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## City of Larkspur

# Housing Element

Reso. No. 39/10  
November 2010  
(Technical Amendments incorporated per State HCD-3/18/11)



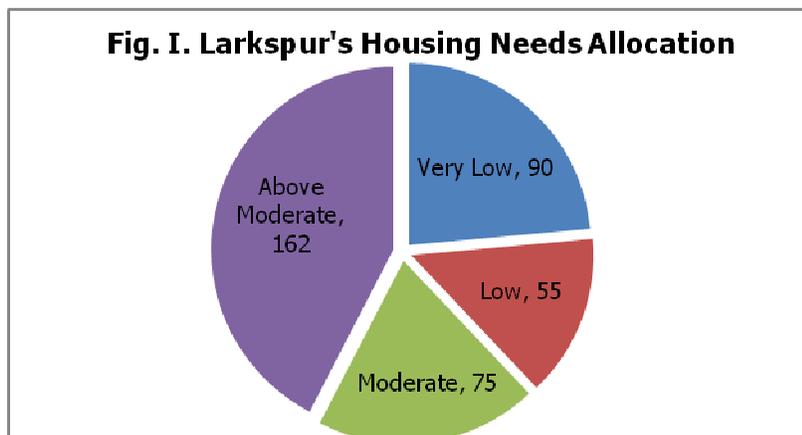
## Overview and Contents

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This Housing Element builds upon the goals, objectives, policies and programs in Larkspur's 2004 Housing Element. In accordance with programs adopted in the 2004 Housing Element, the City amended the Inclusionary Housing Ordinance to require a higher percentage of affordable housing in new market-rate developments. As demonstrated in projects like Drake's Way, an apartment complex of 24 very low and extremely low income units, and the proposed development of the 2000 Larkspur Landing Circle site, the Inclusionary Housing Ordinance facilitates and supports quality affordable housing in Larkspur. Other affordable housing projects constructed in the past 15 years include Cape Marin, Larkspur Courts Apartments, and Edgewater Place.

The City also amended its Zoning Ordinance to encourage housing and retail/commercial mixed-use opportunities, which facilitated the construction of 2 very-low income units above retail spaces on Magnolia Ave., close to shopping and transit in downtown Larkspur. Additional zoning amendments made pursuant to the 2004 Housing Element programs reduced off-street parking requirements for mixed-use housing units, and discourage conversion of residential units to office commercial space. The Central Larkspur Area Specific Plan (CLASP), adopted in 2006, also provides for housing and retail commercial mixed-use opportunities close to shopping and transit in and adjacent to downtown Larkspur.

Larkspur's 'fair share' of the regional housing need is a total of 382 units between 2009 and 2014 (see Figure I below). State law requires the City to calculate its need for *extremely low income (ELI)* households, households that earn 30% or below the area median income. Larkspur's need for ELI housing is 45 units (50% of the very low income need, 11.8% of the total). Larkspur's progress to date (since July, 2007) in meeting those needs is documented in Table 19 of Section 2, Housing Opportunities Analysis. This Housing Element continues to support a multi-faceted approach to housing that fulfills the regional goals for affordable housing, maximizes the chances for broad community consensus, and builds upon these successes.



This Housing Element has been prepared based on discussions around housing needs and strategic programs and opportunities for addressing those needs. Community input provided on the preliminary strategic programs and opportunities helped to shape the Housing Element, which is available on the City's website, at the City Library, and at City Hall for further community review. The State of California Department of Housing and Community

Development (HCD) will also review the Housing Element. Steps in the review process include at a minimum:

- (1) **Planning Commission/City Council-Hosted Work Sessions and Staff-Hosted Workshops** to review housing strategy options as presented during several City Council workshops.
- (2) **Preparation and Distribution of the Draft Housing Element** for additional review by the public and State law required review by the California Department of Housing and Community Development (HCD).
- (3) **Response to Comments from HCD and the Public**, with possible modifications to the Draft Housing Element based on comments.
- (4) **Planning Commission Public Hearings** and recommendations to the City Council for adoption of the updated Housing Element.
- (6) **City Council Public Hearings** to adopt the Planning Commission-recommended Draft Housing Element.

Larkspur's Housing Element must be sensitive to the many converging and competing interests, desires and views in the City relating to development of all types of housing while preserving the historic character of Larkspur's neighborhoods, open space and fragile natural resources. All persons are encouraged to sign-up on the Housing Element Mailing List through the Larkspur Planning Department by emailing [LKPlanning@larkspurcityhall.org](mailto:LKPlanning@larkspurcityhall.org).

The major actions proposed by this Housing Element are:

1. To identify sites with a high potential for development or redevelopment for affordable, market-rate, or inclusionary housing while taking into account the characteristics of the community and environmental constraints.
2. To identify other resources and incentives to promote the development of affordable housing including residential second units and in-lieu fees.
3. To take actions toward the implementation of the Central Larkspur Area Specific Plan.
4. To encourage mixed residential/commercial development where mixes of uses is feasible and appropriate and encourage the construction of senior housing as part of mixed use developments.
5. To review and amend the Zoning Ordinance, building code, and other housing policies to remain consistent with changing state law.
6. To address the City's need for emergency homeless shelters through the amendment of the City's zoning ordinance to allow for at least one shelter by-right in the A-P or C-2 districts.

For ease of use, Appendix A contains a list and map of potential housing opportunity sites considered in this Housing Element.

## Housing Element Contents

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# Introduction

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## Purpose of the Housing Element

All California cities and counties are required to have a Housing Element included in their General Plan which establishes housing objectives, policies and programs in response to community housing conditions and needs. This Housing Element has been prepared to respond to housing needs in the City of Larkspur through the year 2014. It contains updated information and strategic directions (policies and specific actions) that the City is committed to undertaking to address its housing needs.

Housing affordability in Larkspur, and in the Bay Area as a whole, has become an increasingly important issue over the past two decades. Recently, the nation-wide economic downturn has led to rising unemployment (as of February 2010, unemployment rates measured at 12.5% statewide and 8.4% county-wide; California Employment Development Department, U.S. Bureau of Labor Statistics) and home foreclosure rates. Foreclosure rates in Larkspur, however, continue to be relatively low compared to other cities in the County (Marin Housing Workbook, 2009). Median single-family home prices in the City increased annually from 2005 to 2008, but reacted to the falling market with a 13 percent decrease from a median price of \$1.35 million in 2008 to \$1.17 million in 2009 (Marin County Assessor, 2010). Average monthly rent in the City increased by 7% from 2005 to 2008 (Marin Housing Workbook, 2009). The widening gap between housing costs and decreasing income levels creates a formidable barrier to those seeking affordable housing in Larkspur. A lack of affordable housing within the community can lead to difficulties filling vacant jobs, increased traffic congestion as workers are forced to commute from outside the City, and the displacement of young families, senior residents, and other community members who relocate to more affordable communities.



EAH's Drake's Way development, completed in November of 2009, consists of 24 very-low and extremely-low income units.

The City is close to total build-out, and the scarcity of undeveloped land limits the opportunities for new affordable housing units. With the exception of a few infill and mixed-use sites, most of which have approved development proposals, other available residential sites are limited to small or steep sites with limitations due to access, soil stability, drainage, etc (see discussion in Section 2, Housing Opportunities Analysis; page 49). The primary challenge of Larkspur's Housing Element is to properly address local housing needs while ensuring that new housing will fit the community's geographic and historic context. Key questions include:

- (1) **What kind of housing do we need?** What kind of housing (size, type, location and price) best fits with our workforce housing needs, household characteristics, and ability to pay for housing?

- (2) **Where can we appropriately put new housing?** Where in our community can additional residential units be accommodated, especially for seniors and very low (including extremely low), low, and moderate-income households; where they will not impact but maintain and enhance the character of the community?
- (3) **How can we effectively work together?** What can the City do — in collaboration with community organizations, other agencies, non-profits, and others — to encourage the construction and the conversion of existing housing to meet the need of workforce and special needs housing?
- (4) **How can we effectively help special needs groups?** What can be done to assist those households with special needs including, but not limited to the elderly, homeless, and people living with physical or emotional disabilities?

## Housing Element Requirements

The Housing Element responds to Larkspur's housing needs by identifying policies and implementing actions for meeting those needs. State law defines the general topics that Larkspur's Housing Element must cover. Specifically, the element must: (1) document housing-related conditions and trends; (2) provide an assessment of housing needs; (3) identify resources, opportunities and constraints to meeting those needs; and (4) establish policies, programs and quantified objectives to address housing needs.

### Overview of State Law Requirements

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

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

While jurisdictions must review and revise all elements of their General Plan on a regular basis to ensure that they remain up-to-date (approximately every ten years), State law requires that Housing Elements be reviewed and updated at least every five years. The process of updating Housing Elements is initiated by State law through the regional housing needs process, as described later in this document. The City prepared and adopted Housing Elements in 1990 and 2004, in response to the Regional Housing Need Allocations determined in 1988 and 1999, respectively. The current Housing Element timeframe, as established by State law, addresses the regional housing needs for the planning period of January 2007 to June 2014. However, in September of 2005, the due date for updated Housing Elements was extended by the State Department of Housing and Community Development (HCD) to June, 2009. Therefore, the planning period for this Housing Element is June, 2009 through June, 2014.

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

- (1) **Housing Needs, Resources and Constraints** — “An assessment of housing needs and an inventory of resources and constraints relevant to meeting these needs . . .”
- (2) **Housing Goals, Quantified Objectives and Policies** — “A statement of the community’s goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing . . .” and
- (3) **Five-Year Action Plan** — “A program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, provision of regulatory incentives, and the utilization of appropriate federal and state financing and subsidy programs when available . . .”

Most importantly, the Housing Element must: (1) identify adequate sites with appropriate zoning densities and infrastructure to meet the community’s need for housing, including its need for housing for very low (including extremely low), low and moderate income households; and (2) address, and, where appropriate and legally possible, remove governmental constraints to housing development. The policies and programs in the Housing Element are evaluated based on the ability of the City of Larkspur to respond to housing needs and the Association of Bay Area Governments (ABAG) Regional Housing Needs Allocation based on a realistic assessment of the availability of adequate sites during the timeframe of the Housing Element.

### **Housing Element Amendments**

Since the adoption of the City’s 2004 Housing Element, several important amendments have been made to state housing law that introduce new requirements the City must consider in its current Housing Element. Table A below summarizes the requirements presented by a few of the amendments most pertinent to Larkspur. The City has created policies and action programs that address these new requirements in Section 4, Housing Policies and Implementing Programs.

The California State legislature passed the Global Warming Solutions Act of 2006 (AB 32), which mandated the statewide reduction of greenhouse gases to 1990 levels (108 million metric tons) by 2020. The California Air Resources Board (CARB) found that 40 percent of the state’s greenhouse gas emissions could be traced to the transportation sector, with automobiles and light trucks alone contributing 30 percent. CARB must determine regional greenhouse gas reduction targets by September of 2010. In order to help the state achieve its greenhouse gas reduction goal, the legislature passed Senate Bill 375 in 2008 which mandated that regional transportation planning and land use planning be combined. Traditionally, land use planning and transportation planning have been separated. In the Bay Area, transportation planning is overseen by the Metropolitan Transportation Commission, and regional planning by the Association of Bay Area Governments (discussed further below). Under SB 375, a Sustainable Communities Strategy will be produced as part of the MTC’s Regional Transportation Plan that will address housing and transportation policies that will help the region meet its greenhouse gas reduction targets by the 2020 deadline. The City of Larkspur will participate in the Sustainable Communities Strategy process.

**Table A. Important Amendments to State Housing Element Law**

Amendment	Requirements
<b>Assembly Bill 2634 (2006)</b>	The City must calculate the existing and projected housing need for extremely-low income households, a subset of very-low income households. This can be determined either by the jurisdiction's own methods or by using the state standard of 50 percent of the very-low income housing need. The City must analyze what types of housing would most appropriately meet this need and determine whether any zoning amendments must be made to permit such housing.
<b>Senate Bill 2 (2006)</b>	The City must designate a zone which would allow for the construction of at least one year-round emergency shelter "by right," or without any conditional use or other discretionary permits. Additionally, transitional and supportive housing must be considered residential uses and should be subjected only to restrictions which currently apply to similar residential housing in the same zone.
<b>Senate Bill 1087 (2005)</b>	The City must immediately provide local water and sewer providers with a copy of the Housing Element as soon as it is adopted, in addition to any amendments adopted. Water and sewer providers in turn are required to prioritize service to proposed developments with lower income housing.

Source: Marin Housing Workbook (March, 2009)

### The Five-Year Action Plan

In establishing housing programs, the Housing Element sets forth a "Five Year Action Plan" that details the actions, or "programs," that will implement Larkspur's housing goals and policies. For each program, the Action Plan must identify the agency responsible, the timeframe for implementation, and the number of units that will be constructed, rehabilitated or conserved, or number of households that will be assisted, as a result of the program.

The primary areas of housing needs that must be addressed in the Action Plan should:

- (1) Ensure adequate sites;
- (2) Provide assistance to support affordable housing;
- (3) Conserve and improve the existing affordable housing stock;
- (4) Address and remove governmental constraints;
- (5) Promote equal housing opportunities; and
- (6) Preserve assisted housing.

### Review by State HCD

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

Housing Elements are submitted twice to HCD for review and comment; once during development of the Housing Element (in draft form) and again after adoption of the Housing Element by the local jurisdiction. The first review period requires 60 days and must take place *prior to* adoption by the Larkspur City Council. During the first review, HCD will submit comments back to the City regarding compliance of the *draft* Housing Element with State law requirements and HCD guidelines. Modifications to the *draft* Housing Element in response to these comments are appropriate. The City Council must consider HCD's comments prior to adoption of the Housing Element as part of the Larkspur General Plan. The second review

requires 90 days and takes place *after* adoption. It is after the second review that written findings regarding compliance are submitted to the local government.

## **ABAG Regional Housing Needs Determination**

One unique aspect of State Housing Element law is the idea of “regional fair share.” Every city and county in the State of California has a legal obligation to respond to its fair share of the projected future housing needs in the region in which it is located. For Larkspur and other Bay Area jurisdictions, the regional housing need is determined by the Association of Bay Area Governments (ABAG), based upon an overall regional housing need number established by the State. ABAG’s allocations are based on analysis of:

- (1) The existing need for housing, addressing current overcrowding and vacancy rates
- (2) The projected need for housing, including projected growth, household formation, births and deaths, and migration patterns;
- (3) The local and regional distribution of income; and
- (4) Existing employment and employment growth.

The housing need allocated by ABAG is divided into four affordability categories based on income (Very Low, Low, Moderate, and Above Moderate) as shown in Table B below. These income categories are defined in the Definitions section of this Chapter. Table B summarizes the housing need determinations for all of the jurisdictions in Marin County. Larkspur’s “fair share” of the regional housing need is a total of 382 units between June 2009 and June 2014, with the following income breakdowns: 90 units affordable to *very low income* households (23.6% of the total); 55 units affordable to *low income* households (14.4% of the total); 75 units affordable to *moderate income* households (19.6% of the total); and 162 units affordable to *above moderate income* households (42.4% of the total). Additionally, jurisdictions must quantify the number of units required for *extremely low income* (ELI) households, which is defined as 30 percent of the jurisdiction’s median income and below. State law allows jurisdictions to assume that the housing need for ELI households is equal to 50 percent of the very low income household need. Based on this calculation, the ELI housing need for Larkspur is 45 units (11.8% of the total).

