testing in Corte Madera to at least once per year.                                    |
| Timeframe:      | Post information on the Town's website by the end of 2023 and provide information on the housing discrimination complaint process annually. Outreach to FHANC by the end of 2023. Respond to complaints as needed. |

### *Implementation Program H-1.2.c Fair Housing 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.

|                 |                           |
|-----------------|---------------------------|
| Responsibility: | Administration Department |
| Financing:      | General Fund              |

Objectives: Conduct biennial training sessions for staff beginning in 2023  
Timeframe: As needed

### Policy H-1.3

**Eligibility Priorities for Deed Restricted Housing.** In order to meet a portion of the Town's local housing need, consistent with ABAG's Housing Need Allocation, and as a traffic, economic development, and community safety mitigation measure, the Town will provide for targeted marketing and advance notice of deed restricted rental and ownership units in new housing developments, to the extent consistent with applicable fair housing laws, for people living or working in the Town of Corte Madera. The Town will also require developers to affirmatively market deed restricted units to communities of color and protected classes, including those outside of Marin County.

#### *Implementation Program H-1.3.a Targeted Marketing*

Condition the approval of affordable housing projects and market-rate projects with affordable inclusionary units to conduct a targeted marketing program for affordable units. Require affordable units to be affirmatively marketed to communities of color and protected classes. Utilize publications, venues, and community groups, such as Canal Alliance, that serve Black and Hispanic/Latinx communities, including those outside of Marin County. Targeted marketing programs shall be reviewed for approval by the Community Development Director, and the programs will include an evaluation and/or reporting component.

Responsibility: Community Development Department  
Financing: Staff time  
Objective: Targeted marketing programs  
Timeframe: As needed

### Policy H-1.4

**Variety of Housing Choices.** In response to the broad range of housing needs in Corte Madera, the Town will strive to achieve a mix of housing types, densities, affordability levels, and designs. The Town will work with developers of nontraditional and innovative housing approaches in design, construction and types of housing that meet local housing needs.

#### *Implementation Program H-1.4.a Housing Types*

Take the following actions to amend the Zoning Ordinance to facilitate the development of a full range of housing types and thereby offer a variety of housing choices:

- a. Remove the conditional use permit requirement for housing in the C-1 commercial district and for multi-family for-sale housing in the R-2 district.
- b. Add "single room occupancy housing" to the definitions section of the Zoning Ordinance and allow SRO housing as a conditionally permitted use in the C-1, C-2, and C-3 zoning districts.
- c. Identify districts where manufactured housing and mobile homes are a permitted use and provide development standards.

- d. Clarify that parking requirements for homeless shelters under Municipal Code Section 18.16.320 must provide sufficient parking to accommodate all staff working the emergency shelter, provided that the standards do not require more parking than required for other residential and commercial uses in the same zone.
- e. Allow low-barrier navigation centers as a use by right in multi-family, mixed use and nonresidential zones that permit multi-family housing, subject to the criteria of Government Code 65660.

Responsibility: Community Development Department  
 Financing: Staff time  
 Objective: Zoning Ordinance amendments  
 Timeframe: Within two years of housing element adoption

**Policy H-1.5**

**Special Needs Housing.** The Town will remove barriers and actively promote development and rehabilitation of housing to meet special needs, including the needs of seniors, people living with disabilities, the homeless, people with HIV/AIDS and other illnesses, people in need of mental health care, single parent families, large families, and other persons identified as having special housing needs.

*Implementation Program H-1.5.a Neighborhood Relations*

Encourage positive relations between neighborhoods and providers of emergency shelters, transitional and supportive housing, and residential care facilities. Providers or sponsors of emergency shelters, transitional housing programs, and community care facilities will be encouraged to establish outreach programs with their neighborhoods. The following actions will be taken:

- a. A staff person from the provider agency will be designated as a contact person (with a posted phone number) with the community to respond to questions or comments from the neighborhood.
- b. Neighbors of emergency shelters, transitional and supportive housing programs, and community care facilities should be encouraged to provide a neighborly and hospitable environment for such facilities and their residents.

Responsibility: Community Development Department  
 Financing: Staff time  
 Objective: Zoning Ordinance amendments  
 Timeframe: Ongoing

*Implementation Program H-1.5.b The Casa Buena Permanent Supportive Housing*

Work with Homeward Bound of Marin to support the success of The Casa Buena in providing permanent supportive housing.

- a. Facilitate direct contact between neighbors, community members, and Homeward Bound of Marin in order to allow for direct information sharing, relationship building, and timely resolution of issues.

- b. Facilitate community meetings and provide information to the community through Town communication platforms annually to keep members of community informed and to listen to concerns or issues that may arise.
- c. Support town-wide volunteer and donation efforts.

Responsibility: Community Development Department; Communications  
 Financing: Staff time  
 Objective: Annual community meetings and outreach  
 Timeframe: Ongoing

**Policy H-1.6**

**Provision of Affordable Housing for Special Needs Households.** The Town will work with groups to provide opportunities through affordable housing programs for a variety of affordable housing to be constructed or acquired for special needs groups, including assisted housing and licensed board and care facilities.

*Implementation Program H-1.6.a Adaptable Units for the Disabled*

The Town will ensure that new multifamily housing developments include units that are ADA compliant and/or can be adapted for use by disabled residents.

Responsibility: Community Development Department  
 Financing: Staff time  
 Objective: 8.7% of new multifamily units to be adapted for special needs, or 76 units.  
 Timeframe: Ongoing; development by 2030

*Implementation Program H-1.6.b Visitability Ordinance*

Explore opportunities and potential challenges associated with implementing a visitability ordinance to expand the housing typologies, including single-family homes, that would be required to be made adaptable for disabled residents and visitors. Conduct a study session with the Planning Commission and Town Council and prepare an ordinance adoption as directed by the Town Council.

Responsibility: Community Development Department  
 Financing: Staff time  
 Objective: Analysis and consideration of possible visitability ordinance by 2025  
 Timeframe: Ongoing

*Implementation program H-1.6.c Residential Care Homes*

Continue to allow small licensed group homes by right in all residential districts without the requirement for a Use Permit or other discretionary approval for six or fewer persons who are not disabled but are in need of twenty-four hour nonmedical care. Continue to allow small licensed residential care facilities by right in all residential districts without the requirement for a Use Permit or other discretionary approval for six or fewer persons who are disabled, including developmentally disabled, and in need of twenty-four hour nonmedical care.

Responsibility: Community Development Department  
 Financing: Staff time

Objective: Small residential facilities for persons with special needs  
Timeframe: Ongoing

*Implementation program H-1.6.d Reasonable Accommodation Ordinance*

Amend the Zoning Code to provide objective criteria to make findings regarding “the design and location of the accommodation is done in a way to minimize impacts on neighboring properties and the design character of the neighborhood to the extent possible” (subsection E of CMMC Section 18-25-050).

Responsibility: Community Development Department  
Financing: Staff time  
Objective: Amend Reasonable Accommodation Ordinance  
Timeframe: By the end of 2024

**Policy H-1.7**

**Incentives for Senior Housing.** The Town will provide zoning incentives to assist in meeting the special housing needs of seniors, including lower income and disabled seniors and those requiring memory care.

*Implementation Program H-1.7.a Incentives for Senior Housing*

Grant zoning incentives such as increased density and reduced parking standards for projects that include units for seniors, especially those with special needs.

Responsibility: Community Development Department  
Financing: Staff time  
Objective: 8.7% of new multifamily units to be adapted for special needs, or 76 units.  
Timeframe: Amend Zoning Code by 2023; development by 2030

**Policy H-1.8**

**Housing for Families with Children.** Encourage two-and three-bedroom housing units affordable for lower and moderate-income families with children.

*Implementation Program H-1.8.a Family Housing Amenities*

As part of the design review permitting process, and as part of approving affordable housing agreements associated with the Town’s inclusionary housing ordinance, require adequate provisions for families with children, including consideration of amenities such as play yards and childcare.

Responsibility: Community Development Department  
Financing: Application fees  
Objective: Family amenities in housing developments  
Timeframe: Ongoing

**Policy H-1.9**

**Housing for the Homeless.** 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 extremely low-income population. The Town will support countywide programs to provide for a continuum of care for the homeless and those at risk of becoming homeless, including emergency shelter, transitional housing, supportive housing, and permanent housing.

*Implementation Program H-1.9.a Countywide Homeless Programs*

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.

|                 |   |
|-----------------|---|
| Responsibility: | Town Council  |
| Financing:      | Staff time  |
| Objective:      | Countywide strategy for homelessness  |
| Timeframe:      | Attend Marin County Council of Mayors and Councilmembers (MCCMC) Elected Officials Homeless Subcommittee meetings at least four times per year; consider funding requests during Town’s biennial budget setting process |

*Implementation Program H-1.9.b Zoning for Emergency Shelters*

Amend the Zoning Code to comply with Government Code Section 65583(a)(4) and to identify one or more zoning districts that allow residential uses, including mixed uses, where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit and are suitable for residential uses. The identified zoning districts must have sufficient capacity to accommodate the Town’s need for emergency shelters pursuant to Government Code Section 65583(a)(4).

|                        |   |
|------------------------|---|
| <u>Responsibility:</u> | <u>Community Development Department</u>                   |
| <u>Financing:</u>      | <u>Staff time</u>   |
| <u>Objective:</u>      | <u>Amend the Zoning Code</u>                              |
| <u>Timeframe:</u>      | <u>Within one year of adoption of the Housing Element</u> |

**Policy H-1.10**

**Health and Human Services Programs Linkages.** As appropriate to its role, the Town will coordinate with other agencies to link together all services serving lower income people with affordable housing resources, with emphasis on housing that serves residents with special needs.

**Policy H-1.11**

**Rental Assistance Programs.** The Town will continue to publicize and create opportunities for using available rental assistance programs, such as Section 8 Housing Choice Vouchers, in coordination with the Marin Housing Authority (MHA).

*Implementation Program H-1.11.a Rental Assistance Programs*

Develop and implement measures to make full use of available rental assistance programs. Actions include:

- a. Utilize the Town’s website, newsletter, social media, and handouts to publicize programs.
- b. Provide multilingual links to the California Department of Fair Employment and Housing’s [Sources of Income Fact Sheet](#) and [FAQ](#) and printed materials.
- c. Collaborate with at least two other organizations, schools, or agencies to post handouts at their locations.
- d. Provide funding support, as appropriate.

Responsibility: Community Development Department  
 Financing: Staff time  
 Objective: Rental assistance services. Increase the number of Housing Choice Vouchers utilized in Corte Madera by 50%, to 51 by 2030.  
 Timeframe: Update website and distribute handouts and brochures by 2024. Dedicate one Town newsletter each year to promote Housing Choice vouchers and educate community members on fair housing laws. Consider funding request during the Town’s biennial budget setting process.

**Goal H-2 Use land efficiently and sustainably.**

Develop a variety of housing to meet community needs and to promote sustainability.

**Policy H-2.1**

**Housing to Meet Local Needs.** Provide for the development of new housing to meet the diverse economic and physical needs of existing residents and projected population capacity by planning for adequate sites and supporting programs to achieve Corte Madera’s Regional Housing Needs Allocation.

*Implementation Program H-2.1.a: Provide a Variety of Housing Types and Affordability*

Encourage housing proposals that provide a variety of housing types and affordability levels and that meet the Town’s standards and criteria consistent with the regulations of the applicable zoning district.

Responsibility: Community Development Department  
 Financing: Application fees  
 Objective: 441 units affordable to lower and moderate income households

Timeframe: Meet with developers during pre-application review process as new development is proposed

### **Policy H-2.2**

**Affordable Housing Priorities.** The Town will design and implement its programs to assist in the development of adequate housing to reflect the proportions of its unmet Regional Housing Needs Allocation. In prioritizing implementation resources, such as expenditures from the Affordable Housing Fund, the Town shall seek to prioritize housing subsidies for extremely low and very low -income housing needs.

### **Policy H-2.3**

**Contributions for Workforce Housing from Non-Residential Uses.** Consider housing needs for local workers when reviewing non-residential development proposals. The Town will require non-residential uses to contribute to the provision of affordable workforce housing by techniques such as in lieu fees, provision of housing, or other alternatives of equal value.

#### *Implementation Program H-2.3.a Nonresidential Development Impact Fee*

The Town will continue to implement the Nonresidential Development Impact Fee. This fee is collected for any change in use that is to a nonresidential use, for any new nonresidential use, and for any expansion of a nonresidential use. Fee proceeds are deposited in the Affordable Housing Fund (CMC, Chapter 3.48).

Responsibility: Community Development Department  
Financing: Application fees  
Objective: Impact fees to be used for affordable housing  
Timeframe: Ongoing

#### *Implementation Program H-2.3.b Affordable Housing Fund*

The Town will continue to administer the Affordable Housing Fund (CMC, Chapter 3.48).

Responsibility: Community Development Department  
Financing: Application fees  
Objective: 20 affordable housing units and/or land to support 20 units of affordable housing  
Timeframe: Expend 100% of fund balance as of the end of FY 2021-2022 by 2030.

#### *Implementation Program H-2.3.c Affordable Housing Fund Ordinance Update*

The Town will update the Affordable Housing Fund ordinance as needed to reflect current housing development costs.

Responsibility: Community Development Department  
Financing: Staff time  
Objective: Fee schedule updates  
Timeframe: Review ordinance and fee schedule every two years beginning in 2025



## Policy H-2.4

**Employee Housing.** The Town will work with employers developing larger projects (20+ employees) to promote local housing opportunities for their employees and will encourage employers to find ways to provide housing assistance as part of their employee package. Developers of major projects in mixed-use areas will be encouraged to consider and propose housing, if feasible.

### *Implementation Program H-2.4.a Employee Housing*

As part of the development review process for larger commercial projects, encourage developers to provide employee housing on-site.

|                 |                                  |
|-----------------|----------------------------------|
| Responsibility: | Community Development Department |
| Financing:      | Application fees                 |
| Objective:      | 2 units of employee housing      |
| Timeframe:      | Ongoing                          |

### *Implementation Program H-2.4.b Employee Housing Bonus Units*

As part of the development review process for larger projects, and where permitted by the General Plan land use designations, the base zoning district and/or overlay zoning, offer density bonuses as an incentive to provide on-site affordable employee housing.

|                 |                                  |
|-----------------|----------------------------------|
| Responsibility: | Community Development Department |
| Financing:      | Application fees                 |
| Objective:      | 2 units of employee housing      |
| Timeframe:      | Ongoing                          |

## Policy H-2.5

**First-Time Homebuyer Programs.** Support first-time homebuyer programs.

### *Implementation Program H-2.5.a First-time Homebuyer Programs*

Promote first-time homebuyer programs and housing counseling programs offered by the County, including the Affordable Housing and Home Buyer Readiness Program and the Below Market Rate Home Ownership Program. Work with the County to target Black and Hispanic/Latinx households. Utilize the Town's website, newsletter, counter handouts, and social media channels to promote programs.

|                 |   |
|-----------------|---|
| Responsibility: | Community Development Department                            |
| Financing:      | Staff time  |
| Objective:      | 20 individuals participate in first-time homebuyer programs |
| Timeframe:      | Promote programs annually.                                  |

## Policy H-2.6

**Home Match Services.** Support home match programs.

### *Implementation Program H-2.6.a 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-4.1.a.

Responsibility: Community Development Department  
Financing: Staff time  
Objective: Obtain and distribute materials; coordinate with home match providers; complete an average of 2 matches per year.  
Timeframe: Update website and distribute handouts and brochures by end of 2023. Dedicate one Town newsletter each year to promote housing home match service programs.

### **Policy H-2.7**

**High Potential Housing Opportunity Areas.** Given the diminishing availability of developable land, the Town has identified housing opportunity areas and sites where a special effort will be made to provide workforce and special needs affordable housing. The Town will evaluate all appropriate incentives to facilitate development at High Potential Housing Opportunity Sites and will take specific actions to promote the development of affordable housing units on these sites (identified in the Implementing Programs).

*Implementation Program H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites*

Encourage cooperative and joint ventures between owners, developers, and non-profit groups in the provision of below market rate housing and senior 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, and senior housing:

- a. Meet with non-profit housing developers and property owners of housing opportunity sites to identify housing development opportunities, issues, and needs during 2023.
- b. Select the most viable sites during 2023 and 2024.
- c. Undertake community outreach in coordination with potential developers and property owners during 2023 and 2024.
- d. Complete site planning studies, continued community outreach, and regulatory approvals in coordination with the development application.
- e. Facilitate development through regulatory incentives, reducing or waiving fees, fast track processing, lot consolidation, and assistance in development review.
- f. Apply for and/or allocate state and local affordable housing funds to the project.
- g. Require affordable units to be affirmatively marketed to communities of color and protected classes. Utilize publications, venues, and community groups, such as Canal Alliance, that serve Black and Hispanic/Latinx communities, including outside of Marin County.