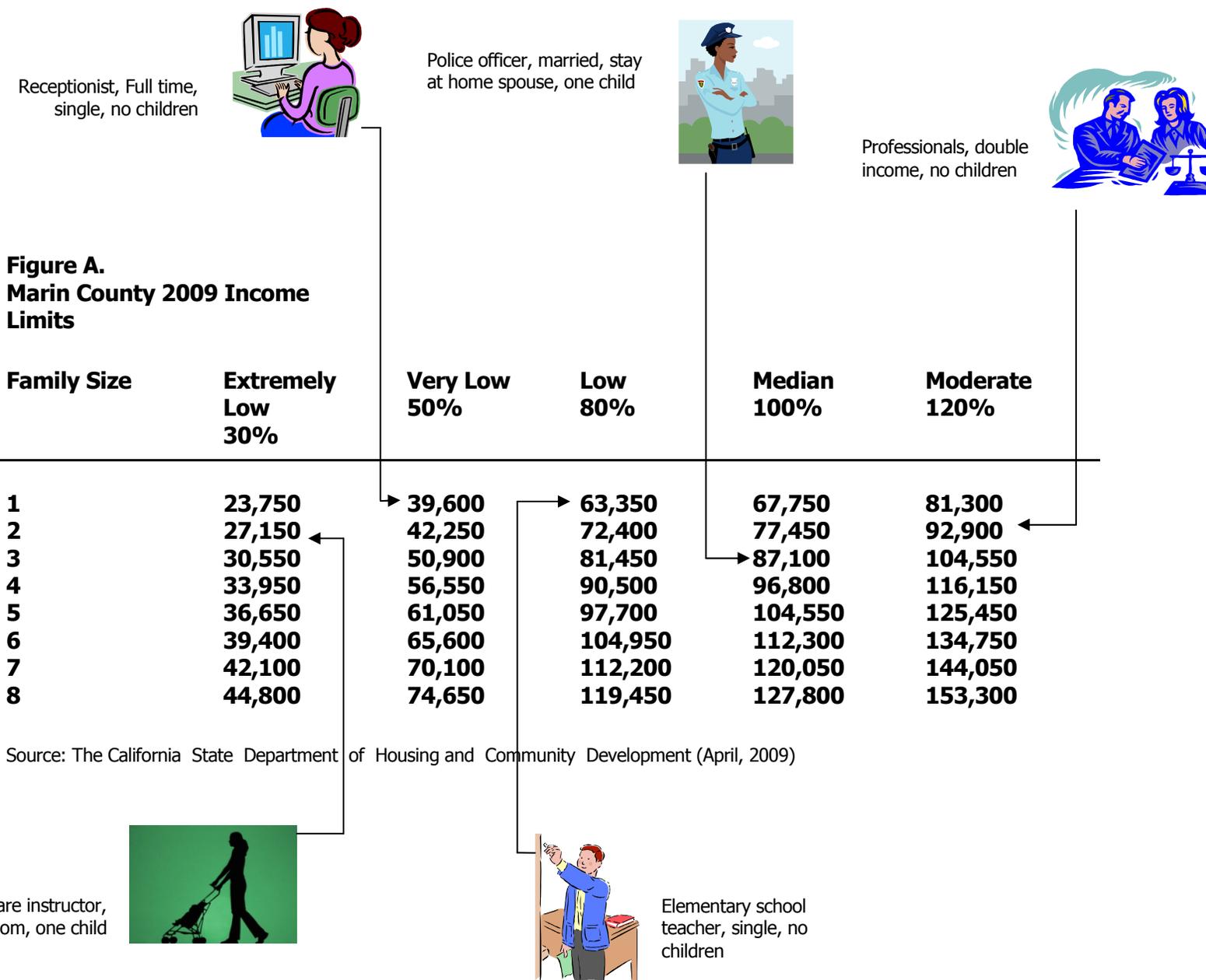
Because local jurisdictions are rarely if ever involved in the actual construction of housing units, the fair share numbers establish goals that should be used to guide planning policy and development decision making. Specifically, the numbers establish a gauge to determine whether the City is allocating adequate sites for the development of housing (particularly housing at higher densities to achieve the housing goals for very low, low and moderate-income households). Beyond this basic evaluation of sites (which must be serviced by necessary infrastructure facilities), the City must review its land use and development policies, and regulations and procedures to determine if any of them are creating unreasonable constraints on housing development to meet its fair share need. Furthermore, the City must demonstrate that it is actively supporting and facilitating the development of housing affordable to lower income households.

Every Housing Element must demonstrate that the local jurisdiction has made adequate provisions to support the development of housing at the various income levels to meet its fair share of the existing and projected regional housing needs. Income limits are updated annually by the U.S. Department of Housing and Urban Development (HUD) for each county (see Figure

A below). For this Housing Element, the City has chosen to use the State's HCD income eligibility limits, which are based on HUD's income eligibility limits for the Section 8 voucher program. (Note: When discrepancies exist between State HCD and HUD's income eligibility limits, the City will work with Marin Housing Authority to establish the proper eligibility limits to apply.)

<b>Jurisdiction</b>	Percent of County Need	ELI*	<b>Very Low Income</b>	<b>Low Income</b>	Subtotal Lower Income	<b>Moderate Income</b>	<b>Above Moderate Income</b>	<b>Total Units</b>	Default Density Req.**
Belvedere	0.4%	3	5	4	9	4	4	17	20 du/ac
Corte Madera	5.0%	33	66	38	106	46	92	244	20 du/ac
Fairfax	2.2%	12	23	12	35	19	54	108	20 du/ac
<b>Larkspur</b>	<b>7.8%</b>	<b>45</b>	<b>90</b>	<b>55</b>	<b>145</b>	<b>75</b>	<b>162</b>	<b>382</b>	<b>20 du/ac</b>
Mill Valley	6.0%	37	74	54	128	68	96	292	20 du/ac
Novato	25.4%	138	275	171	446	221	574	1,241	30 du/ac
Ross	0.6%	4	8	6	14	5	8	27	20 du/ac
San Anselmo	2.3%	13	26	19	45	21	47	113	20 du/ac
San Rafael	28.7%	131	262	207	469	228	646	1,403	30 du/ac
Sausalito	3.4%	23	45	30	75	34	56	165	20 du/ac
Tiburon	2.4%	18	36	21	57	27	33	117	20 du/ac
Unincorporated	15.8%	92	183	137	320	169	284	773	30 du/ac
<b>Total</b>	<b>100%</b>	<b>549</b>	<b>1,095</b>	<b>754</b>	<b>1,849</b>	<b>977</b>	<b>2,056</b>	<b>4,882</b>	
Percent	-	11.2%	22.4%	15.4%	37.9%	20.0%	42.1%	100%	

\* Extremely Low Income (ELI) estimated at 50% of the Very Low Income Need.  
 \*\* State Department of Housing and Community Development.  
 Source: Association of Bay Area Governments, 2009.



## Larkspur's Housing Element Update Process

The Housing Element must identify community involvement and decision-making processes and techniques that are affirmative steps to generate input from low-income persons and their representatives as well as other members of the community. Input should be sought, received and considered before the Housing Element is completed. Requirements for public participation are described in Section 65583(6)(B)) of the Government Code. In addition to facilitating community involvement, the process is also intended to coordinate among various departments and local agencies, housing groups, community organizations and housing sponsors. Collaboration enhances the effectiveness of Housing Element programs in indicating "the agencies and officials responsible for the implementation" (described in Section 65583(c)(6)(B)).

One response to this concern has been a process jointly sponsored by all of the local government jurisdictions in Marin — all eleven cities, and the County — to develop "best practices" and participate together, where possible, in developing common strategies to address housing needs. As part of this effort a *Marin Housing Workbook* was prepared that provides an important reference document for Larkspur's Housing Element update. The process for developing the *Marin Housing Workbook* involved significant community outreach and participation, which the City can now build upon to craft its own strategies for meeting housing needs.

In an effort to involve all economic segments within Marin, the *Marin Housing Workbook* was developed through an open, inclusive process. The 4,000 persons and organizations on the mailing list included all housing-related non-profits in Marin County and persons from a mailing list provided by the Marin Housing Authority. In addition, recommendations considered as part of the "best practices", contained in the document, were made by groups such as the Marin Housing Element Coalition, Greenbelt Alliance and Non-Profit Housing of Northern California. A telephone conference was also conducted with HCD staff and the County's



Larkspur residents and business owners attend a public workshop hosted by the Planning Department on March 16, 2010.

Planning Directors and representatives.

Larkspur's Housing Element update process has built upon the regional work effort noted above, and provided an opportunity for community review of housing strategy options and identification of opportunities tailored to community values and needs. In an effort to involve all economic segments of the community, the City held two public workshops which were noticed in the Marin Independent-Journal and the Twin Cities Times, in addition to two public hearings held by the Planning Commission and City Council. Notices were also mailed to approximately 250 people and organizations on the Housing Element mailing list as well as to interested property owners and residents. The mailing list includes representatives of groups with special housing needs, tenant

and low income groups, landlords, developers and neighborhood residents as well as City staff members and decision makers.

Larkspur citizens participating in the workshops and public hearings expressed support for the development of affordable housing, but also shared their concerns with the number of units identified by ABAG, and their frustration with the State dictating how their community should develop. They felt that the City's existing supply of high density housing should be taken into consideration during the RHNA process. However, overall, participants supported the existing policies and programs providing incentives for affordable housing, many of which were implemented pursuant to the 2004 Housing Element. Participants also supported the proposed amendments to the Administrative Professional and General Commercial districts to allow permanent emergency shelters by-right (subject to operational standards to be determined by the City), pursuant to State law. Representatives from non-profit housing organizations, including the Non-Profit Housing Association of Northern California, expressed support for affordable housing development at Bon Air Center, a new high-density housing site identified in the Housing Element, and for the existing incentives offered by the City.

Below are key process milestones:

- Planning Commission/City Council-Hosted Work Sessions and Staff-Hosted Workshops** to review housing strategy options as presented in the Preliminary Draft Housing Element. (October 2009, March and April 2010)
- Preparation and Distribution of the Draft Housing Element** for additional review by the public and State law required review by the California Department of Housing and Community Development. (March 2010)
- Response to Comments from HCD and the public**, with modifications to the Draft Housing Element based on comments. (August 2010)
- Planning Commission Public Hearings** and recommendations to the City Council for adoption of the revised Draft Housing Element. (October 2010)
- City Council Public Hearings** to adopt the Planning Commission-recommended revised Draft Housing Element. (November 2010)

## **Relationship of the Housing Element to Other Elements of the Larkspur General Plan**

The General Plan is a long-range planning document that serves as the 'constitution' for development in the City of Larkspur. It was adopted in 1990 and describes goals, policies and programs to guide decision-making, and the City will soon begin a comprehensive General Plan update process. All development-related decisions in the City must be consistent with the General Plan. If a development proposal is not consistent with the Plan, it must be revised or the Plan itself must be amended.

State law requires a community's General Plan to be internally consistent. This means that the Housing Element, although subject to special requirements and a different schedule of updates,

must function as an integral part of the overall General Plan, with consistency between it and the other General Plan elements. Many housing needs can only be addressed on a comprehensive basis in concert with other community concerns such as infill development or mixed use incentives, for example, which must consider land use, traffic, parking, design and other concerns as well. Recent planning activities in Larkspur have focused on specific issues and areas. The Central Larkspur Specific Plan (CLASP), adopted in 2006, is an example of a more focused, comprehensive policy approach to community development.

The adoption of the CLASP provided an opportunity to review land uses and development patterns in this Plan area as well as accommodate further affordable housing opportunities in the City. Currently, Subarea 3 of the CLASP (the Niven Nursery site) is poised to be developed into a mixed community of families, seniors, and other residents with the construction of a mix of housing types, including 20 affordable housing units. From an overall standpoint, the development projected under this Housing Element is consistent with the other elements in the City's current General Plan.

## Housing Element Definitions

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**Accessible Housing:** Units accessible and adaptable to the needs of the physically disabled.

**Affordable Housing:** The City Larkspur’s zoning code defines affordable housing as a below-market-rate dwelling unit offered for sale or rent to households of low or moderate income. Generally, housing costs (including principal, interest, utilities, and insurance) are considered affordable when they account for no more than 30% of a household’s annual income. “Affordable housing” thus differs for each individual household depending on their household income. For example, a schoolteacher earning \$34,300 per year can afford monthly payments up to \$857 for housing.

**Household:** The U.S. Census Bureau defines a household as all persons occupying a housing unit, including families, single people, or unrelated persons. Persons living in licensed facilities or dormitories are not considered households.

**Income Limits:** Income limits are updated annually by the U.S. Department of Housing and Urban Development (HUD) and the State Department of Housing and Community Development (HCD) for Marin County. HCD income eligibility limits are based on HUD’s Section 8 voucher program eligibility limits (the most recent HCD income limits can be accessed online at <http://www.hcd.ca.gov>). Income limits for Marin County in 2009, as defined by California Housing Element law, are:

- Extremely Low Income Households:** Households earning less than or equal to 30% of the median household income—i.e., in 2009 a family of four earning \$33,950 or less per year. The acronym “ELI” is used throughout this Element to refer to extremely low income households.
- Very Low Income Households:** Households earning less than or equal to 50% of the median household income—i.e., in 2009 a family of four earning \$56,550 or less per year.
- Low Income Households:** Households earning 50-80% of the median household income—i.e., in 2009 a family of four earning between \$56,550 and \$90,500/year.
- Lower Income Households:** Households earning less than 80% of the median income- i.e., in 2009 a family of four earning \$90,500 or less per year.
- Moderate Income Households:** Households earning 80-120% of the median income—i.e., in 2009 a family of four earning between \$90,500 and \$116,150/year.
- Above Moderate Income Households:** Households earning over 120% of the median household income—i.e., in 2009 a family of four earning above \$116,150/year.

**Median Household Income:** The middle point at which half of the City’s households earn more and half earn less. The current median income for a family of four in Marin is \$96,800/year.

**Multiple-family Housing:** A structure or portion thereof used or designed as a residence for three or more families each doing its own cooking in said structure, including apartments, apartment hotels; but not including motels and hotels.

**Persons per Household:** Average number of persons in each household.

**Senior Housing:** Defined by California Housing Element law as projects developed for, and put to use as, housing for senior citizens. Senior citizens are defined as persons at least 62 years of age.

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# Section I. Housing Needs Analysis

## Demographics: Population and Employment Trends

### Population Growth and Trends

As of 2008, Marin County's population was measured at 248,794 people (U.S. Census Bureau). Over the next 40 years, the California Department of Finance projects that Marin County as a whole will grow at an average annual rate of 0.5 percent, which amounts to about 1,220 people and 500 households per year countywide. By the year 2035, the County's population will reach 283,100, adding a total of 35,811 people and 16,150 households. Larkspur's population, estimated at 12,014 people by the 2000 U.S. Census, is projected to increase by 1,186 residents (138 households) by 2035. Table 1 below compares population and employment characteristics for the Bay Area region, Marin County, and Larkspur over the next 25 years.

**Table 1. Population and Employment Projections for City, County, and Region**

Location	2000	2005	2010	2015	2020	2025	2030	2035	Change 2000-2035
<b>Bay Area Regional Total</b>									
Population	6,783,762	7,096,100	7,341,700	7,677,500	8,018,000	8,364,900	8,719,300	9,073,700	+ 2,289,938
Households	2,466,020	2,583,080	2,667,340	2,784,690	2,911,000	3,039,910	3,171,940	3,302,780	+ 836,760
Average Household Size	2.69	2.69	2.7	2.7	2.7	2.7	2.7	2.7	+0.01
Employed Residents	3,452,117	3,225,100	3,410,300	3,633,700	3,962,800	4,264,600	4,547,100	4,835,300	+ 1,383,183
Jobs	3,753,460	3,449,740	3,475,840	3,734,590	4,040,690	4,379,900	4,738,730	5,107,390	+ 1,353,930
Employed Residents/Job	0.92	0.93	0.98	0.97	0.98	0.97	0.96	0.95	+ 0.03
Jobs/Household	1.52	1.34	1.3	1.34	1.39	1.44	1.49	1.55	+ 0.03
<b>Marin County</b>									
Population	247,289	252,600	256,500	260,300	264,000	267,300	270,900	274,300	+ 27,011
Households	100,650	103,180	104,550	105,870	107,420	108,990	110,610	112,170	+ 11,520
Average Household Size	2.34	2.34	2.34	2.35	2.35	2.34	2.34	2.34	0
Employed Residents	131,959	122,200	122,100	123,500	129,900	133,200	129,800	126,600	- 5,359
Jobs	134,180	135,470	135,600	139,110	143,780	148,310	152,830	158,280	+24,000
Employed Residents/Job	0.98	0.90	0.90	0.89	0.90	0.90	0.85	0.80	- 0.18
Percent of Bay Area Population	3.65%	3.56%	3.49%	3.39%	3.29%	3.20%	3.11%	3.02%	- 0.63
Percent of Bay Area Jobs	3.57%	3.93%	3.90%	3.72%	3.56%	3.39%	3.23%	3.10%	- 0.47
Jobs/Household	1.33	1.31	1.30	1.31	1.39	1.36	1.38	1.41	+ 0.08
<b>Larkspur Planning Area</b>									
Population	12,014	12,000	12,200	12,500	12,700	12,800	13,000	13,200	+ 1,186
Households	6,142	6,160	6,180	6,200	6,220	6,240	6,260	6,280	+ 138
Jobs	7,410	7,410	7,530	7,650	7,740	7,940	8,070	8,200	+ 790
Jobs/Household	1.21	1.20	1.22	1.23	1.24	1.27	1.30	1.31	+ 0.01
Percent of County Population	4.86%	4.75%	4.76%	4.80%	4.81%	4.79%	4.80%	4.81%	-0.05
Percent of County Jobs	5.52%	5.47%	5.55%	5.50%	5.38%	5.35%	5.28%	5.18%	-0.34
Employed Residents	12,930*	11,660*	9,140	9,230	9,540	9,720	9,560	9,390	+ 250
Mean Household Income	\$126,900	\$123,100	\$110,700	\$114,000	\$119,700	\$125,100	\$131,200	\$137,800	+ \$10,900

\*Data for 2000 and 2005 reflects the inclusion of Kentfield in Larkspur's Sphere of Influence. Larkspur's SOI has since been amended to no longer include Kentfield. Projected change in employed residents is calculated from 2010 to 2035.

Source: Association of Bay Area Governments, "Projections and Priorities" 2009

Age is an important population characteristic to consider when planning for housing, as housing needs vary for households of different ages. Table 2 below provides snapshots of the City's population by age group in both 1990 and 2008, and illustrates an aging trend that is mirrored in the County. The median age in Marin County is 43.8, close to Larkspur's median age of 45.9. Both the County and City median ages are well above the state median age of 34.5 (U.S. Census Bureau, 2008). The population of children (under the age of 18) increased slightly,

showing an increase in young families. These two growth trends in elderly and young family households, which tend to have the lowest income levels, are projected to increase over the next 40 years (Baird + Driskell, 2004).