Responsibility: Community Development Department  
Financing: General Fund

Objectives: Develop 168 very low and low income units in 100% affordable housing developments.  
 Timeframe: Actions as identified above and development of housing sites by 2030

**Policy H-2.8**

**Other Sites with Housing Potential.** Other sites with housing potential could contribute to meeting the Town's housing needs but due to the constrained nature of these sites, they may or may not be developed during the planning period of this Housing Element.

*Implementation Program H-2.8.a Actions for Old Corte Madera Square*

Encourage housing proposals up to 20 units that meet the Town’s standards and criteria consistent with the regulations of the AHO district. Encourage the development of mixed-use affordable units in smaller in-fill projects in the 6.5-acre Old Corte Madera Square area during the timeframe of the Housing Element. It is estimated that up to about 20 new housing units could be added to the Old Corte Madera Square area. The area is in the R-2 and C-1 “base” zoning districts and the AHO affordable housing overlay district. The AHO district allows mixed-use development with housing at up to 25 units per gross acre. The AHO district also includes design standards to the historic and architectural resources of the Old Corte Madera Square area. In order to simplify the application process, the AHO district does not require preliminary and precise plan applications; rather development in the AHO district is subject to design review approval.

- a. Evaluate the existing height limit as a constraint to development and amend the Zoning Code where necessary to allow height up to 3 stories.

Responsibility: Community Development Department  
 Financing: Application fees  
 Objective: 20 affordable units  
 Timeframe: Amend ordinance within two years after Housing Element adoption.

*Implementation Program H-2.8.b Park Madera Center*

As part of community planning efforts associated with the potential redevelopment of Park Madera Center, explore options and feasibility of including new senior and/or workforce housing to meet local housing needs.

Responsibility: Community Development Department  
 Financing: General Fund  
 Objective: Identification of Additional Housing Opportunity Sites for 7<sup>th</sup> Cycle Housing Element  
 Timeframe: Concurrent with community planning efforts for Park Madera Center (by 2026)

*Implementation Program H-2.8.c Town Center*

Work with the property owner to explore options and feasibility of adding new housing units to the Town Center property. Any conceptual studies and plans shall be evaluated through public workshops and community meetings.

Responsibility: Community Development Department  
Financing: General Fund  
Objective: Identification of Additional Housing Opportunity Sites for 7<sup>th</sup> Cycle Housing Element  
Timeframe: Based on property owner interest

*Implementation Program H-2.8.d Identify Additional Housing Opportunity Sites*

In order to ensure the Town’s ability to meet future housing needs, the Town will identify new housing opportunity sites in advance of the next housing element update process. Sites may include government-owned properties, such as the MMWD and DMV sites, religious institutions, and sites with existing buildings nearing the end of their useful life or in need of substantial repair or redevelopment. The Town will work closely with property owners, housing developers, the community and other stakeholders to identify housing development opportunities, issues and needs and select the most viable site or sites for inclusion in the next housing element update. If necessary, the Town will undertake rezoning actions and appropriate environmental analysis.

Responsibility: Community Development Department  
Financing: General Fund  
Objective: Identification of Additional Housing Opportunity Sites  
Timeframe: Planning process to begin in 2026

**Policy H-2.9**

**Mixed-Use Housing.** Well-designed mixed-use residential/non-residential developments are highly encouraged by the Town where residential use is appropriate to the setting and development impacts can be mitigated. The Town will develop incentives to encourage mixed use development in appropriate locations.

*Implementation Program H-2.9.a Mixed-Use Zone*

Amend the Corte Madera Zoning Ordinance to add a Mixed-Use Zone to implement the General Plan Mixed-Use land use designations and apply this zone to lands so designated on the Land Use Diagram. Development standards for the Mixed-Used district may include the following:

- a. Limited height bonuses;
- b. Shared parking in mixed-use developments;
- c. Floor Area Ratio: up to .34, additive to residential densities; and
- d. Residential density: 15.1 to 25.0 dwelling units per gross acre.

Responsibility: Community Development Department  
Financing: General Fund  
Objective: Zoning Ordinance amendment  
Timeframe: Within four years

*Implementation Program H-2.9.b Mixed-Use Development*

The Town will support mixed-use projects including residential components, such as live-work combinations or ground-floor retail with upper story residential use. Such projects will be encouraged over standard single-use development proposals where the underlying zoning

allows mixed-use developments. Encourage opportunities for live/work developments where housing can be provided for workers on-site or caretaker or other types of housing can be provided in appropriate locations.

|                 |   |
|-----------------|---|
| Responsibility: | Community Development Department        |
| Financing:      | Application fees                        |
| Objective:      | 695 housing units in mixed-use projects |
| Timeframe:      | Ongoing                                 |

### **Policy H-2.10**

**Incentives for Affordable Housing Developments.** The Town will use density bonuses and other incentives to help achieve housing goals while ensuring that potential impacts are considered and mitigated.

#### *Implementation Program H-2.10.a Incentives for Affordable Housing*

As part of the development review process, offer the following incentives to encourage the development of affordable housing, including housing for extremely low income households and special needs populations:

- a. Facilitating Affordable Housing Development Review. Projects that provide 100% affordable housing units shall receive the highest priority and efforts will be made by staff and decision-makers 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; (3) waive or reduce fees, and (4) provide the fastest turnaround time possible in determining application completeness.
- b. Coordination with Other Agencies. Coordinate with service providers and other agencies to create opportunities for the development to be built. Reach out to affordable housing developers to keep them informed of available sites, incentives, and funding resources.
- c. Use Affordable Housing Fund monies as appropriate to achieve greater affordability and/or project feasibility.

|                 |   |
|-----------------|---|
| Responsibility: | Community Development Department  |
| Financing:      | Application fees  |
| Objective:      | Develop 168 lower income units in 100% affordable housing developments. |
| Timeframe:      | Annual outreach to affordable housing developers.                       |

### **Policy H-2.11**

**Long-Term Housing Affordability Controls.** The Town will apply resale controls and rent and income restrictions to ensure that affordable housing provided through incentives and as a condition of development approval remains affordable over time to the income group for which it is intended. Inclusionary units shall be deed-restricted to maintain affordability in perpetuity on resale, consistent with MHA requirements, to the maximum extent possible.

#### *Implementation Program H-2.11.a Affordability Controls*

Require deed restrictions to maintain affordability as a condition of approval for affordable housing units.

|                 |                                  |
|-----------------|----------------------------------|
| Responsibility: | Community Development Department |
| Financing:      | Application fees                 |
| Objective:      | Recorded deed restrictions       |
| Timeframe:      | Ongoing                          |

*Implementation Program H-2.11.b Affordability Management*

Continue to implement the agreement with the Marin Housing Authority (MHA), or other qualified entity, for management of the affordable housing stock in order to ensure permanent affordability, and implement resale and rental regulations for low and moderate income units and assure that these units remain at an affordable price level. Modify the agreement to require MHA to conduct targeted marketing for underrepresented populations and communities of color whenever affordable units become available for sale or rent.

|                 |                                  |
|-----------------|----------------------------------|
| Responsibility: | Community Development Department |
| Financing:      | Staff time                       |
| Objective:      | Affordability maintained         |
| Timeframe:      | Ongoing                          |

**Policy H-2.12**

**Inclusionary Housing Approach.** The Town’s Zoning Ordinance currently requires residential developments involving one or more units to provide a percentage of units or an in-lieu fee for very low-, low-, and moderate-income housing. The units provided through this policy are intended for permanent occupancy and must be deed restricted, including but not limited to single family housing, multi-family housing, condominiums, townhouses, locally approved licensed care facilities, stock cooperatives or land subdivisions.

*Implementation Program H-2.12.a Affordable Housing Ordinance*

Continue to implement the Affordable Housing Ordinance to achieve more balanced and integrated housing developments and neighborhoods.

|                 |   |
|-----------------|---|
| Responsibility: | Community Development Department                                  |
| Financing:      | Application fees  |
| Objective:      | Develop 141 affordable housing units in market-rate developments. |
| Timeframe:      | Ongoing   |

*Implementation Program H-2.12.b Monitor the Affordable Housing Ordinance*

Monitor the Inclusionary Housing Ordinance. Address the following issues as part of the process to update the Inclusionary Housing Ordinance as necessary.