**Table 2. Larkspur’s Population by Age Group, 1990 and 2008**

Age Group	1990		2008	
	Number	Percent	Number	Percent
Under 5 years	441	4%	515	4%
5 to 17 years	995	9%	1,457	12%
18 to 20 years	220	2%	207	2%
21 to 24 years	380	3%	372	3%
25 to 44 years	3,898	35%	2,414	20%
45 to 54 years	1,611	15%	2,149	18%
55 to 59 years	651	6%	1,228	10%
60 to 64 years	587	5%	973	8%
65 to 74 years	1,143	10%	1,162	10%
75 to 84 years	827	7%	938	8%
85 years and over	317	3%	470	4%

Source: US Census Summary File 3 (US Census), 1990; Claritas, 2008

The Association of Bay Area Governments (ABAG) projects a significant increase in Marin’s elderly population. By the year 2035, 40 percent of Marin residents will be 60 years of age or older. In Larkspur, the number of residents over the age of 60 will increase steadily, from 30 percent to approximately 44 percent in 2035. In addition, three out of four individuals 85 years of age or greater are expected to be women (Baird + Driskell, 2004). An aging population will require specialized housing accommodations, including access to affordable housing, group living opportunities, and smaller homes. Special housing needs for seniors are discussed in further detail later in this section.

**Employment Growth and Trends**

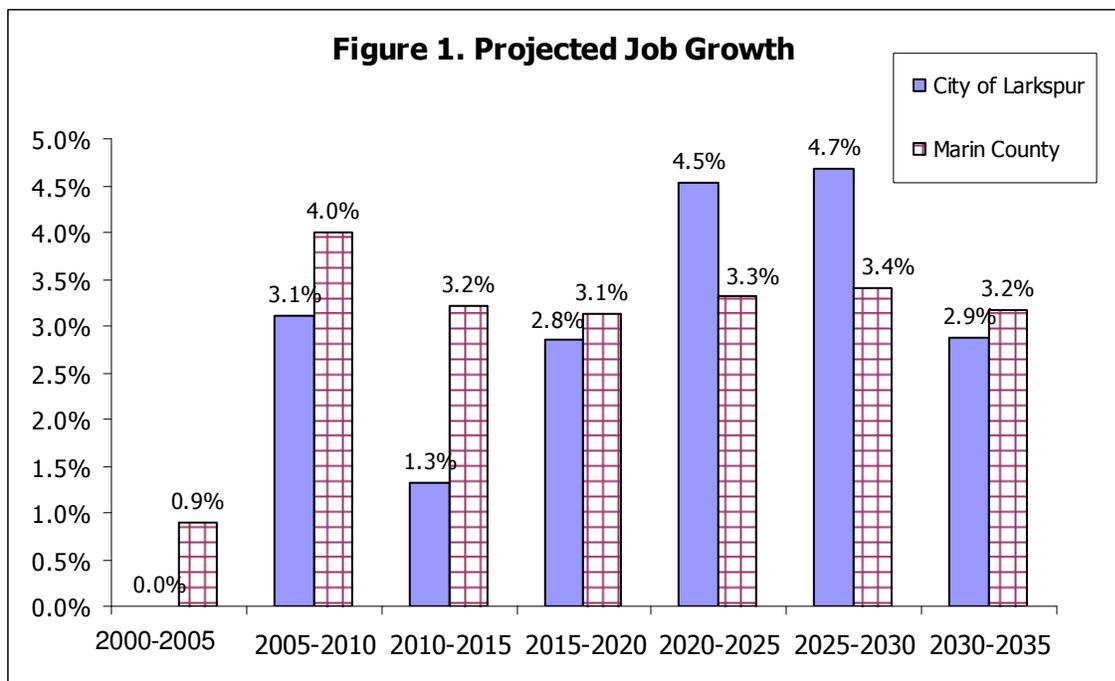
Employment growth in both Marin County and Larkspur is anticipated to significantly outpace population growth over the next twenty years. Between 2005 and 2035, the number of employed County residents is projected to increase by 4 percent, while the number of jobs in the County will increase by 17 percent or 22,810 jobs. Larkspur will add 790 jobs, an 11 percent increase, compared to an increase in employed residents of 3 percent. Overall, the job growth rate in Larkspur (see Figure 1) is projected to decrease slightly between 2010 and 2015, but will increase steadily to almost five percent in 2030, then slow again between 2030 and 2035. County job growth rates will remain steady at approximately 3 percent every five years. (Marin Housing Workbook, 2009; ABAG, 2009.)

**Table 3. Occupation**

	Number	Percent
Management, Business, and Financial Operations	1,512	23
Professional and Related Occupations	2,251	34
Service	596	9
Sales and Office	1,938	29
Farming, Fishing, and Forestry	0	0
Construction, Extraction and Maintenance	219	3
Production, Transportation and Material Moving	95	1

Source: Claritas (2008)

The County economy is predominantly white collar, with over half of its residents employed in professional, management, and financial fields. Many of these residents commute out of the County into urban and employment centers such as San Francisco and Oakland. The largest employers within the County are County government, healthcare facilities including Kaiser Permanente and Marin General Hospital, the software company Autodesk, and Fireman’s Fund Insurance (Marin County Draft Housing Element, 2009). As of 2008, the majority of employed Larkspur residents work in professional occupations, sales and office occupations, and management, business, and financial operations, with the remaining minority employed in the service industry, construction, maintenance, and transportation (see Table 3).



Source: Marin Housing Workbook, 2009

Although Marin County and Larkspur will continue to expand their job base, many residents commute elsewhere to work. At the same time, many of the people who work in the County and Larkspur live in other communities due to high housing costs and limited housing availability, or other lifestyle choices. As of 2007, the County’s median household income was \$83,732, while the median salary for a Marin job was \$37,000 (see Table 4 for a summary of typical wages for Marin County jobs). Even with a 1:1 ratio of jobs to housing, cities or counties are expected to continue to exchange workers regardless of a correlation of the number of employed residents to total jobs. Therefore, a focus of the Housing Element is to address the issue of matching housing costs and types to the needs and incomes of the community’s workforce and local jobs.

**Table 4. Typical Wages by Occupation (2008)**

Occupation	Typical Wages
Retail Salesperson	\$26,852
Postal Services Clerk	\$45,676
Paralegal/Legal Assistant	\$60,758
Middle School Teacher	\$62,079
Electrician	\$73,259
Computer Systems Analyst	\$87,373
Dentist	\$141,007

Source: Marin Housing Workbook, 2009

## Housing Characteristics: Households, Housing Stock, and Housing Costs

### Household Types and Size

The U.S. Census Bureau defines a household as all persons who occupy a housing unit, including families, single people, or unrelated persons. Persons living in licensed facilities or dormitories are not considered households. There were 6,002 households in Larkspur in 2008 (compared to 6,142 in 2000) of which 47 percent were families and 53 percent were non-family households (Claritas, 2008, U.S. Census, 2000). There are an additional 150 individuals living in group quarters. Significantly, 43 percent of all households were comprised of people living alone, a fact that reflects the predominance of rental apartments and an aging population (Claritas, 2008). In 2000, approximately 34 percent of single person households were headed by individuals age 65 or over, representing 15 percent of all households at that time. Households by types (i.e., family, single person, and non-family) are shown in Table 5.

**Table 5. Households By Type (2008)**

Jurisdiction	Family Households	Single Person Households	Non-Family Household (2+)	Total Households
<b>Larkspur</b>	<b>2,829</b>	<b>2,557</b>	<b>616</b>	<b>6,002</b>
Marin Co. Total	60,679	30,041	9,930	100,650

Source: Claritas (2008)

In 2005, the average household size in Marin County was 2.34 persons, while the average household size in Larkspur was 2.03 persons. The City’s relatively smaller household size reflects the higher incidence of single person households in the City, though household size has increased slightly from the 2000 Census average of 1.93 persons. The City’s household size is projected to increase to 2.1 persons per household by 2035 (see Table 6). The Countywide average household size is projected to remain relatively static through 2035, averaging between 2.34 and 2.35 persons per household. Compared to the rest of the Bay Area, which as a region has an average of 2.69 persons per household, the City’s average household size is significantly lower, averaging 0.35 fewer persons per household. (ABAG, 2009)

**Table 6. Household Size by Jurisdiction**

Jurisdiction	1990	2000	2005	2010	2015	2020	2025	2030	2035
Belvedere	2.22	2.19	2.19	2.27	2.24	2.24	2.24	2.24	2.22
Corte Madera	2.40	2.39	2.38	2.37	2.34	2.32	2.31	2.30	2.40
Fairfax	2.25	2.25	2.28	2.28	2.27	2.27	2.26	2.25	2.25
Larkspur	2.10*	1.93	2.03	2.02	2.03	2.02	2.02	2.03	2.10
Mill Valley	2.24	2.26	2.26	2.25	2.25	2.24	2.24	2.24	2.24
Novato	2.53	2.52	2.53	2.53	2.53	2.53	2.52	2.50	2.53
Ross	2.94	2.99	2.95	2.91	2.91	2.91	2.91	2.91	2.94
San Anselmo	2.37	2.38	2.37	2.37	2.36	2.36	2.35	2.37	2.37
San Rafael	2.44	2.43	2.44	2.45	2.44	2.43	2.42	2.42	2.44
Sausalito	1.72	1.72	1.74	1.76	1.77	1.79	1.80	1.82	1.72
Tiburon	2.25	2.23	2.26	2.28	2.29	2.30	2.31	2.31	2.25
Marin Unincorporated	2.30	2.30	2.29	2.30	2.29	2.30	2.31	2.31	2.30
Marin County Total	2.34	2.34	2.34	2.35	2.35	2.34	2.34	2.34	2.34

Sources: ABAG “Projections and Priorities” 2009; 2000 U.S. Census

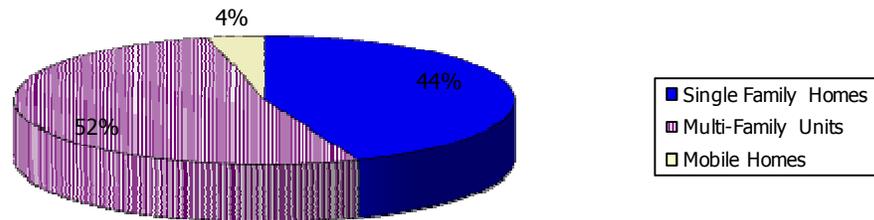
\* Includes Kentfield

Marin County and Larkspur’s aging population reduces the amount of household occupants as children move out and mortality increases. According to the 2000 Census, renter households in Marin County (2.21 persons per household in 2000) are slightly smaller than owner households (2.42 persons per household in 2000). In Larkspur, owner households are quite a bit larger than renter households (2.21 to 1.65 persons per household).

**Housing Types and Conditions**

Unlike many Marin cities, multi-family dwellings (dwellings with three or more living units; see definition on page 11) are the most common housing type in Larkspur, comprising 52 percent of the total housing units. Single-family dwellings are the next most common, representing 44 percent of the total housing stock. Mobile homes account for the remaining four percent of housing units. Townhomes and condominiums account for 13 percent of the single family housing stock. The City has two mobile home parks with travel trailers that provide very low-cost housing. Although many of the trailers are not designed for use as permanent housing, the parks’ trailers are occupied as such. Maintenance of the parks is regulated and enforced by the State of California. (Department of Finance, 2009)

**Figure 2. Housing by Type in Larkspur (2009)**



Source: State of California Department of Finance, 2009.

The number of housing units in Larkspur increased by 11 percent between 1980 and 2000, from 5,583 to 6,174 units, with most of the development occurring in the 1980s. Construction of new single family and multi-family homes slowed significantly between 2000 and 2008, indicating the City’s approach to total build-out. Of the 339 units added to the housing stock in Larkspur between 1990 and 2000 (about 34 units per year), approximately 70 percent were multi-family housing in developments with five or more units (U.S. Census, 2000). This is contrary to development patterns in most jurisdictions in Marin County, where most housing units built during the same timeframe were single family homes. Between 2000 and 2010, the City legalized 11 multi-family units in the Blue Rock Inn, and two units were constructed above commercial businesses on Magnolia, while 25 detached single family units and 6 second units were built. Additionally, 24 very low income multi-family units at EAH’s Drake’s Way development were completed in November 2009. Housing by type (i.e., single family or multi-family) in Marin County jurisdictions are shown in Table 7.

**Table 7: Number and Percent of Single and Multi-Family Homes in Each Marin Jurisdiction**

Jurisdiction	Single Family	Percent	Multi-Family	Percent	Total*
Belvedere	923	87%	137	13%	1,060
Corte Madera	3,043	77%	930	23%	3,973
Fairfax	2,530	74%	883	26%	3,413
<b>Larkspur</b>	<b>2,828</b>	<b>46%</b>	<b>3,377</b>	<b>54%</b>	<b>6,205</b>
Mill Valley	4,669	74%	1,660	26%	6,359
Novato	14,869	74%	5,318	26%	20,187
Ross	799	99%	12	1%	811
San Anselmo	4,184	77%	1,243	23%	5,427
San Rafael	12,667	55%	10,480	45%	23,147
Sausalito	2,170	50%	2,173	50%	4,343
Tiburon	2,659	67%	1,304	33%	3,963
Marin Unincorporated	23,038	84%	4,471	16%	27,509
<b>Marin County Total</b>	<b>74,409</b>	<b>70%</b>	<b>31,988</b>	<b>30%</b>	<b>106,397</b>

\* Does not include mobile homes

Source: California Department of Finance, 2009

Larkspur has a rich heritage with many historic homes worthy of conservation. Homes built more than 50 years ago comprise 33 percent of the housing stock, compared to 40 percent in Marin County (U.S. Census, 2000). In general, the condition of the housing stock in Larkspur is very good. Since demand for housing has remained strong, it is expected that the market has accomplished much rehabilitation on its own. An overview of neighborhoods in Larkspur by the Planning staff indicates that few houses (about ten to twelve), including in the area of Boardwalk One, are in need of repair due to the high market value of existing housing. The City estimates that an overwhelming majority of units are in "sound" condition (i.e., providing safe, sanitary, and adequate housing), with the appearance of regular maintenance of the home and landscaping. In recent years, many homes have been renovated with new roofs, windows, or additions, or have been completely replaced.

Additionally, the City continues to participate in the Housing Authority of Marin's Rehabilitation Loan Program, funded by the U.S. Department of Housing and Urban Development's Community Development Block Grants (CDBG). HUD's CDBG program is meant to improve housing conditions and economic opportunities in smaller cities, with aid focused on low and moderate-income residents. Marin County received approximately \$1.6 million in CDBG grants in 2009 (HUD, 2009). The Rehabilitation Loan Program provides low-interest single-family home repair loans, emergency repair and accessibility grants, exterior enhancement rebates, weatherization and home security grants, and multi-family rehabilitation loans for qualified very-low-income homeowners. There have been 533 Residential Rehabilitation Loans made to homeowners throughout Marin County. City policies continue to support these efforts.

### Housing by Tenure

Tenure refers to whether a housing unit is rented or owned. As of 2007, there were a total of 100,489 occupied housing units in Marin County, 65 percent of which were owner-occupied and 35 percent renter-occupied. There were 7,438 unoccupied units. The proportion of owner-occupied units in the County has increased slightly since 2000 from 63 percent owner-occupied to 65 percent owner-occupied, as a disproportionate number of single-family homes, as compared to multi-family units, have been built in Marin. (U.S. Census Bureau, 2007)

In Larkspur, the proportion of rental housing to owner-occupied housing is almost evenly split, with renter-occupied households representing 51 percent and owner-occupied households representing 49 percent of the occupied housing stock (Claritas, 2008). The proportion of owner-occupied housing has increased since 1980, when 43 percent of the housing units were owner-occupied (Larkspur Housing Element, 2004).

**Overcrowding**

The U.S. Census defines overcrowded housing as units with more than one inhabitant per room, excluding kitchens and bathrooms. As shown in Table 8, the incidence of overcrowding in Larkspur for both owner and renter-occupied housing units was 2.6 percent, as compared to 15.2 percent statewide. However, it is likely that the incidence of overcrowding is greater than reported in the 2000 Census data, as overcrowded households are less likely to report their status if they are violating the terms of a lease or illegally occupying a unit (Marin County Draft Housing Element, 2009).

**Table 8. Overcrowding in Larkspur**

Households (HH)	Owners	Renters	Total	Percent
TOTAL HH	3,117	3,061	6,178	100%
Total Overcrowded HH	74	84	158	2.60%
1-1.5 Persons per Room	22	50	72	1.20%
1.5 or More Persons per Room	52	34	86	1.40%
Statewide Overcrowding Rates	8.60%	23.90%	15.20%	

Source: U.S. Census, 2000 (SF 3: H20)

According to 2000 Census data, the incidence of overcrowding in Marin County was one percent for owner-occupied units and 6.5 percent for rental units, compared to two percent for owner-occupied units and three percent for rental units in Larkspur (U.S. Census 2000). The incidence of overcrowding may have increased over the 1990 levels due to the increase in housing prices relative to local incomes, the increase in the average household and family size, and low vacancy rates.

**Vacancy Trends**

The vacancy rates for housing in Marin County, as indicated by the 1990 and 2000 census reports, have decreased since 1990 when the census recorded a vacancy rate of 4.7 percent. The County’s total vacancy rate, measured at 4.1 percent in 2008, has remained constant over the past decade. However, the County’s effective vacancy rate for rental housing (which excludes units that are unavailable as long-term rentals units) is 2.7 percent, an increase of 0.5 percent since 2000 when it was measured at 2.2 percent. (Marin Housing Workbook, 2009)

The vacancy rate for all housing in Larkspur was 4.2 percent in 2008, exhibiting no change since 2000 (California Department of Finance, 2008). The City’s effective rental vacancy rate was 2.2 percent in 2000; current effective rental vacancy rates are unavailable for Larkspur (Baird and Driskell, 2004). In 2008, vacancy rate for all rentals in Larkspur was 4.5 percent (first quarter data from Real Facts, Inc.). This figure is indicative of a very tight rental housing market in which demand for units exceeds the available supply. In general, a higher vacancy rate is considered necessary by housing experts to assure adequate choice in the marketplace and to temper the rise in home prices. A five percent rental vacancy rate is considered necessary to permit ordinary rental mobility. In a housing market with a lower vacancy rate, tenants will have difficulty locating appropriate units and strong market pressure will inflate rents. In addition, the lower the vacancy rate the greater the tendency for landlords to discriminate against potential renters.

Fair Housing of Marin is a civil rights agency that investigates housing discrimination, including discrimination based on race, origin, disability, gender, and children. Their caseload consists almost entirely of renters. In 2008, the organization received over 1,200 housing-related inquiries, of which about 170 evolved into formal discrimination complaints (Fair Housing of Marin, 2009). Fair Housing of Marin also educates landowners on fair housing laws, provides seminars in English, Spanish, and Vietnamese on how to prepare for a housing search and recognize discrimination, and conducts educational programs on the importance of community diversity in schools. The City refers housing discrimination cases to Fair Housing of Marin, and has made information about housing discrimination resources available to the public at City Hall (see Programs H2.B and H2.C in Section 4, Housing Policies and Implementing Programs).

## Ability to Pay for Housing

### Sales Prices and Rents

The median sales price for a detached single-family home in Larkspur in 2009 was \$1.17 million, a 43 percent increase from the 2000 median price of \$820,000 (Marin County Assessor-Recorder, 2010 and 2001). The median price for a condominium or townhouse in the City in 2009 was \$407,000, a 17 percent increase from the median price of \$347,500 in 2000 (Marin County Assessor-Recorder, 2010 and 2001). From 1993 to 2000 the median home sales price in Marin County increased 66 percent from \$314,250 to \$523,000 (Baird + Driskell, 2004). As shown in Table 9, the median price for a detached single-family home or townhome in Marin County in 2009 was \$750,000, requiring an income of over \$150,000 per year to qualify for a loan.

**Table 9. Marin Real Estate Sales (2009)**

Jurisdiction	Detached Single Family Homes			Attached Single Family Homes		
	# Sales	Mean Price	Median	# Sales	Mean Price	Median
Belvedere	20	\$2,814,250	\$2,821,250	0		
Corte Madera	68	\$972,000	\$905,500	23	\$543,580	\$512,500
Fairfax	55	\$652,857	\$633,000	4	\$415,250	\$360,500
<b>Larkspur</b>	<b>69</b>	<b>\$1,164,570</b>	<b>\$1,170,000</b>	<b>27</b>	<b>\$462,665</b>	<b>\$407,500</b>
Mill Valley	102	\$1,318,456	\$1,100,000	28	\$489,698	\$456,250
Novato	377	\$587,624	\$541,000	196	\$284,519	\$259,000
Ross	31	\$2,218,396	\$1,938,000	0		
San Anselmo	113	\$802,252	\$705,000	9	\$396,239	\$357,000
San Rafael	291	\$784,596	\$702,000	193	\$332,317	\$257,000
Sausalito	33	\$1,299,665	\$1,100,000	30	\$774,633	\$667,500
Tiburon	54	\$2,064,809	\$1,870,000	17	\$786,055	\$600,000
Unincorporated	463	\$985,631	\$830,000	54	\$490,945	\$425,000
<b>County Total</b>	<b>1,676</b>	<b>\$950,560</b>	<b>\$750,000</b>	<b>581</b>	<b>\$390,618</b>	<b>\$337,000</b>
Total Single Family Homes Sold: 2,257						
Mean/Median Home Sale Price: \$806,419 / \$650,000						
Mean Home Living Area: 1,861 sf						

Source: Marin County Assessor-Recorder, 2010

According to rental data compiled by Real Facts, Inc., average rents for all unit types in Larkspur decreased by 16 percent between 2000 and 2006, mirroring a Countywide trend in

decreasing rental prices during this time period, which dropped 14 percent between 2001 and 2005 (Michael J. Burke, Frank Howard Allen Realtors). This trend reversed as rents began to increase steadily in both Larkspur and the County beginning in 2006. The average rent for a one-bedroom unit in Larkspur increased from \$1,583 in 2000 to \$1,625 in 2008 (data unavailable for 2009). Table 10 shows average rents in Larkspur from 2006 to 2008, with the year 2000 as a baseline.

**Table 10. Rent Trends in Larkspur by Unit Type (2000-2008)**

Type of Unit Bed/Bath	2000	2006	% Change 2000-2006	2007	2008	% Change 2006-2008	% Change 2000-2008
Studio	\$1,000	\$1,130	13%	\$1,175	\$1,225	8%	23%
1/1	\$1,583	\$1,450	-8%	\$1,546	\$1,625	12%	3%
2/1	\$1,583	\$1,736	10%	\$1,809	\$1,899	9%	20%
2/2	\$2,244	\$2,001	-11%	\$2,170	\$2,296	15%	2%
2 bd TH*	\$2,331	\$1,852	-21%	\$1,905	\$2,183	18%	-6%
3/2	\$3,136	\$2,435	-22%	\$2,640	\$2,753	13%	-12%
Average	\$1,917	\$1,767	-8%	\$1,874	\$1,997	13%	4%
Overall Occup.	97.0%	97.2%	0.2%	95.9%	94.9%	-1.0%	-2.0%
Vacancy	3.0%	2.8%		4.1%	5.1%		

\*TH=Townhome. Source: RealFacts, Inc., 2001 and 2008

**Household Income**

Income is defined as wages, salaries, pensions, social security benefits, and other forms of cash received by a household. Non-cash items, such as Medicare and other medical insurance benefits, are not included as income. It is generally expected that people can afford to pay about a third of their income on housing. Housing costs include principal, interest, utilities and insurance. It is therefore critical to understand the relationship between household income and housing costs to determine how affordable—or unaffordable—housing really is. Table 11 below shows the calculations used to determine the various income categories determined by the State each year.

**Table 11. California State Income Limits**

Income Category	% Area Median Income (AMI)
Extremely Low	0-30% AMI
Very Low	0-50% AMI
Low	51-80% AMI
Moderate	81%-120% AMI
Above Moderate	Above 120% AMI

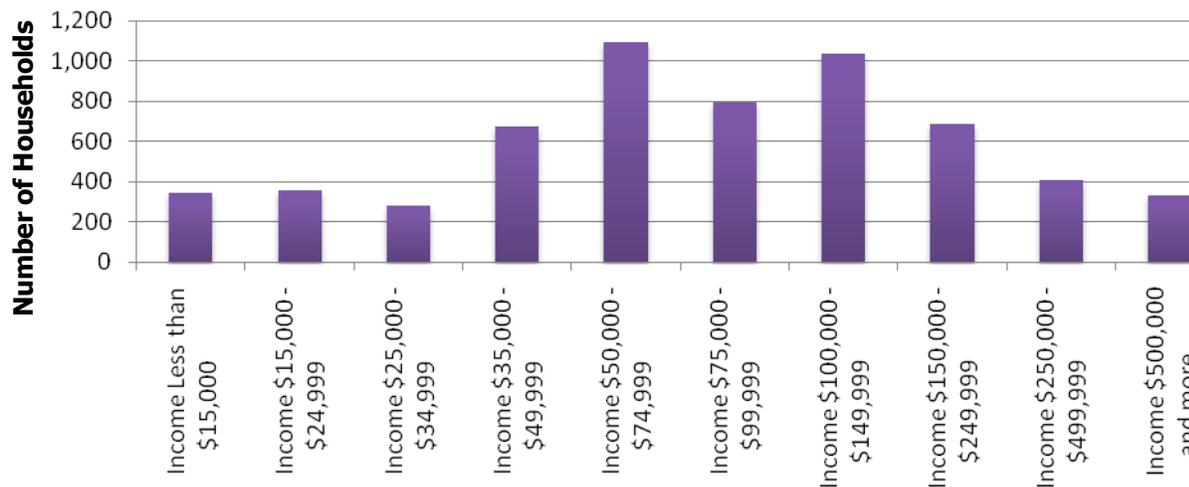
Source: Section 50093 of the California Health and Safety Code

In 2008, the median household income in Larkspur was \$82,867, a significant increase from the 2000 median household income of \$66,710 (Claritas 2008; U.S. Census, 2000). The median household income in Marin County in 2008 was \$95,000 (Marin Housing Workbook, 2009).

As Figure 3 illustrates, the majority of Larkspur households have annual incomes between \$100,000 and \$250,000. According to the 2000 Census, 39.3 percent of all Marin County households and 33 percent of all Larkspur households (2,016 households) fall in the extremely low, very low and low household income categories (in 2000, a family of four earning less than \$58,300; in 2009, less than \$90,500). The majority of these households (64 percent) rent their homes. Of these households, 526 households (54 percent) were extremely low income households (in 2000, a family of four earning \$22,450 or less; in 2009, less than \$33,950). A breakdown of extremely low income households by tenure and household characteristics is shown in Table 15.

**Figure 3. Larkspur Household Income (2008)**

Source: Claritas, 2008



**Housing Affordability**

Housing that costs 30 percent or less of a household’s annual income is referred to as “affordable housing.” Because household incomes and sizes vary, the price that is considered “affordable” for each household also varies. For example, a large family with one small income can afford a different type of housing than a double-income household with no children. According to the 2000 Census, 44 percent of renters in Larkspur were overpaying for housing (i.e., paying more than 30 percent of income on housing), while 33 percent of all owners (with a mortgage) were overpaying for housing. The incidence of overpaying increased as income level decreased, with 75 percent of low income renters and 37 percent of low income homeowners overpaying for housing (CHAS, 2000).

**Table 12. Estimate of Ability to Pay for Rental Housing in Larkspur (2008)**

Household Size and Income Category	Monthly Income	Rent @ 30% of Monthly Income	Expected Unit Size (bd/bth)	Avg. Rent for Unit (2008)	Ability to Pay "Gap" for Smaller Unit
<b>Single Person</b>					
Extremely Low	\$1,979	\$594	1/1	\$1,625	(\$1,031)
Very Low	\$3,330	\$999	1/1	\$1,625	(\$626)
Low	\$5,279	\$1,584	1/1	\$1,625	(\$41)
Median	\$5,645	\$1,694	1/1	\$1,625	\$69
Moderate	\$6,775	\$2,033	1/1	\$1,625	\$408
<b>Two Persons</b>					
Extremely Low	\$2,263	\$679	1/1	\$1,625	(\$946)
Very Low	\$3,521	\$1,056	1/1	\$1,625	(\$569)
Low	\$6,033	\$1,809	1/1	\$1,625	\$184
Median	\$6,454	\$1,936	1/1	\$1,625	\$311
Moderate	\$7,742	\$2,323	1/1	\$1,625	\$698
<b>Four Persons</b>					
Extremely Low	\$2,829	\$849	2/1	\$1,899	(\$1,050)
Very Low	\$4,712	\$1,414	2/1	\$1,899	(\$485)
Low	\$7,542	\$2,262	2/1	\$1,899	\$363
Median	\$8,067	\$2,420	2/1	\$1,899	\$521
Moderate	\$9,679	\$2,903	2/1	\$1,899	\$1,004

Source: Real Facts, Inc., 2008

Tables 12 and 13 present a general picture of the average rents and home prices that households at various income levels could expect to pay if they were to spend 30 percent of their income on housing. The households’ exact income levels and the amount that they could pay would, of course, depend on the amount of down payment they could afford and the specific terms of their mortgage. These are rough calculations, meant to demonstrate the “gap” between market prices

and affordability at various incomes. As Tables 12 and 13 illustrate, homebuyers and renters at a variety of income levels face the risk of overpaying for housing in Larkspur, and given the household income trends and housing cost trends discussed above, it is reasonable to conclude that the affordability gap will continue in the future. Overpaying households in Larkspur and throughout the County are shown in Table 14. A further breakdown of overpaying extremely low income households is provided in Table 15.

**Table 13. Estimate of the Ability to Pay for Sales Housing in Larkspur (2009)**

Household Size and Income Category	Monthly Income	Annual Income	"Rule of Thumb" Home Price (4 Times Annual Income)	Median Priced S-F Detached Unit	Affordability Gap	Median Priced S-F Attached Unit	Affordability Gap
<b>Single Person</b>							
Extremely Low	\$1,979	\$23,750	\$95,000	\$1,170,000	(\$1,075,000)	\$407,500	(\$312,500)
Very Low	\$3,300	\$39,600	\$158,000	\$1,170,000	(\$1,012,000)	\$407,500	(\$249,500)
Lower	\$5,729	\$63,350	\$253,400	\$1,170,000	(\$916,600)	\$407,500	(\$154,100)
Median	\$5,645	\$67,750	\$271,000	\$1,170,000	(\$899,000)	\$407,500	(\$136,500)
Moderate	\$6,775	\$81,300	\$325,200	\$1,170,000	(\$844,800)	\$407,500	(\$82,300)
<b>Two Persons</b>							
Extremely Low	\$2,263	\$27,150	\$108,600	\$1,170,000	(\$1,061,400)	\$407,500	(\$298,900)
Very Low	\$3,521	\$42,250	\$169,000	\$1,170,000	(\$1,001,000)	\$407,500	(\$238,500)
Lower	\$6,033	\$72,400	\$289,600	\$1,170,000	(\$880,400)	\$407,500	(\$117,900)
Median	\$6,454	\$77,450	\$309,800	\$1,170,000	(\$860,200)	\$407,500	(\$97,700)
Moderate	\$7,742	\$92,900	\$371,600	\$1,170,000	(\$798,400)	\$407,500	(\$35,900)
<b>Four Persons</b>							
Extremely Low	\$2,829	\$33,950	\$135,800	\$1,170,000	(\$1,034,200)	\$407,500	(\$271,700)
Very Low	\$4,712	\$56,550	\$226,200	\$1,170,000	(\$943,800)	\$407,500	(\$181,300)
Lower	\$7,542	\$90,500	\$362,000	\$1,170,000	(\$808,000)	\$407,500	(\$45,500)
Median	\$8,067	\$96,800	\$387,200	\$1,170,000	(\$782,800)	\$407,500	(\$20,300)
Moderate	\$9,679	\$116,150	\$464,600	\$1,170,000	(\$705,400)	\$407,500	57,100

Source: Marin County Assessor-Recorder, 2010

**Extremely Low Income Households**

According to the 2000 Census, there are 526 extremely low income (ELI) households in Larkspur, comprising nine percent of all households. Just like any household, the housing needs of ELI households vary. An ELI household could be a disabled adult receiving federal supplemental security income (SSI), or could be a single parent with two children working a minimum wage job. Seventy percent of ELI households rent their home. Some ELI households may need care provided by supportive or transitional housing (see discussion of supportive and transitional housing in "Special Housing Needs" below).

Comprehensive Housing Affordability Strategy (CHAS) data for Larkspur from the 2000 Census indicates that 85 percent of rental and 63 percent of owner ELI households spent more than 30 percent of their income on housing (see Table 15), and 91 percent have housing problems (including overpaying, overcrowding, or without complete plumbing or kitchen facilities). The prevalence of overpayment within ELI households illustrates the City's existing need for housing affordable to this income

**Table 14: Estimated Overpaying Households by Tenure (2000)**

	Renters	Owners	Total Overpaying	Total HH
<b>Larkspur</b>	<b>1,477</b>	<b>1,038</b>	<b>2,514</b>	<b>6,142</b>
<b>Percent</b>	<b>48%</b>	<b>34%</b>	<b>41%</b>	
<b>County</b>	17,174	20,718	37,892	100,650
Percent	47%	32%	38%	

Source: U.S. Census, 2000

group. Additionally, almost half of the City’s ELI rental households (42 percent) are elderly single-person or two-person households. Similarly, 44 percent of ELI\_homeowners are elderly single-person or two-person households. As the median age in Larkspur is projected to increase significantly over the next twenty years, the incidence of ELI senior households may similarly increase. To anticipate this growing need, the City should plan for housing types affordable to ELI senior households, including second dwelling units, affordable units dedicated to senior housing, and below-market rate rental housing. The City currently provides priority processing and considers waiving fees and other requirements for developments providing affordable and/or senior housing.

Appropriate housing types for ELI households include second dwelling units (for one to two-person households), and below-market rate rental units of a variety of sizes. The City has built relationships with non-profit organizations specializing in the construction and management of below-market rate rental and owner units to strengthen the City’s supply of housing affordable to low, very low, and extremely low income households. In particular, the City has worked with EAH on two rental housing developments providing housing to very low and extremely low income households (Drake’s Way, 24 extremely and very low income units- two units reserved for disabled households-, and Edgewater Place, 28 very-low income housing units- two handicap accessible units). To address the housing needs of ELI households, the City will continue to build upon its existing relationships with affordable housing providers, encourage the construction of second dwelling units, and provide permit fast-tracking and waive or defer fees for affordable housing developments. (See policies and programs in Section 4 under objectives H6, H7, and H11 for detailed descriptions of affordable housing programs.)