- a. Ongoing evaluation to determine if the Town needs to adjust the number and/or percentage of affordable units required by income category to rates that promote the achievement of the Town’s affordable housing goals without unduly impacting overall housing production and supply.

- b. Adjust the in-lieu fee schedule to assure that the fee rate adequately addresses the cost of providing an affordable unit or the required fraction of an affordable unit.
- c. Evaluate the thresholds for requiring inclusionary units by project size and type (rental vs. ownership).

Responsibility: Community Development Department  
 Financing: Staff time  
 Objective: Keep Affordable Housing Ordinance current  
 Timeframe: Evaluate need to revise ordinance every two years beginning in 2024

**Policy H-2.13**

**Options for Meeting Inclusionary Requirements.** The primary intent of the inclusionary requirement is the construction of new units on-site, with the focus being multi-family housing developments with deed restrictions to support long periods of affordability. Second priority for meeting inclusionary requirements shall be the construction of units off-site or the transfer of land and sufficient cash to develop the number of affordable units required within the same community or planning area. If these options are not practical, other alternatives of equal value such as in-lieu fees or rehabilitation of existing units may be considered.

**Policy H-2.14**

**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 throughout established neighborhoods, especially for senior households, single person, single parents, and young households.

*Implementation Program H-2.14.a 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.

Responsibility: Community Development Department  
 Financing: Application fees  
 Objective: 100 accessory dwelling units by 2031 with affordability levels as follows: 30 very low, 30 low, 30 moderate, and 10 above moderate.  
 Timeframe: Ongoing tracking and mid-point planning cycle review by June 2027.

*Implementation Program H-2.14.b Conduct Outreach and Education for Accessory Dwelling Unit Development*

Encourage and facilitate ADU and JADU development throughout established neighborhoods by taking the following actions:

- a. Develop a handout on ADU standards and the application process and distribute at Town Hall.
- b. Promote the MarinADU.org website in the Town’s newsletter and ADU handout, on social media, and on the Town’s website.
- c. Provide workshops for property owners interested in developing an ADU, covering topics such as Town regulations for ADUs and processing of ADU permits, designing and constructing an ADU, setting an affordable rent, and complying with fair housing laws.
- d. Provide links to the California Department of Fair Employment and Housing’s [Sources of Income Fact Sheet](#) and [FAQ](#) in Town communications and provide printed handouts at the building counter.
- e. Organize and conduct a day-long tour of new ADUs in Corte Madera for community members interested in building an ADU. Promote the tour through the Town’s newsletter, social media, website, and banners.

Responsibility: Community Development Department  
 Financing: Staff time  
 Objective: 100 new ADUs and JADUs  
 Timeframe: Develop handout, promote MarinADU.org website, and conduct workshop and tour in 2024. Ongoing annual promotion thereafter. Conduct additional workshop and tours as needed to ensure ADU production is meeting average annual target of 12.5 units per year.

**Goal H.3 Protect and enhance existing housing and neighborhoods.**

Maintain the high quality of existing housing, integrate and blend well designed housing into established neighborhoods, and enhance connections among housing, neighborhoods, services, and amenities.

**Policy H-3.1**

**Housing Design Principles.** The intent in the design of new housing is to provide stable, safe, and attractive neighborhoods through high quality architecture, site planning, and amenities that address the following principals:

- a. Reduce the Perception of Building Bulk. In multi-unit buildings, require designs that break up the perceived bulk and minimize the apparent height and size of new buildings, including the use of upper story step backs and landscaping.
- b. Recognize Existing Street Patterns. Incorporate transitions in height and setbacks from adjacent properties to ensure development character and privacy. Design new housing so that it relates to the existing street pattern and creates a sense of neighborliness with surrounding buildings.
- c. Enhance the "Sense of Place" by Incorporating Focal Areas. Design new housing around natural and/or designed focal points, emphasized through direct pedestrian/pathway connections. Respect existing landforms, paying attention to boundary areas and effects on adjacent properties.



- d. Minimize the Visual Impact of Parking and Garages. Discourage designs in which garages dominate the public facade of the home (e.g., encourage driveways and garages to be located to the side of buildings and recessed, or along rear alleyways or below the building in some higher density developments).
- e. Use Quality Building Materials. Building materials should be high quality, long lasting, durable and energy efficient.

*Implementation Program H-3.1.a Incorporate Housing Design Principles into Design Review Process*

Incorporate principles of good design from Policy H-3.1 into the Design Review process for multi-family housing. Evaluate the existing findings for design review and revise as needed to provide clear criteria for approval, specifically the following findings:

- The project is in scale and harmonious with development in the vicinity.
- Development materials and techniques are high quality.
- The structure(s), site plan, and landscaping have an internal sense of order.

Utilize Title 22 and accompanying architectural standards for guidance.

|                 |                                  |
|-----------------|----------------------------------|
| Responsibility: | Community Development Department |
| Financing:      | General Fund                     |
| Objective:      | Residential design guidelines    |
| Timeframe:      | By the end of 2025               |

*Implementation Program H-3.1.b Objective Development and Design Standards*

Encourage and require pursuant to the Municipal Code multi-family housing projects to utilize the Objective Development and Design Standards in Title 22 and accompanying architectural standards in developing project designs.

|                 |  |
|-----------------|--|
| Responsibility: | Community Development Department                             |
| Financing:      | General Fund   |
| Objective:      | Implementation of objective development and design standards |
| Timeframe:      | Ongoing  |

*Implementation Program H-3.1.c Evaluate Objective Development and Design Standards*

Evaluate the Town’s Objective Design and Development Standards to determine if the standards, including parking requirements, are facilitating development and revise Title 22 as necessary to ensure the Town’s housing, urban design, and aesthetic objectives are being met.

|                 |   |
|-----------------|---|
| Responsibility: | Community Development Department  |
| Financing:      | General Fund  |
| Objective:      | Residential design guidelines   |
| Timeframe:      | Biennial evaluation and adoption of code amendments within one year of identifying issues to address. |

## Policy H-3.2

**Preservation of Residential Units.** The Town will seek to preserve the existing quantity and affordability 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.

### *Implementation Program H-3.2.a Preservation of Multi-family Rental Housing*

Review and, as necessary, revise the Zoning Ordinance to regulate the demolition of multifamily rental housing in order to conserve the existing multifamily rental housing stock.

|                 |                                    |
|-----------------|------------------------------------|
| Responsibility: | Community Development Department   |
| Financing:      | General Fund                       |
| Objective:      | Review and revise zoning ordinance |
| Timeframe:      | Within 2 years                     |

### *Implementation Program H-3.2.b Tenant Protection Strategies*

Work with the County of Marin and other Marin jurisdictions to ~~explore and~~ 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.

Responsibility: Community Development Department  
Financing: Regional Early Action Planning (REAP) grants; staff time  
Objectives: ~~Exploration of and possible action on~~ Adopt ordinance for tenant protection strategies  
Timeframe: ~~Explore-Develop~~ options with Marin jurisdictions in 2024 and ~~bring forward for Council direction, including possible~~ adopt ordinance ~~adoption~~, in 2025.

### **Policy H-3.3**

**Condominium Conversions.** Except for limited equity cooperatives and other innovative housing proposals which are affordable to lower income households, the Town will conserve its existing multiple family rental housing by prohibiting conversions of rental developments to condominium ownership unless the effective vacancy rate for available rental units is more than 5%.

*Implementation Program H-3.3.a: Condominium Conversion Ordinance*  
Continue to enforce the condominium conversion Ordinance.

Responsibility: Community Development Department  
Financing: Application fees  
Objective: Preservation of rental units  
Timeframe: Ongoing

### **Policy H-3.4**

**Protection of Existing Affordable Housing.** The Town will strive to ensure that affordable housing provided through government subsidy programs, incentives and deed restrictions remains affordable over time, and intervene when possible to help preserve such housing.

*Implementation Program H-3.4.a: "At Risk" Units*

Continue to fund the Marin Housing Authority's program, or other qualified entity's program, to monitor at risk affordable units. Continue to work with the Marin Housing Authority, or other qualified entity, to identify assisted properties at risk of conversion to market rates and

work with the property owners and/or other parties to ensure that they are conserved as part of the Town's affordable housing stock.

Responsibility: Community Development Department  
Financing: Staff time  
Objective: Preservation of rental units  
Timeframe: Ongoing

### **Policy H-3.5**

**Protect and Conserve the Existing Housing Stock.** Require owners to maintain their properties in good condition and appearance and to eliminate unsafe and unhealthy conditions. Protect residents and maintain the housing stock by enforcing the Zoning Ordinance and the Building, Housing, and Fire Codes for all types of residential units. The Town will encourage programs to rehabilitate viable older housing and, where possible, retain the supply of very low- to moderate-income housing.

#### *Implementation Program H-3.5.a Code Enforcement*

Continue Zoning, Building, and Fire Code enforcement to ensure compliance with development and maintenance regulations as well as health and safety standards.

Responsibility: Community Development Department  
Financing: Staff time and Affordable Housing Fund  
Objective: Housing conservation  
Timeframe: Ongoing

#### *Implementation Program H-3.5.b Rehabilitation Loan Programs*

In cooperation with the Marin Housing Authority (MHA), improve citizen awareness of rehabilitation loan programs, especially in older neighborhoods such as Marina Village, Madera Gardens, and in the Willow/Old Corte Madera Square area. Utilize the Town's website, newsletter, social media, and counter handout to publicize programs.

Responsibility: Community Development Department  
Financing: Staff time  
Objective: At least 8 loans provided to rehabilitate very low and low income housing by the end of 2030  
Timeframe: Update the Town's website by the end of 2023 and update and publicize annually thereafter.

#### *Implementation Program H-3.5.c Development in Flood Zones*

Provide up-to-date information affecting housing development located in Special Flood Hazard Areas (SFHA) as identified by the Federal Emergency Management Agency (FEMA). Assist property owners to understand FEMA compliance requirements for housing located in flood zones.

Responsibility: Public Works Department, Community Development Department  
Financing: Staff time  
Objective: Provide information and assist homeowners  
Timeframe: Ongoing

### Policy H-3.6

**Energy Efficiency and Renewable Energy Programs.** The Town will publicize and create opportunities for using energy efficiency and renewable energy programs, especially for moderate- and lower-income households.

*Implementation program H-3.6.a 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:

- a. Coordinate with the County of Marin, the Marin Climate & Energy Partnership, BayRen, and utility providers to identify, fund, design, and publicize programs.
- b. 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.

Responsibility: Community Development Department  
Financing: Staff time  
Objective: At least 180 households participate in programs  
Timeframe: Ongoing

### Policy H-3.7

**Neighborhood Connections.** Ensure that Town amenities and public services, including local and regional transit options, are more easily accessible by all residents and employees working in Town, including existing and future residents with lower incomes, and those who may not have access to a vehicle. Work with Caltrans and other agencies to improve the multi-modal connections between the east and west sides of the Corte Madera community and to public transit facilities. Improved connections should offer safe, accessible, and comfortable bicycle and pedestrian access across Highway 101.

*Implementation program H-3.7.a Tamalpais Drive Overcrossing*

In response to the Caltrans proposed improvements to the Tamalpais Drive overcrossing scheduled for construction in 2025, support and advocate for a safe and comfortable multi-modal connection, via a separated bicycle and pedestrian path, between the east and west side of Highway 101 on Tamalpais Drive, and for safety and access improvements to public transit (bus stops).

Responsibility: Public Works and Community Development Departments  
Financing: Staff time and General Fund  
Objective: Secure separated bicycle and pedestrian facilities for Caltrans projects  
Timeframe: By 2025

#### **Goal H-4 Expand participation, coordination, and monitoring.**

Encourage and enhance intergovernmental, public, and private cooperation to achieve an adequate supply of housing for all residents of the community and to develop funding for supporting programs.

##### **Policy H-4.1**

**Local Government Leadership.** Affordable housing is an important Town priority. 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 following through on identified Housing Element implementation actions in a timely manner.

##### *Implementation Program H-4.1.a Community Outreach*

Prepare information and conduct outreach on housing issues. 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. Consider the following topics and activities for inclusion the community outreach effort:

Topics --

- a. Housing needs.
- b. Housing programs (homebuyer and rental assistance, home match services, rental mediation, rehabilitation and energy efficiency loans and rebates, etc.).
- c. Fair Housing laws, including information on laws against discrimination for sources of income.
- d. Accessory Dwelling Unit programs.
- e. Town Anti-Discrimination Ordinance.
- f. Town Reasonable Accommodation Ordinance.

Activities --

- a. Provide written material at public locations (including social service centers and at public transit locations, where feasible) and post information on the Town's website.
- b. Provide information to real estate professionals, property owners and tenants on their rights, responsibilities, and the resources available to address fair housing issues.
- c. Work with local non-profit and service organizations, including Fair Housing Advocates of Northern California and Canal Alliance, to distribute information to the public, especially landlords and tenants, and provide a webinar and/or workshop on fair housing laws and best practices.
- d. Using materials from the Corte Madera Housing Element, provide information to improve awareness of housing needs, issues, and programs (e.g., PowerPoint presentations; display; pamphlets; and fact sheets).
- e. Fair Housing in-service training, press releases, direct contact with interest groups, and posting of fair housing laws, contacts, and phone numbers.
- f. Adopt a Fair Housing Month proclamation each year.
- g. Conduct additional community outreach once per year through the Town's newsletters, banners, town-wide mailing, social media campaign, and/or tabling at a community event.

- h. Annually send a postcard to all Corte Madera residents encouraging them to sign up for the Town’s newsletter and visit the Town’s website.

Responsibility: Community Development Department  
 Financing: Staff time; application fees  
 Objective: Community meetings  
 Timeframe: Post information on website and provide written material at public locations by the end of 2023. Dedicate one Town newsletter each year to promoting housing programs and resources and educating community members on fair housing laws. Conduct annual outreach to local non-profits and service organizations. Increase Town newsletter circulation by 20%, from 6,700 to 8,040.

**Policy H-4.2**

**Community Participation in Housing and Land Use Plans.** The Town will undertake 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.

*Implementation Program H-4.2.a 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.

Responsibility: Community Development Department  
 Financing: Staff time  
 Objective: Outreach to underrepresented communities, resulting in participation that reflects the current make-up of the community  
 Timeframe: Targeted outreach to occur in conjunction with the housing element update cycle and annually with a campaign to publicize affordable housing resources

**Policy H-4.3**

**Inter-Jurisdictional Planning for Housing.** The Town will coordinate housing strategies with other jurisdictions in Marin County as appropriate to meet the Town's housing needs and address regional planning and housing issues.

*Implementation Program H-4.3.a Inter-jurisdictional Planning*

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.

Responsibility: Community Development Department  
 Financing: Staff time  
 Objective: Effective, efficient response to housing needs  
 Timeframe: Ongoing with attendance at regularly scheduled meetings

## Policy H-4.4

**Housing Element Monitoring, Evaluation, and Revisions.** The Town will establish 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 changing conditions.

### *Implementation Program H-4.4.a Housing Element Review*

Provide opportunities for public input and discussion, in conjunction with State requirements for a written review by April 1 of each year. (Per Government Code Section 65400). Based on the review, establish annual work priorities for staff, Planning Commission and Town Council.

|                 |                                       |
|-----------------|---------------------------------------|
| Responsibility: | Community Development Department      |
| Financing:      | Staff time                            |
| Objective:      | Annual assessment of housing programs |
| Timeframe:      | Ongoing                               |

### *Implementation Program H-4.4.b Housing Element Update*

Undertake housing element updates as needed, in accordance with State law requirements.

|                 |  |
|-----------------|--|
| Responsibility: | Community Development Department                     |
| Financing:      | Staff time   |
| Objective:      | Updated Housing Element                              |
| Timeframe:      | By due date for next housing element planning period |

### *Implementation Program H-4.4.c No Net Loss Law*

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.

|                        |  |
|------------------------|--|
| <u>Responsibility:</u> | <u>Community Development Department</u>  |
| <u>Financing:</u>      | <u>Staff time</u>  |
| <u>Objective:</u>      | <u>Ensure adequate sites and housing capacity sufficient to accommodate RHNA at all income levels</u>        |
| <u>Timeframe:</u>      | <u>Complete any necessary rezonings as required by State law or within one year, whichever is applicable</u> |

## 5.4 AFFH ACTION MATRIX

The Housing Element must include an identification and prioritization of significant contributing factors to segregation, racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs. Contributing factors are described in further detail in Appendix C and summarized below in descending order of priority, along with the Housing Element programs that address them.