**Table 15. ELI Households by Tenure and Household Characteristics (2000)**

HH by Type, Income, & Housing Problem	Renters					Owners					Total HH
	Elderly 1 & 2 member HH	Small related (2 to 4) HH	Large related (5 or more) HH	All other HH	Total Renters	Elderly 1 & 2 member HH	Small related (2 to 4) HH	Large related (5 or more) HH	All other HH	Total owners	
<b>Extremely Low (&lt;=30% AMI)</b>	153	55	0	160	368	70	8	0	80	158	526
% with any housing problems	90.8	72.7	N/A	84.4	85.3	71.4	50	N/A	56.3	62.7	78.5
% Cost Burden >30%	90.8	72.7	N/A	84.4	85.3	71.4	50	N/A	56.3	62.7	78.5
% Cost Burden >50%	84.3	72.7	N/A	84.4	82.6	57.1	50	N/A	56.3	56.3	74.7

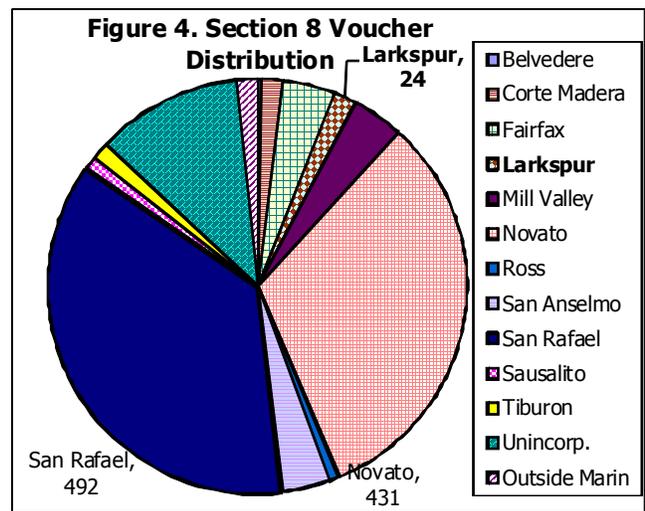
Source: State of the Cities Comprehensive Affordability Strategy (CHAS), 2000. HH= Household

### Special Housing Needs

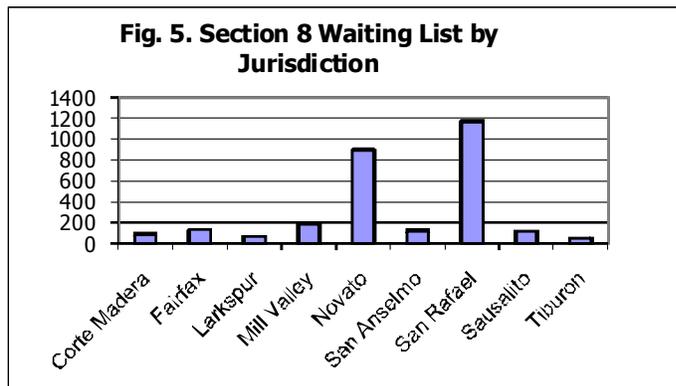
In addition to overall housing needs, the City must plan for housing for special needs groups. To meet the community’s special housing needs (including the needs of the local workforce, seniors,

people living with disabilities, the homeless, people with HIV/AIDS and other illnesses, people in need of mental health care, single parent families, single persons with no children, and large households), Larkspur must be creative and look to new ways of increasing the supply, diversity and affordability of this specialized housing stock. Additionally, recent state housing law amendments require the City to specifically identify and analyze potential constraints to housing for ELI households and disabled residents. Twenty percent of the total 6,500 affordable housing units in Marin County are reserved for seniors and the disabled. Households with children occupy fifty percent of affordable housing units (Marin County Affordable Housing Inventory, 2008). The Continuum of Housing and Services, a collaboration of over thirty Marin organizations providing housing and related services to the low-income and homeless populations, recommends that one out of five (20 percent) housing units built for very-low income households should be for the special needs population. In Larkspur, the City should plan to provide 18 units of special needs housing out of the total very low-income need of 90 units.

The Marin Housing Authority provides affordable public housing to special needs populations throughout the county, including low-income families, seniors, the disabled, and those living with HIV/AIDS. The Marin Housing Authority provides 80 rental subsidies and assisted living for homeless and mentally ill residents through the Shelter Plus Care program, and 35 rental subsidies for citizens with HIV/AIDS and their families through the federally funded Housing Opportunities for People with AIDS (HOPWA) program (Marin Housing Authority, 2009).



The Marin Housing Authority also manages the Section 8 voucher program for low-income families, which uses federal funds to subsidize rents for very-low income households. The household pays 30 percent of its monthly income towards rent, and the remaining balance is paid by the Marin Housing Authority. As of 2008, the Marin Housing Authority provided vouchers under the Section 8 Housing Choice Program for 2,104 households, with voucher recipients living in all Marin jurisdictions (see Figure 4). However, the data set is incomplete as there is no city information listed for 26 percent of households receiving the vouchers (Marin Housing Workbook, 2009).



Source: Marin Community Development Agency, 2009

When the Marin Housing Authority opened the waiting list for a week in September 2008, approximately 11,200 households applied. Of those, 25 percent (2,831 applicants) were from Marin County cities, showing a strong demand for affordable housing from all Marin jurisdictions (see Figure 5). In terms of ethnic composition, 32 percent of Marin County applicants were White, 61 percent were African American, and

7 percent were Hispanic. A little over half of the applications came from families, and just under a quarter of applicants (22 percent) were disabled and another quarter (24 percent) were homeless. Nine percent of applicants were elderly. The remaining 75 percent of applicants to the waiting list were from outside Marin, primarily from Oakland, San Francisco, Santa Rosa or Richmond. Although the Marin Housing Authority does not collect employment data for applicants, it is possible that many of these applicants work in Marin County and cannot afford to live there.

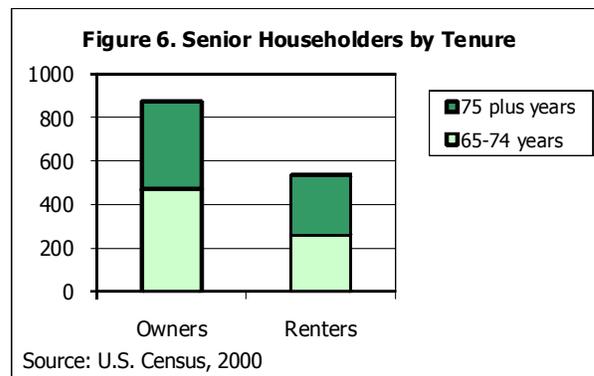
There is a range of housing types for special needs groups, including independent living (owning or renting), assisted living (licensed facilities), supportive housing, transitional housing, and emergency shelter. Further, the vast majority of special needs housing is service enriched. In other words, services are offered to residents to help them maintain independent living as long as possible. Additional programs offered by the Marin Housing Authority assist special needs tenants in maintaining their housing. These programs target services to frail seniors, families striving toward self-sufficiency, and at-risk populations with substance abuse and/or mental health disability.

**Seniors**

Senior households can be defined, in part, by the age distribution and demographic projections of a community’s population. This identifies the maximum need for senior housing. Particular needs, such as the need for smaller and more efficient housing, for barrier-free and accessible housing, and for a wide variety of housing with health care and/or personal services should be addressed, as should providing a continuum of care as elderly households become less self-reliant. There is a dramatic increase in debilitating mental disorders such as dementia and Alzheimer’s as people reach 75 years of age, resulting in a significant need in Marin for facilities providing extensive medical care. Cities should plan for and facilitate opportunities for seniors to remain with their families in “granny” or “in-law” second units, as well as housing where an “in-home” caregiver can reside.

As of 2000, there were 1,640 households in Larkspur headed by a senior, or a person aged 65 or older. Of those, 59 percent owned their home and 41 percent were renters (see Figure 6). Senior populations are more likely to have difficulty obtaining affordable housing as they are often living on fixed incomes and are unemployed. In Larkspur, 57 percent of senior renters were cost-burdened (paying more than 30 percent of their income for housing needs) in the year 2000, while 27 percent of senior homeowners were cost-burdened. There were 66 seniors in Larkspur living below the poverty level in 2000. (U.S. Census, 2000)

The population of adults over the age of 60 is projected to comprise 48 percent of the County’s population by 2035, an aging trend that will most likely be mirrored in the City as well (ABAG, 2009). Consequently, Larkspur must plan to meet an increasing need for affordable and specialized housing for older residents over the next 25 years. Typical housing to meet the needs of seniors include smaller attached or detached housing for independent living (both market rate and below market rate), second units, shared housing, age-restricted subsidized



rental developments, congregate care facilities, licensed facilities, and skilled nursing homes. The Marin County Division of Aging provides information and assistance to senior residents regarding the availability and affordability of different housing and assistance programs within the County.

Many of the licensed facilities in Marin will not accept low and very low-income seniors with Supplemental Security Income or Section 8 vouchers. Average basic rent is approximately \$3,500 per month for a single bed (room, bathroom, and three meals/day), with additional costs for couples or skilled personal care. Aggregate monthly costs for Marin rental units range between \$2,175 and \$6,600, and some facilities require purchase of the unit on top of monthly fees (Marin Division of Aging, 2008). The Marin Housing Authority manages nine public housing complexes for low-income families, seniors, and disabled persons with federally subsidized rents, in addition to numerous below market-rate or subsidized assisted living and independent living facilities in Marin County managed by non-profits throughout the county.

The Division of Aging regularly publishes "Choices for Living," a guide to Marin County senior housing which provides summaries of each public or private facility in the County and the costs associated with them. Though there is an abundance of market-rate senior housing facilities, affordable housing facilities often have waiting lists or are closed to new applications, causing a shortage of availability (Marin Division of Aging, 2008). The Marin County Department of Health and Human Services may place individuals with no other options outside of the county, a practice that can be both costly to the County and disruptive for the individual (Baird + Driskell, 2004).

Many supportive housing developments for the elderly have been built using the U.S. Housing and Urban Development's (HUD) Section 202 grants and 202/8 conversion programs, which provide direct grants to build new facilities for very low income seniors and facilitate conversion of public housing to Section 8 housing for seniors if certain economic thresholds are met. Grants are distributed either to non-profit organizations or for-profit and non-profit partnerships for the construction costs of building new facilities or converting existing buildings into senior facilities and for rental assistance (Congressional Research Service, 2008). HUD administers several other grant programs to help maintain affordable housing for seniors, including Section 236 grants which subsidize mortgage rates for property owners (U.S. Department of Housing and Urban Development). Non-profit organizations have been instrumental in obtaining the resources to construct and operate the developments, but housing authorities and for-profit developers are also potential development project sponsors.

### **Large Families**

Large households, defined as households with five or more persons, tend to have difficulties purchasing housing because large housing units are rarely affordable and rental units with three or more bedrooms are not common. The 2000 Census data show that 7 percent of Marin's households were large families. Slightly over half (57.4 percent) of large households in the County lived in owner-occupied units. In Larkspur, there are 159 large households, which comprise 3.4 percent of all households, compared to 186 households in 2000 (Claritas, 2008; U.S. Census, 2000). In 2000, 77 percent of large families lived in owner-occupied housing and 23 percent were renters (U.S. Census, 2000).

Larkspur's housing stock offers a choice of housing to large families with above-moderate income. In 2000, 66.3 percent of owner-occupied housing units had 3 or more bedrooms, and

8.2 percent of renter-occupied housing units had 3 or more bedrooms. Comparing the population of large households (186 households) with the availability of large rental housing units (252 rental units and 2,068 homeowner units), Larkspur's supply of housing for large households appears to be adequate. Whether the available housing is affordable, however, is not guaranteed. (U.S. Census, 2000)

With rents for a 3-bedroom apartment averaging \$2,729 in 2008, many low-income families may not be able to afford housing even if large units are available, and with a current vacancy rate under 5 percent, the availability of large units is uncertain. A shortage of affordable rental units available for large families can contribute to overcrowding conditions. Indicators related to overcrowded housing support this assumption, since large families typically represent a significant portion of the population living in overcrowded housing conditions (Larkspur Housing Element, 2004). In 2000, 2.6 percent of households in Larkspur were overcrowded; 1.2 percent were overcrowded with 1.5 people per room, and 1.4 percent very overcrowded with more than 1.5 people per room (U.S. Census, 2000). There is a concrete need for the construction of new affordable rental units with three or more bedrooms for large families in the City. Countywide subsidized housing complexes for families, such as those managed by the Marin Housing Authority, mostly consist of 2-bedroom units, with a reduced availability of 3-bedroom units, and most have waiting lists which may make housing unavailable even for qualified applicants (Marin Housing Authority, 2009).

### **People Living with Physical and Mental Disabilities**

People living with disabilities represent a wide range of different housing needs, depending on the type and severity of their disability as well as personal preference and lifestyle. The design of housing, accessibility modifications, proximity to services and transit, and group living opportunities represent some of the types of considerations and accommodations that are important in serving this need group. Incorporating barrier-free design in all new multi-family housing is especially important to provide the widest range of choice, and is required by California and Federal Fair Housing laws. Special consideration also should be given to the issue of income and affordability, as many people with disabilities may be in fixed income situations. As the population ages, handicapped-accessible housing will become even more necessary.

Chapter 671, Statutes of 2001 (Senate Bill 520) requires localities to analyze potential and actual constraints upon the development, maintenance and improvement of housing for persons with disabilities and to demonstrate local efforts to remove governmental constraints that hinder the locality from meeting the housing needs of persons with disabilities. In addition, as part of the required constraints program, the element must include programs that remove constraints or provide reasonable accommodations for housing designed for persons with disabilities.

There were 1,605 disabled persons in Larkspur in 2000, accounting for 14 percent of the City's population. Approximately one-third (36 percent) of disabled adults age 21 to 64 were not employed. Of the total disabled population in Larkspur, 612 were seniors, comprising 26.9 percent of people over age 65 (U.S. Census, 2000).

In 1993, the City updated all of its zoning laws, policies and practices for compliance with fair housing laws. Consistent with the law, the City permits group homes (handicapped or non-handicapped) with up to six clients without a permit in any residential zoning district. Residential care facilities with seven or more clients are allowed with a conditional use permit in the

Administrative-Professional district. The A-P district is primarily an office district; a proposal should undergo further review for the ease of the operation of the facility and to insure the safe interaction of all uses in the district. It has been the City’s practice to consider waiving parking and other standards for senior developments, projects for persons with disabilities, and other special needs groups, depending on project specific analysis including location and unit sizes. The City will continue to evaluate its zoning ordinance and other policies to identify and eliminate potential barriers to the construction of housing for people with disabilities, handicapped dwelling conversions (or adaptability), and appropriate site design. Further, the City has drafted and will be considering the adoption of a formal process for providing reasonable accommodations to zoning, building codes, and permit procedures for all persons with disabilities.

Bucklew Programs, Lifehouse, and the Marin Center for Independent Living serve people living with disabilities. Bucklew Programs provides affordable housing, employment training and opportunities, and mental health services for those struggling with mental illnesses (Bucklew Programs, 2009). The Marin Center for Independent Living provides services to approximately 4,000 disabled adults each year, with the goal of helping their clients achieve independence and become active participants in society. Many of their clients have low or very-low income levels (Marin Center for Independent Living, 2009).

In June of 2003, the City approved a 40-bed residential chemical dependency and trauma recovery facility to be operated by Marin Services for Women. The facility includes space for up to 10 infants and children as well as administrative offices and outpatient counseling and classroom activities. The mission of Marin Services for Women is “to advance community recovery by supporting individual women in achieving an integrated recovery which links recovery from addiction with personal, relational, social, and economic empowerment.”

**Single Parent and Female-Headed Households**

Female-headed households may need affordable housing with day care and recreation programs on-site or nearby, in proximity to schools and access to services. These households, like many large households, may have difficulty in finding appropriately sized housing. Despite fair housing laws, discrimination against children may make it more difficult for this group to find adequate housing. Women in the housing market, including but not limited to, the elderly, low and moderate-income earners and single-parents, face significant difficulties finding housing. Both ownership and rental units are extremely expensive relative to the incomes of many people in this population category.

According to the 2000 U.S. Census, households headed by a female accounted for 40 percent of all households in Larkspur, while female headed family households (no husband present) accounted for 13 percent of all family households (see Table 16). Female households (family and non-family) comprised 65 percent of the single person households. Of the 1,180 households with children in Larkspur in 2000, 211 (11 percent) were headed by a female with no husband present. The Census identified 24 of these households as below the poverty level.

**Table 16. Female-Headed Households**

Householder Type	Number
Total HH	6,142
Total Female-Headed Family HH	385
Female Family Heads with Children under 18	211
Total Families under the Poverty Level	53
Female-Headed Family HH under the Poverty Level	24

Source: Census Bureau (2000 Census SF 3: P10 and P90)

**Farmworkers**

State law requires that housing elements evaluate the needs of farmworker housing in the local jurisdiction. ABAG does not assess the regional need for additional farmworker housing in the Bay Area. For the City of Larkspur, the 2000 Census identified nine individuals as farmers or farm managers. Most, if not all, Larkspur residents employed in farming occupations are employed in wholesale and horticulture businesses and there are no localized needs for seasonal or other types of farmworker housing (Larkspur Housing Element, 2004).

**Individuals and Families Who Are Homeless**

In order to comply with Senate Bill 2, the City must analyze the housing needs of its homeless population, including the need for emergency shelter, transitional and supportive housing. According to the State Department of Housing and Community Development, emergency shelter is defined as housing that offers minimal supportive services, limits occupancy to six months or less, and is provided at no cost to the family or individual. Transitional housing units are rental units that are available to program recipients for at least six months, which specify a specific time when assistance is terminated and recipients must move on- hopefully to permanent housing. Supportive housing has no such limit on occupancy, and provides on and off site services to assist its residents in retaining housing, and maintaining health and employment (HSC Sec. 50801(e), 50675.2(h), 50675.14(b)).

**Table 17. Estimated Number of Unsheltered Homeless People by Jurisdiction**

City	Total Population Estimate*	% of Total Population	Unsheltered Homeless Estimate
Belvedere	2,161	0.8%	3
Corte Madera	9,512	3.7%	13
Fairfax	7,412	2.9%	10
<b>Larkspur</b>	<b>12,014</b>	<b>4.7%</b>	<b>17</b>
Mill Valley	13,925	5.4%	19
Novato	52,737	20.5%	72
Ross	2,393	0.9%	3
San Anselmo	12,601	4.9%	17
San Rafael	58,235	22.6%	79
Sausalito	7,503	2.9%	10
Tiburon	8,917	3.5%	12
Unincorp.	69,806	27.1%	95
Total	257,406	100%	351

\* 2000 U.S. Census. Sources: Kate Bristol Consulting, 2009; Marin County Health and Human Services, 2009

After the need is identified, the City must designate at least one zoning district that would allow emergency shelters as a permitted use in order to meet this need. The City must also evaluate and eliminate any governmental constraints to the development of supportive and transitional housing by designating this type of housing as subject to the same zoning conditions as residential housing, not subject to discretionary conditional use permits. Emergency shelters are a protected use under the Housing Accountability Act (expanded under SB2), which means it is illegal for jurisdictions to prohibit development of such a shelter without state-specified findings based on substantial evidence.

Individuals and families who are homeless have perhaps the most immediate housing need of any population group. They also have one of the most difficult housing needs to meet, due to the diversity and complexity of the factors that lead to homelessness, and to community

opposition to the siting of housing that serves homeless clients. According to a 2007 estimate by the National Alliance to End Homelessness, there are 159,732 homeless individuals in California, accounting for approximately 0.4 percent of the state's total population. About a quarter of this population consists of homeless people in families. The definition of "homelessness" varies between federal, state, and local agency programs. For federal agencies that provide funding for homelessness aid programs, the definition varies according to the specific program in question. For instance, under the U.S. Department of Housing and Urban Development's Supportive Housing McKinney Vento Programs, homelessness is defined as anyone who is literally homeless, living either unsheltered or in emergency shelters.

Homelessness and near-homelessness is an important countywide concern. Marin County Health and Human Services, in conjunction with Project Homeless Connect, conducted the 2009 Point in Time Count of Homeless Persons which collected data to satisfy both HUD's Supportive Housing Program definition of homelessness as well as a broader county-wide definition which included those individuals and families who were at immediate risk of losing housing (precariously housed). The Point in Time Count, conducted every two years, provides a one-day snapshot of the homeless population in the county, so data cannot be extrapolated over long periods of time. However, it provides the county with a representative profile of the homeless population which can be used to more effectively and efficiently meet the population's needs. Some key findings of the study are as follows:

- (1) Approximately 2 percent of Marin's population (4,798 individuals) were either homeless or were precariously housed at some point in 2009.
- (2) Individuals surveyed listed "lack of affordable housing" and "loss of job" as the top two reasons for their homelessness, showing the far-reaching impacts of the economic downturn and the County's prohibitively high housing costs (particularly rental housing) which keeps housing out of reach for many low income families (see Figure 7 for summary of factors).
- (3) Families are the fastest growing portion of the County's homeless population.
- (4) Over two hundred families with children were homeless (sheltered or unsheltered), and 1,002 families with children were precariously housed.
- (5) Children and youth (under 18) make up 26 percent of Marin's total homeless population.

The 2009 Point in Time Count found 623 unsheltered homeless individuals in the County and 1,147 sheltered homeless individuals, adding up to a total homeless population of 1,770 individuals (based on the County's criteria for homelessness). A total of 351 unsheltered individuals and 726 sheltered (1,077 individuals) were found to be homeless according to HUD's criteria. An additional total of 3,028 individuals (1,187 households) were precariously housed. Sheltered individuals are those residing in transitional housing or emergency housing. Unsheltered individuals include people residing outdoors, in a vehicle, at a campsite, or other similar areas.

On a few occasions, homeless individuals have been spotted along the old railroad right-of-way in the south end of town and in Miwok Park. However, the Police Department verifies that there have not been situations of homeless individuals occupying neighborhood parks, streets, or other public

facilities for shelter. Because Larkspur is not on major public transportation routes and currently provides no shelters or services for the homeless, persons who become homeless in Larkspur tend to go elsewhere. As the Point in Time Count did not separate homeless populations by jurisdiction, the estimates provided above (see Table 17) are a rough calculation based on the percent of the total county population by jurisdiction. Appendix C summarizes the capacity of emergency, supportive, and transitional housing within the county, though because most programs tend to operate at nearly full or full capacity actual availability of beds may be significantly lower.

**Table 18. Special Needs of County Homeless Population**

Subpopulation/Special Needs	Percentage
Chronically Homeless	17%
Mentally Ill	26%
Chronic Substance Abuse	28%
Veterans	8%
HIV/AIDS	1%
Domestic Violence	7%
Unaccompanied Youth (under age 18)	4%
Senior (65 or older)	4%
Physical Disability	17%
Emotional Disability	14%

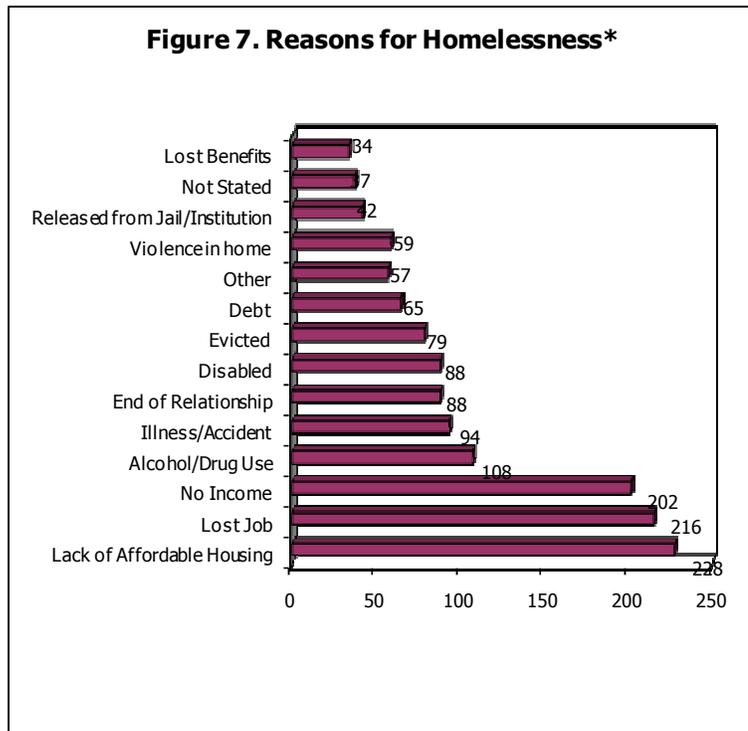
Source: Marin Continuum of Housing and Services, 2007

Forty-one percent of homeless individuals with a disability suffer from a physical disability, and 4 percent suffer from a combination of mental and physical disabilities and substance abuse (Marin County Health and Human Services, 2007). All of these conditions may require extensive in-patient medical and psychiatric treatment in addition to outpatient assistance services, underlining the importance of residential care and treatment provided by Marin organizations such as Marin Services for Women and Homeward Bound. Data specific to Larkspur’s homeless population is not available.

Formerly, emergency shelters were not specifically defined in the City’s Zoning Ordinance or listed as a permitted or conditionally permitted use in any district, though use permits were granted on an ad hoc basis to community services organizations such as churches. However, as detailed further in Program H9.H, the City will amend the Administrative Professional (A-P) and General Commercial (C-2) zones to allow emergency shelters

In Larkspur, there are an estimated 17 unsheltered homeless individuals, creating an unmet need of 17 emergency shelter beds. There are a myriad of financial, emotional, and social circumstances that can influence an individual or family’s transition to homelessness. Of 436 homeless individuals with disabilities surveyed in the 2009 Marin County Point in Time count, 24 percent reported suffering from substance abuse, and 32 percent were struggling with a mental or emotional

**Figure 7. Reasons for Homelessness\***



\*Categories not exclusive; individuals may have marked multiple reasons. Source: Marin County Health and Human Services, 2009.

as permitted uses subject to ministerial review, after meeting certain objective standards. Parcels in these districts are located close to or directly on established transit lines on Magnolia Avenue and Sir Francis Drake Boulevard, and are generally less than a mile away from grocery and other retail services (see the Zoning District Map in Appendix A). As allowed by state law (65583(a)(4)(A)), the City will establish objective operating and management standards, including the following:

- The maximum number of beds
- The provision of on-site management
- The proximity to other emergency shelters (state law limits to 300 feet)
- Length of stay
- Security

Other standards such as floor area ratio and off-street parking requirements would be subject to the zoning regulations for that particular district, no differently than any other use in the district. The City will work with the applicant to make sure the operating and management standards do not unduly impede on the shelter's operation. The Zoning Ordinance will be further modified to define residential housing uses as including transitional and supportive housing. These zoning ordinance amendments will be completed by August of 2011, one year after the Housing Element's adoption (see program H9.H). In addition, the City will continue to facilitate the development of affordable housing and provide whatever financial support possible to homeless service providers. The City will also continue to support countywide programs such as New Beginnings to provide for a continuum of care for the County's homeless residents, including emergency shelters, transitional housing, supportive housing and permanent housing.

## **"At Risk" Housing**

Government Code Section 65583 requires each city and county to conduct an analysis and identify programs for preserving assisted housing developments. The analysis is required to identify any low-income units that are at risk of losing subsidies over the next 10 years. According to the Marin County Affordable Housing Inventory, there are 4,221 deed restricted affordable housing units as of 2008 in Marin County.

Countywide, there were 825 units eligible to convert to market rate units in 2006, based on funding restrictions, with some exceptions (Baird + Driskell, 2004). Of the 825 units, 58 units were designated in the Below Market Rate (BMR) program managed by Marin Housing Authority, and are generally restricted permanently with a slight cost increase to cover resale or legal expenses. Beginning in the year 2007 through 2012 there are 266 units at risk of converting to market rate in Marin County. Of these, 91 are BMR units subject to resale controls.

In Larkspur, there are 139 deed restricted housing units located in five housing developments. Developments with affordable units include:

- (1) Cape Marin — 20 BMR units which are deed restricted until 2019.
- (2) Edgewater Place — 28 deed restricted BMR units built and managed by EAH.
- (3) Larkspur Courts Apartments — 37 deed restricted BMR units under income restrictions funded through RDA and CDBG.
- (4) Larkspur Isle — 28 BMR units under income restrictions and were recently approved by the City to convert from rentals to ownership.

- (5) Magnolia Avenue- 2 very low income units, income-restricted in perpetuity.
- (6) Drake's Way- 24 very low income units, deed restricted until 2065.

This Housing Element contains program actions to preserve at risk units, including working with the property owners and/or other parties to ensure that they are conserved as part of the City's affordable housing stock. A key component of the actions will be to identify funding sources and timelines for action, as described in Section 4, Housing Policies and Implementing Programs.

## **Section 2. Housing Opportunities Analysis**

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### **Evaluation of the Current Housing Element**

#### **Overview**

State Housing Element law requires an evaluation of the achievements of the City's housing goals, policies and programs adopted in the 2004 Housing Element. There are many factors that affect the success or apparent failure of a policy or program, including what the City has done and what other agencies or groups have done to implement the program. Other factors affecting program success include the effects of the economy in general, decreasing availability of state and federal funding for new below market rate housing, or lack of opportunity to implement the program.

#### **Summary of Overall Accomplishments and Key Findings**

The themes of the Larkspur General Plan are to:

- 1) Retain Larkspur's character including the historic downtown and the scale of residential neighborhoods;
- 2) Protect the quality of life, even giving it greater importance than the mobility of traffic;
- 3) Preserve and enhance open space.

Within this context, there are a number of guiding policies in the 2004 Housing Element to address housing issues and needs. A number of policies are related to affordable housing, including the creation of new affordable units and the preservation of existing affordable units. Policies and programs contained in the 2004 Housing Element are reviewed and analyzed in Appendix B.

Larkspur's affordable units since 1988 have come from new development as a result of the Housing Element's inclusionary policies. The units are in four projects: Cape Marin, Larkspur Courts Apartments, Edgewater Place, and Drake's Way. Some current City housing policies include:

- (1) The City's Inclusionary/In-Lieu Fee requirements (adopted in 2005), which require residential developments of five to 14 units to be comprised of at least 15% affordable units, and developments of 15 or more units to be comprised of at least 20% affordable units.
- (2) Control the conversion of apartments to condominiums and prohibit the conversion when the vacancy rate is less than 5%.
- (3) Support development and retention of housing meeting the needs of all segments of society (families, elderly, disabled, low and moderate income, city employees, homeless, etc.)
- (4) Support the development of second units.
- (5) Retain existing residential units in commercial areas and support new mixed-use developments.

- (6) Maintain neighborhood scale through the enforcement of the floor area ratio standards on remodels and new construction.
- (7) Retain existing mobile home parks.
- (8) Support actions that balance employment generation and housing development.

An important aspect of successful Housing Elements is the willingness on the part of local government to take on a more proactive role in implementing housing programs. Actions that the City of Larkspur can take to provide sufficient sites with potential for meeting the City's housing needs, especially for very low and low-income households, include General Plan amendments, rezoning, and zoning text amendments. In addition, the City can help to coordinate with non-profit housing sponsors and other agencies to build affordable housing.

The City's Residential Second Unit standards are in Chapter 18.21 of the Zoning Ordinance. The City allows second units in the R-1 (single family), R-2 (duplex), and R-3 (multi-family) districts and as specified in the ordinances governing planned development-zoning districts. The second unit can be attached or detached and up to a maximum of 700 square feet provided it meets current zoning standards and, in addition to the parking requirements for the main dwelling, one additional parking space is provided for the second unit. The second dwelling unit ordinance allows the legalization of existing illegal units on the same basis as new units. Legalization could result in these second units being added to the known housing stock.

In general, the goals, policies, and programs in this Housing Element have provided a comprehensive set of actions to meet the City's affordable housing needs and provide a diversity of housing types. The entire General Plan, including this Housing Element, reaffirms the following City's goals by: (1) acting as a guide for municipal decisions which affect the quality and quantity of housing; (2) maintaining housing growth within limits of available services; and (3) maintaining Larkspur's present quality of life by balancing the availability of housing with other environmental considerations.

The following specific changes are *recommended for consideration* based on a review of the current Housing Element:

- 1) Strengthen the City's Residential Second Unit program as a viable way to provide smaller, affordable units by considering changing the requirement that to have a second unit, the parking must be brought up to current standards for the main unit and to allow for a higher building height limit for second units built over parking garages. Another action to be considered is lowering the parking requirement for the main unit.
- 2) Continue to support the creation of a Housing Assistance Team (HAT), coordinated by the Marin County Affordable Housing Strategist, that would be available to assist the staff in implementing Housing Element programs, maintaining Housing Element certification and providing technical assistance on housing matters.
- 3) Continue to seek opportunities for mixed use and transit-oriented housing by investigating the feasibility of amending Planned District zoning districts, creating affordable housing overlay districts, and creating incentives to add residential uses to existing shopping centers, such as the Larkspur Landing and Bon Air Shopping

Centers. Also, to increase the number of units likely to be added within the C-1 and C-2 Districts, consider allowing a height limit bonus and flexibility in applying development standards (FAR, lot coverage) for the construction of affordable housing units above commercial.

- 4) Continue to participate in countywide housing activities and coordination with other jurisdictions and special districts.

In the previous Housing Element, the City proposed investigating the feasibility of using funds from the Affordable Housing Fund to convert existing market-rate housing to affordable housing as a means to meet the City's need for low-income housing. However, after thorough consideration of such a proposal, the City found that a number of current residents would be displaced if such a conversion occurred, as they would not meet the minimum income eligibility requirements for low income housing in order to remain in their units. Additionally, they did not have the higher income required to relocate within the same area. As a result of this study, the City found that some market-rate housing does provide affordable housing to a specific economic segment of the community.