## LACK OF AFFORDABLE HOUSING

Like many Bay Area towns and cities, Corte Madera's current lack of housing affordability can be traced, in part, to historical land use patterns. Most of the residential area in Corte Madera was zoned for single family homes when the Town was incorporated in 1916, and this land use pattern continued as it grew. According to the Town's 2009 General Plan, 83% of land designated for residential use (single family, multifamily, and mixed-use) is zoned for single family housing. Most of the Town's single family homes were added between 1940 and 1970 when vacant land was more plentiful and single family ownership was more attainable for middle class households.

Exclusionary lending and zoning practices, including redlining and restrictive covenants, were once common across the U.S. These practices have resulted in segregated living patterns and racially disparate housing outcomes. Although the Town is not aware of the existence of historical redlining maps for Corte Madera, there are several subdivisions in Corte Madera where restrictive covenants are known to have been used, including Corte Madera Woods on Christmas Tree Hill, Madera Gardens, and subdivisions within the Chapman Park neighborhood. This history of exclusionary lending practices, coupled with historical zoning practices that prioritized single family homes over multifamily development, have contributed to a higher concentration affluence in Corte Madera than in many other communities in the Bay Area.

Many people of color have not benefited from the generational transfer of home equity and homes themselves, as some white people have, and rapidly escalating housing costs in recent decades have made it extremely difficult for people of color to get a foothold in the housing market. Anti-development sentiment throughout Marin County has also restricted new housing development, helping maintain patterns of segregation. As a result, Marin is one of the most segregated counties in the Bay Area, with five of the ten most segregated Census tracts in the region.<sup>35</sup> Providing more housing and a variety of housing types at different affordability levels will help to diversify the Corte Madera community and result in more balanced and integrated living patterns throughout the Bay Area. It will also bring fresh perspectives, lived experiences, skills, and expertise to Corte Madera, ensuring that the community is well equipped to face future challenges and opportunities.

### *Contributing Factors*

- Preponderance of land zoned for single-family housing
- Lack of land zoned for multi-family housing
- Lack of housing affordable to lower and moderate-income households

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<sup>35</sup> "Racial Segregation in the San Francisco Bay Area, Part 1," Othering & Belonging Institute, University of California, Berkeley, <https://belonging.berkeley.edu/racial-segregation-san-francisco-bay-area-part-1>

### ***Housing Element Programs to Address Contributing Factors***

Over the last 20 years, the Town has been developing more housing options for seniors, the disabled, low-income household, the homeless, and other protected classes. Notable successes include the following:

- San Clemente Place, a 79-unit development that provides affordable housing for very low and low-income households.
- Aegis, an assisted living and memory care facility with 118 units.
- Bell Mt. Tam, a 180-unit multifamily development built at 40 units per acre, including 16 deed-restricted units for very low and low-income households.
- Enclave, a 16-unit townhome development that utilized State Density Bonus law resulting in three affordable for-sale units.
- The Casa Buena, an 18-unit development that provides permanent supportive housing for formerly homeless individuals.

The Town produced 288 housing units during the current housing element planning period (January 2014-June 2022), four times the RHNA requirement of 72 units. Only 7% of these units were single family homes.

The Town's 6<sup>th</sup> cycle RHNA strategy continues this trend by expanding the housing stock and variety of housing options. The Housing Element sites inventory (Table 11) identifies capacity for nearly 1,000 housing units. The vast majority of these units are expected to be multifamily units (87%). ADUs are projected to make up at least 10% of the total of new units. The remaining 2% of new units are expected to be single family homes, with several of these new homes to result from SB 9.

Accessory dwelling units (ADUs) are one way to achieve more affordable housing. The Town has added 54 ADUs since 2014, with two-thirds of these developed since 2020 when new State laws significantly increased the potential for ADUs by prescribing certain development standards and a ministerial approval process. The Town has dedicated significant effort to promoting ADUs, including working with other Marin jurisdictions to create a website that provides information on designing, permitting, building, and renting an ADU. The Housing Element contains programs to further promote ADUs in Corte Madera.

Senate Bill 9 (SB 9), which went into effect on January 1, 2022, also provides potential to densify single family zones by allowing certain lot splits and the development of two housing units on each lot. In the first eleven months of 2022, the Town received eight applications for lot splits (one application was subsequently withdrawn by the applicant). The Town expects ADU and SB 9 development to greatly increase housing opportunities in single family neighborhoods in years to come, aiding in diversification of established, and predominately white, neighborhoods.

Housing Element policies and programs continue to support the development of affordable units and units designed to meet the needs of seniors, the disabled, families (both large families and female-headed households with children), and the homeless. In addition, Housing Element programs are designed to achieve more diversity through such means as inclusionary zoning, affirmative marketing plans, and implementation and promotion of fair housing requirements during sale and resale of affordable housing units and in approving ADUs.

## LACK OF FAIR HOUSING TESTING, EDUCATION, AND OUTREACH

The AFFH analysis determines that the Town lacks information on fair housing law and discrimination complaint filing procedures on the Town website. Current outreach practices may not provide sufficient information related to fair housing, including federal and state fair housing law, and affordable housing opportunities. Cost burdened households may be unaware of affordable housing opportunities. The Town also lacks sufficient education and outreach related to reasonable accommodations and ADA laws. Further, while fair housing testing was conducted in Corte Madera, fair housing tests in the Town may be insufficient for monitoring housing discrimination.

### ***Contributing Factors***

- Lack of fair housing testing
- Lack of targeted outreach

### ***Housing Element Programs to Address Contributing Factors***

The Housing Element contains programs to provide information to residents, landlords, and prospective tenants on fair housing laws, including source of income laws, through the Town's communication channels, including the newsletter, website, social media, counter handouts, and tabling at community events. Programs include *H-1.2.b Housing Discrimination Complaints*, *H-1.11.a Rental Assistance Programs*, *H-2.14.b Conduct Outreach and Education for Accessory Dwelling Unit Development*, and *H-4.1.a Community Outreach*. Program *H-1.2.b* also directs the Town to encourage Fair Housing Advocates of Northern California to conduct more fair housing testing in Corte Madera to ascertain patterns and trends in fair housing violations.

## POTENTIAL DISCRIMINATION IN HOUSING MARKET

The AFFH analysis identifies some potential for discrimination in the home loan application process. Asian, Black, and Hispanic residents appear to be slightly underrepresented in the home loan application pool; however, the race or ethnicity of nearly a quarter of loan applicants is unknown. The Hispanic/Latinx population was denied home loans at the highest rate (19 percent), significantly high than the White population (13.3 percent). Asian applicants were also denied at a rate exceeding the White denial rate (14.3 percent). The Hispanic/Latino and Asian populations make up the second and third largest racial/ethnic populations in the Town following the White population. There are no Black/African American or Hispanic/Latino owner-occupied households in the Town. Hispanic and Asian owner-occupied households specifically experience cost burdens exceeding the town-wide average.

### ***Contributing Factors***

- Lack of fair housing testing/monitoring
- Lack of Targeted Outreach

### ***Housing Element Programs to Address Contributing Factors***

Program *H-1.2.b Housing Discrimination Complaints* directs the Town to encourage Fair Housing Advocates of Northern California to conduct more fair housing testing in Corte

Madera. The Housing Element contains several programs to increase targeted outreach for fair housing issues, including *H-2.14.b Conduct Outreach and Education for Accessory Dwelling Unit Development* and *H-4.1.a Community Outreach*.

## COMMUNITY OPPOSITION TO AFFORDABLE HOUSING

The AFFH analysis finds community opposition to housing development remains the number one barrier to housing development in Marin County. Community resistance to development includes concerns about traffic congestion; a desire for the preservation of open spaces; loss of local control; and the impact on schools. Resistance to affordable housing is most prevalent in White neighborhoods in Marin County.

The housing opportunity sites identified in the Housing Element were extensively vetted by the community and supported by a majority of residents.

### ***Contributing Factors***

- Community concern about housing densities, water availability, and school capacity

### ***Housing Element Programs to Address Contributing Factors***

As noted above, the Housing Element contains several programs to increase the availability of affordable housing in Corte Madera. In addition, the Housing Element contains programs to foster community support for housing development including *H-4.1.a Community Outreach* and *H-4.2.a Inclusive Outreach*.

## SUBSTANDARD HOUSING CONDITIONS

The AFFH analysis states that 85 percent of the Town's housing stock is older than 30 years, and 66% is over 50 years old. Although the Town's housing stock is older, it is generally in excellent condition. According to Town Planning & Building and Code Enforcement staff, approximately 5% of the units in Corte Madera need rehabilitation. Cost of repairs can be prohibitive, especially for lower-income households.