## **Ability to Meet the ABAG Needs**

In response to State Housing Element law, the City is required to provide an inventory of known sites available for housing development as well as vacant and/or underdeveloped sites that can accommodate Larkspur's housing development needs determined by ABAG between June, 2007 and June, 2014. Multi-family housing at higher densities, especially in coordination with a non-profit housing sponsor, can provide opportunities for workforce and special needs affordable housing to be built. One incentive that can be offered to encourage affordable housing is to allow those developments that meet affordability criteria to develop their projects at higher densities. This allows cost items such as land, site design and long-term management and maintenance costs to be shared across a larger number of units, thereby bringing down the per-unit cost, and making it easier to achieve affordability goals. Projects that receive such density "bonuses" must guarantee units (above the City's inclusionary requirements) at below market rate prices for a specified period of time. Though the City drafted a density bonus ordinance, it was ultimately not adopted due to changes in State law at the time of the drafting. The City currently refers to State law, but plans to adopt its own density bonus ordinance in 2011 (as described in Section 4, Program H7.A).

There are few remaining vacant or underutilized properties where the topography is suitable for high-density development. Table 19 includes the ABAG's Regional Housing Need Allocation for the City and the number of housing developments built or approved in Larkspur from July of 2007 through the present (as of July 2010). It also shows the total projected number of units that can realistically occur within the 2007-2014 planning period.

The City's policy approach for achieving adequate sites, as expressed in this Housing Element, has several components:

- 1) Look to new second units and mixed-use housing developments as potential sources of housing;

- 2) Identify “potential housing sites” which offer opportunities for higher density housing to be built in the near-term;
- 3) Where possible, modify development standards, such as those for second units and for mixed use housing, to create incentives for this type of development to happen;
- 4) Provide flexibility in how development standards, funding incentives and other incentives are applied for the desired development to occur;
- 5) Continue to facilitate the processing of current residential project applications and projects (e.g., the Rose Garden/CLASP).

It is important that potential high-density housing sites be located near transit, shopping, services and the freeway where people can have easy access to nearby amenities. Increased activity in appropriate locations creates a vibrancy and vitality in these areas. Generally, there is higher intensity of activities around the business centers of the City and lower intensity of land use farther away. For example, the Larkspur Downtown Specific Plan and the Central Larkspur Area Specific Plan (CLASP) focus in more detail on potential mixed-use developments and redevelopment opportunities close to shopping and transit in downtown.

### **Multi-family and Mixed Use Housing Sites**

Several sites have been identified in the Housing Element as having the potential to attain planning approvals for a significant number of affordable housing units in the near term (see Table 19). This potential is based on existing development patterns, recent development trends, recent project approvals, the properties’ site characteristics and pending applications or discussions with applicants or property owners. The City has and will take actions to promote the development of affordable housing on these potential sites by the year 2014.

**Table 19. Summary of Larkspur Housing Element Programs and Housing Needs (June 2009 to June 2014)\***

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
<b>Regional "Fair Share" Housing Need</b>	<b>90</b>	<b>55</b>	<b>75</b>	<b>162</b>	<b>382</b>
<b><i>Housing Units Built or Approved ('07-'09)</i></b>					
Drake's Way/EAH (permitted July 09; completed Nov. 09)	24			23	47
Drake's Cove/Monahan (permits issued)					
New second units (permits issued)	2		4		6
Downtown Area- Above Ex. Commercial 484 Magnolia Ave (completed)	2				2
2000 Larkspur Landing Cir. (Precise Plan approved)		12	13	101	126
The Rose Garden (CLASP Subarea 3) (Precise Plan approved; incl 6-2 <sup>nd</sup> units)	3	9	8	71	91
<b>Subtotal from Built or Approved</b>	<b>31</b>	<b>21</b>	<b>25</b>	<b>195</b>	<b>272</b>
Remaining Need (2010-2014)	59	34	50	+33	110
<b>Miscellaneous Housing Sites</b>					
New Second Units	1	6	1		8
Downtown Area- Vacant Properties	2	3	1	6	12
Downtown Area- Above Ex. Commercial	4				4
North End Magnolia	7				7
<b>Subtotal from Misc. Housing Sites</b>	<b>14</b>	<b>9</b>	<b>2</b>	<b>6</b>	<b>31</b>
Remaining Need (2009-2014)	45	25	48	+39	79
<b>Specific Project Sites</b>					
CLASP Subareas 1 and 2**	3	4	20	20	47
Tiscornia Winery		2	3	18	23
McLaren Property				6	6
Bon Air Center (north of Corte Madera Creek)	42	43	5		90
<b>Subtotal from Specific Project Sites</b>	<b>45</b>	<b>49</b>	<b>28</b>	<b>44</b>	<b>166</b>
<b>Total Units</b>	<b>90</b>	<b>79</b>	<b>55</b>	<b>245</b>	<b>469</b>
Remaining Need (2009-2014)	0	+24	20	+83	+87

\* See Appendix A for a map of specific sites.

\*\*CLASP includes full build-out of Plan Area [138 units]

Please see site-specific narratives (immediately following on page 40) for City's methodology for assigning units to income categories, lot consolidation potential, and realistic development capacity.

## HOUSING UNITS BUILT OR APPROVED

### **Drakes Way (EAH) and Drakes Cove (Monahan)- E. Sir Francis Drake and Larkspur Landing Circle**

(APNs 18-191-19 and 18-191-45)

**Ownership:** EAH/Monahan Pacific

**Area Size:** EAH- 2 acres buildable (8.1 acres); Monahan- 4 acres buildable (10.2 acres)

**General Plan:** Low Density Residential (up to 5 du/ac)

**Zoning:** PD, Planned Development, District

**Existing Uses:** Drakes Way-apartment units completed, building permit issued July 2007; Drakes Cove – single family attached and detached, partially completed

**Topography and Environmental Constraints:** Steep slopes, traffic, & heritage trees

**Proposed Units:** 24 affordable units (24 very-low income), 23 market rate units (density consistent with zoning, the surrounding area, and site topography)

**Actions Required:** Drakes Way - none; Drakes Cove – building permits

**Facilitating Actions Taken/Status:** Design Review, Preliminary and Precise Plans, Tentative Map, Final Map and building permits finalized. Drakes Way project completed in November 2009. Drakes Cove homes partially completed; construction stalled due to unfavorable economic conditions.

**Unit Affordability:** The Drakes Way project was built by a nonprofit housing developer, EAH, and the 24 units are deed-restricted for affordability to very low income households (earning 50% or less of the area median income) for 55 years, taking effect upon occupancy. All units are now fully occupied and rent from \$269 for a one bedroom unit to \$1393 for a three bedroom unit. EAH has successfully developed and managed affordable housing developments for over 40 years (including Edgewater Place, also located in Larkspur) and their developments are not considered “at risk” of conversion to market-rate units.

### **The Rose Garden (CLASP Sub Area 3) –2 Ward Street**

(APN 022-110-45)

**Ownership:** Larkspur Housing Partners

**Area Size:** 16.8 acres

**General Plan:** Low Density Residential

**Zoning:** PD, Planned Development

**Existing Uses:** Nursery, vacant

**Topography and Environmental Constraints:** Hazardous levels of lead in soil require remediation; existence of Native American cultural resources (including possible human remains) impacts treatment of soil.

**Proposed Units:** A total of 91 units including six second-units, with 20 affordable units (3 very low income, 9 low income, 8 moderate income), and 71 market rate units. 50 units will be senior housing units. Affordability of second units will be deed restricted.

**Actions Required:** Final Map and demolition and building permits following soil remediation and further archaeological site investigation

**Facilitating Actions Taken/Status:** Amended General Plan and Downtown Specific Plan, rezoned site from Light Industrial to Planned Development, completed environmental review, and in February 2010 approved Preliminary and Precise Development Plans, design review, tentative map, and other project related approvals.

**Unit Affordability:** The affordability of the units is established by the conditions of approval, adopted in Ordinance 972, and the project’s development agreement (approved May of 2010).

Actual rent/sale prices will be determined by the applicable household income level determinations made at time of project completion, but their affordability levels will be fixed.

### **2000 Larkspur Landing Circle**

(APN 18-260-03; formerly APN 18-171-32)

**Ownership:** Sanitary District No. 1

**Area Size:** 9.18 acres (previous Element reference to 10.67 acres included property reserved for the Sanitary District Facilities site)

**General Plan:** Residential High Density (up to 21 units/acre), Commercial, and Open Space

**Zoning:** PD, Planned Development District

**Existing Uses:** Vacant

**Topography and Environmental Constraints:** Soil contamination (PCBs)

**Proposed Units:** 126 units (20% affordable- 12 low-income, 13 moderate income, and 101 above moderate income)

**Actions Required:** Soil remediation, Final Map, and building related permits

**Facilitating Actions Taken/Status:** Environmental review, General Plan Amendment, Preliminary and Precise Development Plans, design review, subdivision map and other project applications approved.

**Unit Affordability:** The affordability of the units is established in the Precise Development Plan's conditions of approval, adopted by the City Council in Ordinance 951. Actual rent/sale prices will be determined by the applicable household income level determinations made at time of project completion, but affordability levels will be fixed.

## **MISCELLANEOUS HOUSING SITES**

### **New Second Units**

**Ownership:** Various

**Area Size:** Various

**General Plan:** Low Density Residential (up to 5 du/ac)

**Zoning:** R-1, First Residential District

**Existing Uses:** Single Family Dwellings

**Topography and Environmental Constraints:** Various

**Proposed Units:** 8 affordable units (1 very low, 6 low and 1 moderate income units)

**Actions Required:** Ministerial approvals

**Facilitating Actions Taken/Status:** Inquiries regarding second units have increased in recent years and we expect at least another eight over the next planning period (i.e., an increase of two over the previous planning period) as information regarding the ability to create second units has spread.

**Unit Affordability:** Larkspur's Residential Second Unit regulations (LMC Chapter 18.21) restricts second unit dwelling area to a maximum of 700 square feet and a minimum of 320 square feet. The breakdown of affordability is based on a countywide survey conducted by the Marin County Community Development Department (available in the Marin Housing Workbook), which found 80% of second units were affordable to low income households; of those units, 10 - 20% were affordable to very low income households and 10-20% were affordable to ELI households. The study also found that 100% of second units were affordable to moderate income households. While rental prices vary by locale, the countywide study provides a picture of broader market trends which remain applicable to specific jurisdictions including Larkspur.

***Small (Infill) Lots and Mixed Use Housing  
Downtown Area -Vacant Properties***

**Ownership:** Various  
**Area Size:** 1) APN 021-101-41 (southerly portion of 105 King Street) = approx. 15,000 sq. ft. (shown as two 7,500 sq. ft. parcels in 2004 Housing Element)  
 2) APN 021-104-33 =5,000 sq. ft.; and  
 3) APN 020-252-08 =4,300 sq. ft.  
**General Plan:** Downtown  
**Zoning:** Parcels 1 and 2: Garden Downtown/Historic Preservation Overlay District  
 Parcel 3: Downtown/Historic Preservation Overlay District  
 All three parcels are located in the Larkspur Downtown Specific Plan Area.

**Existing Uses:** Vacant lots.  
**Topography and Environmental Constraints:** Intensity constrained by traffic on Magnolia.  
**Potential Units:** Parcel 1: 8 units (1 low and 1 moderate), based on proposals presented by potential property purchasers (site is currently up for sale); units would be primarily above commercial.  
 Parcels 2 and 3: 2 units above commercial on each lot based on recent development in the Downtown area and the existing development pattern.

**Actions Required:** Design Review to ensure consistency with Historic Preservation Overlay District.

**Facilitating Actions Taken/Status:** General Plan policies encourage residential above ground floor commercial. The Downtown District is on the National Register of Historic Places and design review is necessary to protect the historic character of the district; past development approvals have shown that it is not a detriment to development or the development of affordable units (e.g., Blue Rock Inn project, 484 Magnolia Ave.).

**Unit Affordability:** Affordability of units is based on similar development of second-story residential units in the downtown area or (in the case of Parcel 1) on the City’s Inclusionary Housing Ordinance. Affordability guarantees will be stipulated in any conditions of approval or other final documents associated with future projects.

**Lot Consolidation Potential:** Lot consolidation for these parcels is highly unlikely, as they are not adjacent to each other and have separate ownership.

**Downtown Area- Above Existing Commercial**

No.	APN	Ownership	Existing Use	Existing Floor Area (Retail only; ft²)	Potential New Units*
1	020-253-03, 04	Private	Ground floor: realtor, vacant retail, retail, restaurant. 2 <sup>nd</sup> story: 5,400 ft² office, residential.	7,200	5 units (office space conversion)
2	020-261-04	Private	Ground floor: retail; flower shop, 2 m-f units. No second story.	2,520	2 units (new construction)
3	020-261-37	Private	Ground floor: Food retail; retail; salon; laundry. 2 <sup>nd</sup> story: 4,950 ft² office	3,150	3 units (office space conversion)
4	020-261-35, 34	Catholic Church	Ground floor: thrift store; restaurant. 2 <sup>nd</sup> story:	2,700	2 units (office space conversion)

			4,000 ft <sup>2</sup> office		
5	020-262-25	Private	Ground floor: retail. 2 <sup>nd</sup> story: office	1,200	2 units (office space conversion, new construction)
6	020-263-08	Private	Ground floor: salon. 2 <sup>nd</sup> story: office	4,300	2 units (office space conversion)
7	021-104-30	Private	Ground floor: restaurant. No 2 <sup>nd</sup> story.	3,300	2 units (new construction)
8	021-104-34	Private	Ground floor: retail shops; restaurants; 2,100 ft <sup>2</sup> office. No 2 <sup>nd</sup> story	10,200	6 units (new construction)
<b>Total unit capacity:</b>					<b>24 units</b>

**General Plan:** Downtown

**Zoning:** Sites 1-9: Storefront Downtown/Historic Preservation Overlay; Larkspur Downtown Specific Plan Area  
 Site 10: Garden downtown/Historic Preservation Overlay; Larkspur Downtown Specific Plan Area

**Topography and Environmental Constraints:** Existing historic structures; parking constraints

**Realistic Development Potential:** 4 units (4 very-low; above existing storefront commercial). The proposed number of units is consistent with recent development trends and the existing development pattern in the downtown. Storefront and Garden Downtown zoning regulations require a minimum floor area of 450 square feet for an affordable housing unit above first story retail, and 700 square feet for a market-rate unit. The table above calculates the maximum number of market-rate units that could be accommodated on the second story (total unit capacity), either by converting existing office space or through new construction, based on the square footage available and the floor area of existing 2<sup>nd</sup> story units. The unit capacity calculations are meant *only* to show the downtown area’s capacity for second-story housing units, not to propose that all potential units will be built or to analyze the likelihood of their construction. Site capacity may increase depending on the size and affordability of proposed units.

**Facilitating Actions Taken/Status:** The zoning ordinance allows for second-story residential housing above downtown retail as a permitted use, subject to a 25 foot height restriction. The Planning Commission may approve a height exception contingent on the required findings stipulated in LMC 18.44.040. Second-story residential units over first-story commercial units are exempt from floor area ratio restrictions and require only one parking space per unit. Since 2004, two very-low income units have been approved and constructed above 484 Magnolia Ave. Following the construction of these units, the owner of an adjacent building announced their interest in doing a similar project. There are an existing 35 residential units (both single and multi-family) above the downtown retail. In addition, affordable housing units have existed in the historic Blue Rock Inn building (above a popular restaurant) for several decades, evidencing the viability of affordable units in the historic downtown area.

For future units, design review will be required to ensure development is consistent with the Historic Preservation Overlay District. However, the streamlined approval processes of second-story residential units in the area indicate that design review does not pose a barrier to affordable second-story housing development in the downtown. General Plan policies encourage residential above ground floor commercial. Many downtown buildings have second-story offices which may be converted to living space at relatively lower cost than building up from a single-

story structure. There is the potential for more than four units; however, four is the most realistic estimate at this time.

**Unit Affordability:** Unit affordability is based on market prices of existing second-story units above downtown commercial. A below-market rate agreement between the City and the property owner was recorded upon completion of two second-story residential units; the City will actively encourage owners to record below-market rate agreements. Past development approvals have shown that it is not a detriment to development or the development of affordable units (e.g., Blue Rock Inn project, 484 Magnolia Ave.).

**Lot Consolidation Potential:** Lot consolidation for these parcels is unlikely, as many parcels are not adjacent to each other and have separate ownership. The existence of established retail or commercial businesses on the ground floor makes transfers of ownership unlikely.

**North End Magnolia Avenue**

No.	APN	Ownership	Existing Use	Parcel Size (ft <sup>2</sup> )*	Potential New Units*
1	020-064-01	Private	Ground floor: retail. 2 <sup>nd</sup> story partially developed.	7,296	2 units (new construction; 1 unit existing)
2	020-064-02	Private	Ground floor: restaurant.	5,400	2 units (new construction)
3	020-065-05	Private	Ground floor: retail.	4,000	2 units (new construction)
4	020-065-09	Private	Ground floor: vacant.	6,120	3 units (new construction)
5	020-034-08	Private	Ground floor: bicycle shop.	12,000	7 units (new construction)
6	020-034-12	Private	Ground floor: office. 2 <sup>nd</sup> story: 3,510 ft <sup>2</sup> office.	7,020	4 units (office space conversion)
7	020-034-06	Private	Ground floor: retail, church.	15,000	6 units (new construction)
8	020-034-14	Shops at Magnolia	Ground floor: retail, café, framing.	67,600	36 units (new construction)
9	020-066-04	Sunrise Investors	Ground floor: office. 2 <sup>nd</sup> story: 5,880 ft <sup>2</sup> office space.	29,400	7 units (office space conversion)
10	020-066-05	Private	Ground floor: restaurant, office, retail.	17,600	9 units (new construction)
11	020-035-12	Private	Ground floor: clothing retail, furniture store, spa, liquor store, retail.	18,900	16 units (new construction)
12	020-035-05	Fairfax Masonic Temple Assoc.	Ground floor: Masonic temple. 2 <sup>nd</sup> story: partially developed office (area unknown)	18,500	9 units (new construction and office space conversion)
<b>Total Unit Capacity:</b>					<b>103 units</b>
* Existing floor area data not available. Calculations are estimates based on gross parcel size and allowable FAR. 2 <sup>nd</sup> story residential units exempt from FAR.					