### ***Contributing Factors***

- Age of housing stock
- Cost of repairs or rehabilitation

### ***Housing Element Programs to Address Contributing Factors***

The Housing Element contains programs to promote available rehabilitation loans to lower income households. Programs include *H-3.5.b Rehabilitation Loan Programs*.

## AFFH ACTION MATRIX

Programs to affirmatively further fair housing are organized by fair housing issue, contributing factors, and action areas in Table 32. Action areas are as follows:

- Enhance housing mobility strategies.
- Encourage development of new affordable housing in high resource areas.
- Improve place-based strategies to encourage community conservation and revitalization, including preservation of existing affordable housing.
- Protect existing residents from displacement.
- Conduct fair housing outreach and education.

**Table 32: AFFH Action Matrix**

| Fair Housing Issue         | Contributing Factor                                   | Action Area(s)                                   | Implementation Action<br>(see program in Section 5.3 for additional details)   | Geographic Targeting       | Priority |
|----------------------------|---|--|--|----------------------------|----------|
| Lack of Affordable Housing | Preponderance of land zoned for single-family housing | New Housing Opportunities in High Resource Areas | <p><b>H-2.14.b Outreach and Education for Accessory Dwelling Unit Development.</b><br/>Encourage and facilitate ADU and JADU development to provide additional housing opportunities throughout established neighborhoods. Take the following actions:</p> <ul style="list-style-type: none"> <li>a. Develop a handout on ADU standards and the application process and distribute at Town Hall.</li> <li>b. Promote the MarinADU.org website in the Town’s newsletter and ADU handout, on social media, and on the Town’s website.</li> <li>c. Provide workshops for property owners interested in developing an ADU, covering topics such as Town regulations for ADUs and processing of ADU permits, designing and constructing an ADU, setting an affordable rent, and complying with fair housing laws.</li> <li>d. Provide links to the California Department of Fair Employment and Housing’s <a href="#">Sources of Income Fact Sheet</a> and <a href="#">FAQ</a> in Town communications and provide printed handouts at the building counter.</li> <li>e. Organize and conduct a day-long tour of new ADUs in Corte Madera for community members interested in building an ADU. Promote the tour through the Town’s newsletter, social media, website, and banners.</li> </ul> <p>Develop handout, promote MarinADU.org website, and conduct workshop and tour in 2023. Ongoing annual promotion thereafter. Conduct additional</p> | Residential zones townwide | High     |

| Fair Housing Issue         | Contributing Factor                         | Action Area(s)                                   | Implementation Action (see program in Section 5.3 for additional details)  | Geographic Targeting | Priority |
|----------------------------|---|--|--|----------------------|----------|
|                            |   |  | <p>workshop and tours as needed to ensure ADU production is meeting average annual target of 12.5 units per year. Develop 100 new ADUs and JADUs by the end of 2030.</p> <p><b>SB 9.</b> Senate Bill (SB) 9 allows single-family lots greater than 2,400 square feet to be split under certain conditions and allows both vacant and developed single-family lots to be developed with two single-family homes. In December 2022, the Town adopted an ordinance establishing regulations for the subdivision and development of qualified SB 9 applications. The Town’s regulations allow for larger unit sizes than the 800 square feet established by state statute. In instances where the proposed unit meets the setbacks of the applicable zone, the maximum allowable size is 1,200 square feet. The Town received eight urban lot split applications within the first eleven months after the state law went into effect on January 1, 2022 (one application was subsequently withdrawn). Based on this track record, the Town is targeting 80 new units on single family-zoned parcels.</p> |                      |          |
| Lack of Affordable Housing | Lack of Land Zoned for Multi-family Housing | New Housing Opportunities in High Resource Areas | Prior to adoption of the housing element, the Town rezoned ten sites encompassing 18 parcels to increase the maximum density to 25 to 40 units per acre, which accommodate 87% of the housing site capacity of 1,007 units. The Town will facilitate the development of affordable housing on these sites through the following programs:  | Housing sites #1-10  | High     |

| Fair Housing Issue | Contributing Factor | Action Area(s) | Implementation Action<br>(see program in Section 5.3 for additional details)   | Geographic Targeting | Priority |
|--------------------|---------------------|----------------|--|----------------------|----------|
|                    |                     |                | <p><b>H-2.7.a Facilitate Development of Affordable Housing and Senior Housing on High Potential Housing Opportunity Sites.</b><br/>Encourage cooperative and joint ventures between owners, developers, and non-profit groups in the provision of below market rate housing and senior 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, and senior housing:</p> <ul style="list-style-type: none"> <li>a. Meet with non-profit housing developers and property owners of housing opportunity sites to identify housing development opportunities, issues, and needs during 2023.</li> <li>b. Select the most viable sites during 2023 and 2024.</li> <li>c. Undertake community outreach in coordination with potential developers and property owners during 2023 and 2024.</li> <li>d. Complete site planning studies, continued community outreach, and regulatory approvals in coordination with the development application.</li> <li>e. Facilitate development through regulatory incentives, reducing or waiving fees, fast track processing, lot consolidation, and assistance in development review.</li> <li>f. Apply for and/or allocate state and local affordable housing funds to the project.</li> </ul> | Housing sites #1-10  | High     |



| Fair Housing Issue | Contributing Factor | Action Area(s) | Implementation Action<br>(see program in Section 5.3 for additional details)   | Geographic Targeting | Priority |
|--------------------|---------------------|----------------|--|----------------------|----------|
|                    |                     |                | <p>g. Require affordable units to be affirmatively marketed to communities of color and protected classes. Utilize publications, venues, and community groups, such as Canal Alliance, that serve Black and Hispanic/Latinx communities, including outside of Marin County.</p> <p>Develop 168 very low and low income units in 100% affordable housing developments.</p> <p><b>H-2.10.a Incentives for Affordable Housing.</b><br/>As part of the development review process, offer the following incentives to encourage the development of affordable housing:</p> <p>a. Facilitating Affordable Housing Development Review. Projects that provide 100% affordable housing units shall receive the highest priority and efforts will be made by staff and decision-makers 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; (3) waive or reduce fees, and (4) provide the fastest turnaround time possible determining application completeness.</p> <p>b. Coordination with Other Agencies. Coordinate with service providers and other agencies as necessary to create opportunities for the development to be built.</p> | Housing sites #1-10  | High     |

| Fair Housing Issue         | Contributing Factor   | Action Area(s)   | Implementation Action<br>(see program in Section 5.3 for additional details)   | Geographic Targeting | Priority |
|----------------------------|---|------------------|--|----------------------|----------|
|                            |   |                  | <p>c. Use Affordable Housing Fund monies as appropriate to achieve greater affordability and/or project feasibility.</p> <p>Develop 168 very low and low income units in 100% affordable housing developments.</p> <p><b>H-2.12.a Affordable Housing Ordinance.</b> The Town's Zoning Ordinance currently requires residential developments involving one or more units to provide a percentage of units or an in-lieu fee for very low-, low-, and moderate-income housing. Continue to implement the Affordable Housing Ordinance to achieve more balanced and integrated housing developments and neighborhoods.</p> <p>Develop 141 affordable housing units in market-rate developments.</p> | Housing sites #1-10  | High     |
| Lack of Affordable Housing | Lack of housing affordable to lower- and moderate-income households | Housing Mobility | <p>In addition to the programs identified above, the Town will increase the supply of housing affordable to lower- and moderate-income households through the following programs:</p> <p><b>H-1.11.a Rental Assistance Programs.</b> 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 <a href="#">Sources of Income</a></p>  | Townwide             | Moderate |

| Fair Housing Issue                             | Contributing Factor                      | Action Area(s)                        | Implementation Action<br>(see program in Section 5.3 for additional details)  | Geographic Targeting | Priority |
|--|--|---------------------------------------|---|----------------------|----------|
|  |  |                                       | <p><a href="#">Fact Sheet</a> and <a href="#">FAQ</a> and printed materials. Collaborate with at least two other organization, schools, or agencies to post handouts at their locations. Update website and distribute handouts and brochures by 2024. Dedicate one Town newsletter each year to promote Housing Choice vouchers and educate community members on fair housing laws. Increase the number of Housing Choice Vouchers utilized in Corte Madera by 50%, to 51.</p> <p><b>H-2.5.a First-Time Homebuyer Programs.</b> Promote first-time homebuyer programs and housing counseling programs offered by the County, including the Affordable Housing and Home Buyer Readiness Program and the Below Market Rate Home Ownership Program. Work with the County to target Black, Hispanic/Latinx, and single parent households. Utilize the Town’s website, newsletter, counter handouts, and social media channels to promote programs. Update the Town’s website by 2023 and promote programs annually. Target 20 individuals to participate in first-time homebuyer programs by 2030.</p> | Townwide             | Lower    |
| Potential discrimination in the housing market | Lack of fair housing testing/ monitoring | Fair Housing Outreach and Enforcement | <p><b>H-1.2.b Housing Discrimination Complaints.</b> Publicize the Town’s housing discrimination referral program. Encourage Fair Housing Advocates of Northern California (FHANC) to conduct more fair housing testing in Corte Madera. Post information on the Town’s website by the end of 2023 and provide information on the housing discrimination</p>  | Townwide             | Moderate |

| Fair Housing Issue                          | Contributing Factor       | Action Area(s)                        | Implementation Action (see program in Section 5.3 for additional details)  | Geographic Targeting                                       | Priority             |
|---|---------------------------|---------------------------------------|--|--|----------------------|
|   |                           |                                       | <p>complaint process annually. Outreach to FHANC by the end of 2023. Increase fair housing testing in Corte Madera to at least once per year.</p> <p><b>H-1.2.c Fair Housing Training.</b> 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. Conduct biennial training sessions for staff beginning in 2023.</p>   | Townwide   | Moderate             |
| Potential discrimination the housing market | Lack of Targeted Outreach | Fair Housing Outreach and Enforcement | <p><b>H-4.1.a Community Outreach.</b> Provide information and promote programs and resources for affordable housing, rental assistance, and fair housing laws. Utilize the Town’s website, newsletter, counter handouts, and social media. Post information on the website and provide written material at public locations by the end of 2023. Dedicate one Town newsletter each year to promote housing programs and resources and educate community members on fair housing laws. Annual outreach to local non-profits and service organizations. Increase Town newsletter circulation by 20%, from 6,700 to 8,040.</p> <p><b>H-2.14.b Outreach and Education for Accessory Dwelling Units.</b> Educate landlords and tenants on fair housing laws related to ADUs. Provide links to the California Department of Fair Employment and Housing’s <a href="#">Sources of Income Fact Sheet</a> and <a href="#">FAQ</a> in Town communications and printed</p> | Townwide<br><br>Single family zoning districts<br>townwide | Moderate<br><br>High |

| Fair Housing Issue              | Contributing Factor  | Action Area(s)   | Implementation Action (see program in Section 5.3 for additional details)  | Geographic Targeting | Priority |
|---------------------------------|--|------------------|--|----------------------|----------|
|                                 |  |                  | <p>handouts at the building counter. Update the Town’s website and provide counter handouts by the end of 2023. Update and publicize annually thereafter.</p> <p><b>H-1.11.a Rental Assistance Programs.</b> 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 <a href="#">Sources of Income Fact Sheet</a> and <a href="#">FAQ</a> and printed materials. Collaborate with at least two other organization, schools, or agencies to post handouts at their locations. Update website and distribute handouts and brochures by 2024. Dedicate one Town newsletter each year to promote Housing Choice vouchers and educate community members on fair housing laws. Increase the number of Housing Choice Vouchers utilized in Corte Madera by 50%, to 51.</p> | Townwide             | Moderate |
| Community Opposition to Housing | Community concern about housing densities, water availability, and school capacity | Housing Mobility | <b>H-4.1.a Community Outreach.</b> Provide information on the Town’s Reasonable Accommodation Ordinance and fair housing laws. Utilize the Town’s website, newsletter, counter handouts, and social media. Post information on the website and provide written material at public locations by the end of 2023. Dedicate one Town newsletter each year to educate community  | Townwide             | Moderate |

| Fair Housing Issue  | Contributing Factor  | Action Area(s)                | Implementation Action (see program in Section 5.3 for additional details)   | Geographic Targeting   | Priority    |
|---|--|-------------------------------|---|--|-------------|
|   |  |                               | members on fair housing laws and reasonable accommodation. Increase Town newsletter circulation by 20%, from 6,700 to 8,040.  |  |             |
| Substandard housing conditions for lower-income households  | Age of housing stock.<br>Cost of repairs or rehabilitation.            | Place-based strategies        | <b>H-3.5.b Rehabilitation Loan Programs.</b> In cooperation with the Marin Housing Authority (MHA), improve citizen awareness of rehabilitation loan programs, especially in older neighborhoods such as Marina Village, Madera Gardens, and in the Willow/Old Corte Madera Square area. Utilize the Town’s website, newsletter, social media, and counter handout to publicize programs. Update the Town’s website by the end of 2023 and update and publicize annually thereafter. Facilitate loans for eight lower-income households by the end of 2030. | Older neighborhoods such as Marina Village, Madera Gardens, and in the Willow/Old Corte Madera Square area | Lower       |
| Lack of safe, multi-modal pathways for affordable housing residents to access services on the other side of Highway 101 | Funding for a multi-modal pathway on the Highway 101 overcrossing      | Place-based strategies        | <b>H-3.7.a Tamalpais Drive Overcrossing.</b> In response to the Caltrans proposed improvements to the Tamalpais Drive overcrossing scheduled for construction in 2025, support and advocate for a safe and comfortable multi-modal connection, via a separated bicycle and pedestrian path, between the east and west side of Highway 101 on Tamalpais Drive, and for safety and access improvements to public transit (bus stops).   | Tamalpais Drive Highway 101 overcrossing   | High        |
| <u>Neighborhood Improvements</u>  | <u>Equitable distribution of funding for neighborhood improvements</u> | <u>Place-based strategies</u> | <u>Prioritize the Capital Improvement Plan, the City’s annual budget, and available grants and funding sources according to areas of high need and ensure equitable distribution of funds. Focus neighborhood improvement projects in areas where new</u>   | <u>Areas where lower-income housing is expected to occur on</u>  | <u>High</u> |

| Fair Housing Issue   | Contributing Factor   | Action Area(s)                                      | Implementation Action (see program in Section 5.3 for additional details)   | Geographic Targeting   | Priority           |
|--|---|---|---|--|--------------------|
|  |   |   | <p><u>construction of lower income housing occurs, enhancing mobility and connectivity to higher income areas, access to services and amenities, safe routes to school, climate resiliency (e.g., planting of street trees and flood mitigation), etc. Identify and complete at least 10 improvement projects by 2030 in areas identified in the Site Inventory for lower income housing.</u></p>   | <p><u>housing opportunity sites</u></p>  |                    |
| <p><u>Access to transportation</u></p>   | <p><u>Equitable access to transportation alternatives</u></p> | <p><u>Place-based Strategies</u></p>                | <p><u>Require all residential projects on housing opportunity sites to provide a transportation demand management program and include measures to enhance equitable access to transportation such as 1) subsidizing transit passes for residents of affordable housing, and 2) providing car-sharing, bike sharing, or scooter sharing programs. Target 130 subsidized transit passes and three car-sharing, bike sharing, or scooter sharing programs.</u></p>     | <p><u>Areas where lower-income housing is developed on housing opportunity sites</u></p> | <p><u>High</u></p> |
| <p>Displacement of existing residents due to rapidly rising rents and improvements to rental buildings</p> | <p>Cost of housing</p>  | <p>Protect existing residents from displacement</p> | <p><b>H-3.2.b Tenant Protection Strategies.</b> 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:</p> <ul style="list-style-type: none"> <li>• Rent stabilization</li> <li>• Just cause for eviction</li> <li>• Local relocation assistance</li> <li>• Right to Purchase</li> <li>• Right to Return</li> <li>• Tenant Bill of Rights</li> </ul> | <p>Townwide</p>  | <p>Lower</p>       |

| Fair Housing Issue | Contributing Factor | Action Area(s) | Implementation Action<br>(see program in Section 5.3 for additional details)  | Geographic Targeting | Priority |
|--------------------|---------------------|----------------|---|----------------------|----------|
|                    |                     |                | <del>Explore-Develop</del> options with Marin jurisdictions in 2024 and bring forward for <del>Council direction,</del> including possible ordinance adoption, in 2025. |                      |          |



**APPENDIX A: PUBLIC OUTREACH**

## **APPENDIX B: EVALUATION OF 2015 HOUSING ELEMENT PROGRAMS**

## APPENDIX C: AFFIRMATIVELY FURTHERING FAIR HOUSING