**General Plan:** Restricted Commercial and Commercial (allows for residential up to 21 units per acre)

**Zoning:** Sites 1-8: C-2, Commercial (FAR: 0.40. 2<sup>nd</sup> story residential exempt.)  
 Sites 9-12: C-1, Restricted Commercial (FAR: 0.40. 2<sup>nd</sup> story residential exempt.)

**Realistic Development Potential:** 7 units (7 very-low; above storefront commercial). The proposed number of units is consistent with recent development trends and with current interest expressed by property owners. Many buildings in this area are older, and some owners

of vacant properties have approached the City to discuss options for revitalization, which may include housing units.

**Actions Required:** Design Review.

**Facilitating Actions Taken/Status:** Zoning Text Change: revised the C-1 and C-2 Districts to allow for second floor residential as a permitted use, and reduced the required parking for residential to one space/unit as provided for in the Downtown District. Design review is required, though as demonstrated by the Blue Rock Inn apartments and the affordable second story units on Magnolia Ave., design review has not been a detriment to the development of affordable housing above first floor retail or commercial. There is the potential for more than seven units; however, seven is the most realistic estimate, and given the potential size of the units, very-low is a reasonable expectation in terms of income levels.

**Unit Affordability:** The affordability of units is based on market prices of existing second-story units in the downtown area. The Affordable Housing Regulatory Agreement and Declaration of Restrictive Covenants for the affordable second-story units at 484 Magnolia stipulates that the units be rented to households of very low income, in perpetuity. Past development approvals have shown that it is not a detriment to development or the development of affordable units (e.g., Blue Rock Inn project, 484 Magnolia Ave.).

**Lot Consolidation Potential:** Lot consolidation for these parcels is unlikely, as many are not adjacent to each other and have separate ownership. Lot consolidation of the parcels that share ownership would not likely influence housing development. The existence of established retail or commercial businesses on the ground floor makes transfers of ownership unlikely.

**North of Corte Madera Creek** (see Bon Air Center below)

***SPECIFIC PROJECT SITES***

**CLASP Subareas 1 & 2 (Central Larkspur Specific Plan)**

Magnolia Ave., Doherty Dr. & Ward St.

APN	Ownership	Existing Use	Size (acres)	Zoning
<b>Subarea 1:</b>				
020-254-08, 10	Private	Commercial, retail, restaurant, office	1.45	SD/H-Storefront Downtown/ Historic Preservation
020-254-01, 11	City	Parking lot	0.45	SD/H-Storefront Downtown/ Historic Preservation
020-254-02	Private	American Legion (used for public assembly/ events), office	0.23	SD/H-Storefront Downtown/ Historic Preservation
020-254-07, 09	City	Driveway	0.11	SD/H-Storefront Downtown/ Historic Preservation
020-254-12	City	Park	0.22	SD/H-Storefront Downtown/ Historic Preservation
<b>Subarea 2:</b>				
022-110-33	Private	Gas station	0.56	TD-Transitional Downtown
022-110-41, 42, 46	Private	Retail, commercial, personal service and food sales	2.21	TD-Transitional Downtown

**General Plan:** Downtown Commercial.

**Topography and Environmental Constraints:** Traffic, soil contamination, and archaeological site.

**Potential Units:** 47 units (3 very-low; 4 low; 20 moderate; and 20 above moderate). Per the CLASP, 19 units are shown for Subarea 1 and 28 for Subarea 2.

**Actions Required:** Site remediation, more extensive archaeological survey, Precise Development Plans and design review.

**Facilitating Actions Taken/Status:** EIR completed, General Plan Amendment, CLASP adopted September 2006 and a Downtown Specific Plan Amendment.

**Unit Affordability:** Unit affordability for projects in the CLASP Subareas 1 and 2 are established by the City's Inclusionary Housing Ordinance (applicable to housing developments of five units or more). Affordability guarantees will also be stipulated in any conditions of approval or other final documents associated with future projects.

**Lot Consolidation Potential:** Land trade of the City owned parcel in Subarea 1 is allowed in the CLASP and could occur. However, the units could be developed without consolidation.

### **Tiscornia Winery-Magnolia Ave.**

(APN 20-160-5)

**Ownership:** M. Tiscornia

**Area Size:** 23.1 acres

**General Plan:** Low Density Residential (up to 5 du/ac)

**Zoning:** RMP, Residential Master Plan, District

**Existing Uses:** Historic buildings, vacant

**Topography and Environmental Constraints:** constrained site, steep slopes (30-60%), historic buildings, difficult access on/off Magnolia Ave.

**Proposed Units:** 23 units (20% affordable-2 low-income, 3 moderate income and 18 above-moderate income); number subject to change following completion of environmental review and public hearings on Specific Plan; density consistent with topography.

**Actions Required:** Environmental Review, Residential Master Plan, design review, and slope use permit, and possibly subdivision map.

**Facilitating Actions Taken/Status:** Environmental review, Residential Master Plan, design review, and subdivision map could be processed concurrently. Property owner has met with City staff to discuss potential uses of the property including a mix of residential and commercial uses.

**Unit Affordability:** The affordability breakdown is based on the City's Inclusionary Housing Ordinance. Affordability guarantees will also be stipulated in any conditions of approval or other final approvals associated with future projects.

### **McLaren Property- Estelle Avenue**

(APNs 20-031-12, 13 and 14)

**Ownership:** McLaren

**Area Size:** 1.46 acres

**General Plan:** Low Density Residential (up to 5 du/ac)

**Zoning:** R-1, Residential First, District

**Existing Uses:** Two historic homes, remainder vacant

**Topography and Environmental Constraints:** Historic dwellings, access constrained

**Proposed Units:** 6 units (above-moderate). This site was considered for a General Plan Amendment; however, the property owner chose not to pursue it. The property owner has limited access rights to the site due to a restricted easement.

**Actions Required:** Design review, subdivision map and building permits

**Facilitating Actions Taken/Status:** Design review and subdivision map could be processed concurrently.

**Unit Affordability:** Unit affordability is based on previous proposed projects for the site.

**Bon Air Center – Sir Francis Drake Boulevard (North of Corte Madera Creek)**

APN	Ownership	Existing Uses	Area (ft <sup>2</sup> )	Zoning	General Plan	Estimated Unit Capacity*
022-040-30	Schultz Investment/ Bon Air Development Ltd	Banking services, retail	82,366	Planned Development (PD)	Commercial	12
022-040-45	Same as above.	Food sales, retail, banking services	340,000	PD	Commercial	49
022-040-36	Same as above.	Restaurant, general retail	147,000	PD	Commercial	21
022-040-37	CVS Caremark	Pharmacy and other retail goods	141,000	PD	Commercial	20
* Note: estimated unit capacity is simply a measure of capacity; the objective for these parcels in this planning period is a total of 90 units.						

**Total Area Size:** 710,366 ft<sup>2</sup> (16.6 acres)

**General Plan:** Commercial. The Commercial designation encourages residential over first-story commercial uses and exempts them from floor area ratio restrictions. Second story residential density is limited by parking and height restrictions and mixed-use housing shall not exceed 21 units per acre.

**Zoning:** Planned Development District. The Precise Development Plan for the Bon Air Center allows, with a conditional use permit, multi-family dwellings and residential uses over commercial; the allowable height limit is 35 feet, and the current overall shopping center exceeds its parking by over 100 parking spaces.

**Existing Uses:** Successful strip shopping center with various commercial/retail businesses including general and specialty retail shops, restaurants, grocery, banks, and drug store. Though currently fully occupied, the majority of the center dates back to the mid-1980s with portions dating back to 1972. The primary property owner recognizes that the existing buildings are old and outdated. The older portions of the center would likely need to be rebuilt to accommodate housing above the retail. For properties north of Corte Madera Creek, the City's Circulation Assessment Permit policies do not allow for an increase of even one p.m. trip over an existing use **except** for vacant parcels, single family homes, and a residential project that includes the noted percentages of affordable housing. Therefore, there is a disincentive for a property owner to replace old retail space with new retail space as they would not be able to increase the amount of retail space even though they have excess parking. The management company has expressed an interest in mixed use for the property and the manager has attended seminars on the subject. They have also indicated that they would stage the construction in a manner that would retain tenants.

**Topography and Environmental Constraints:** None identified.

**Potential Units:** 90 units (21 du/acre; 42 very low, 43 low income, and 5 moderate)

**Actions Required:** Amendment to the Planned Development District, design review, and a conditional use permit.

**Facilitating Actions Taken/Status:** Conceptual drawing by an architect for part of the Shopping Center to determine feasible number of housing units. (Note: projected unit potential is below the likely capacity of the center). Concurrent processing of the Precise Development Plan amendment, design review, and conditional use permit would be accommodated. The Planned Development District allows for flexibility in the development standards for the project. The previous amendments to the City's Circulation Assessment policies allow for an exception to the circulation assessment permit requirements for projects providing affordable housing.

**Unit Affordability:** Unit affordability based on minimum density appropriate to accommodate lower-income households, as established by HCD. For Larkspur (considered suburban with a population of less than 25,000), the minimum density to accommodate lower income housing is 20 du/acre. The shopping center's Precise Development plan allows residential development at 21 du/acre.

**Lot Consolidation Potential:** Because the majority of the Shopping Center is owned by the same family-owned company that has owned it before and since it was developed, lot consolidation would not be necessary to meet housing needs.

## Potential Non-Governmental Constraints and Opportunities

State law requires an analysis of potential and actual governmental and non-governmental constraints to the maintenance, improvement, and development of housing for all income levels. The Housing Element must identify ways, if any, to reduce or overcome these constraints in order to meet the City's housing needs.

### Land and Construction Costs

The price of housing has continued to rise at a much faster rate than household income. Contributing factors are the cost of land, materials, labor, financing, fees and associated development requirements, sales commissions, and profits. Another factor has been the perception of housing as a commodity for speculation. The typical cost to build an average quality wood frame single family detached home in Marin can range from \$126 to \$160 per square foot and more for custom-built homes. Construction costs for an average multi-family unit are range from \$300 to \$500 per square foot. (Marin Housing Workbook, 2009)

Development costs in Larkspur are higher than in comparable communities because most remaining lots have steep slopes, irregular topography, access, or unstable soils. The technical and engineering costs of dealing with these factors on remaining sites are likely to be particularly high because those are the sites that have been skipped over in the past precisely because of the difficulty and high cost of development.

The typical land value for a single family home lot in Marin County ranges between \$300,000 and \$900,000 in a jurisdiction like Novato, or \$1 million and \$5 million in a jurisdiction like Tiburon (Marin Housing Workbook, 2009). Vacant land within Larkspur is very limited. Based on an informal staff survey of residential land costs in February of 2010, the average cost of a single family lot in Larkspur is approximately \$600,000 (\$3 million per acre, with an average lot size of 0.2 acres). The value of residential land in Larkspur has not been significantly affected by the recession, and high land costs remain a substantial factor in the cost of providing housing. Major contributors to the cost of land are the amount of land available and the

density of residential use allowed. Other factors such as site location, attractiveness of the neighborhood, difficulty of construction, proximity to community services, and any restrictions on development can affect cost.

### **Geographic Constraints**

The natural beauty of the San Francisco Bay, the abundance of hiking and walking trails in the ridges beneath Mt. Tamalpais, and rolling acres of protected open space are largely responsible for making Larkspur a desirable place to live, work, or visit. However, while these beautiful natural features make invaluable contributions to the high quality of life in Larkspur, they also limit the City's buildable area.

Larkspur is bordered on the east by the San Francisco Bay, on the west and south by the Corte Madera Ridge, and on the north by the Southern Heights Ridge. These natural features confined the City's historic development along narrow corridors that have since become major transportation arterials. The Corte Madera Ridge is part of the Northridge Open Space Preserve, comprising approximately one quarter of the preserve's 1,000 acres managed by the Marin County Open Space District. A majority of the very few remaining vacant residential parcels in the City directly abut the Corte Madera Ridge. Their steep hillsides pose not only a financial obstacle to building housing (requiring extensive grading and slope stabilization), but a high risk to life and property due to natural hazards such as landslides, debris flows, and wildfires. The majority of Larkspur's existing housing units are moderate to high density multi-family units and are built on the most feasible parcels for such development. (See Appendix D, Natural Hazard Maps, for maps of fire hazard areas and seismic stability. Fire Hazard areas are established in Ordinance 846 [Larkspur Municipal Code 14.10].)

Most of the City's low-lying land in the east, directly adjacent to the Bay, lies within the 100-year flood hazard zone. Much of this land is already developed with both high density (Larkspur Landing area) and low density (Greenbrae) residential, commercial and industrial development (including Marin Country Mart and Bon Air Center). In addition to the existing flood risk, the effects of accelerated sea level rise may put development in the flood zone at further risk of inundation and expand the flood zone to inland areas not currently at risk of flooding. Considering the potential risks posed to existing development, further intensification of development in the flood zone should be carefully examined by developers, businesses, and the City.

### **Infrastructure Availability**

Infrastructure, services and utility needs for future development are addressed through the development capacity established in the Larkspur General Plan. They do not represent a constraint to development as policies and programs are in place to assure that infrastructure and services will adequately serve new in-fill development. Sites closer to services and transit offer opportunities to provide in-fill housing with limited impacts on traffic conditions. It is noted, however, that much of the existing pipeline infrastructure is aging and, as monies are available to the respective agencies, sewer and drainage pipes will need replacement.

The Marin Municipal Water District (MMWD) is a special purpose district with the responsibility for providing water services throughout southern Marin County, including Larkspur. The District obtains 75% of its water supply from seven reservoirs located throughout Marin and 25% through the transfer of water from the Sonoma County Water Agency (SCWA). There have

been restrictions placed on new water connections in the past due to drought conditions, but there is currently no moratorium on new hook-ups.

MMWD plans for long-term supplies based on the build-out of the general plans of cities it serves. MMWD's operational yield (the amount of water that can be supplied in all but the driest years) is 28,400 acre-feet annually (afa), while the average annual use within the district is 29,745 afa (MMWD, 2008). The drop in yield reflects the below-average rainfall experienced in the County (and the State) in the past five years. MMWD projects a growing supply deficit over the next fifteen years, mainly due to reduced pipeline capacity for the districts that supply water from the Russian River (including SCWA and North Marin Water District; MMWD, 2007). Additionally, in 2009 SCWA announced that it would be reducing service between 30% and 50% as a result of reduced rainfall and storage in the Russian River (MMWD, 2009).

Without implementation of new conservation programs, MMWD projects that the annual deficit in water supplies will grow from 4,200 afa in 2010 to 6,700 afa by 2025 (MMWD, 2007). This scenario would constitute a "serious water supply deficit" and could impact MMWD's ability to serve new housing developments (MMWD Water Conservation Master Plan, 2007). However, in 2007 the MMWD Board of Directors approved a \$44 million conservation program to help mitigate the impacts of reduced water supply.

MMWD partnered with the Las Gallinas Valley Sanitary District in 1981 to develop a water recycling plant, which now provides over 650 acre-feet per year of recycled water for irrigation and other non-potable industrial and commercial uses to 323 service connections (MMWD, 2009). MMWD is also exploring desalination of ocean water as a long-term source of potable water. MMWD built a pilot desalination plant in 2005 in Richardson Bay in San Rafael, and in August of 2009 the Board of Directors approved a permanent plant in the same location with the initial capacity to deliver 5 million gallons per day (mgd) and the potential to expand to 15 mgd.

To be eligible for water service, a residential structure to be served must be within 125 feet of a water main, either an existing main or an extension of the main. Otherwise, a variance to the standard must be obtained. As of 2009, the connection fee is \$29,260 per acre-foot of estimated annual consumption (MMWD, 2009). California Government Code Section 65589.7 requires that public and/or private water and wastewater providers, in their current and future resource or service allocations, give priority for service hook-ups to proposed housing development projects for lower-income households that meet the community's share of the regional need for lower-income housing.

Larkspur's wastewater collection is provided by Sanitary District #1 of Marin County, which serves the Ross Valley. Wastewater treatment is provided by Central Marin Sanitation Agency (CMSA) at the plant located on Anderson Drive in San Rafael. CMSA is a joint powers agency whose member agencies include the San Rafael Sanitation District, Sanitary District #1 (Ross Valley Sanitary District), Sanitary District # 2 of Marin County, and the City of Larkspur. Sewer capacity is not a constraint to housing development in Larkspur.

### **Financing**

Financing for above moderate or market rate housing is not constrained for those who can qualify. It is difficult, however, for first-time homebuyers without capital or equity to qualify for

financing without incomes of \$100,000 or greater. For example, the income required for a \$400,000 mortgage at 7.5% is about \$100,000, which requires a monthly payment of about \$2,800. In response to the faltering real estate market, lenders have also required developers to shoulder more of the cost of development, making loans difficult to obtain both for homebuyers and builders. Non-profit affordable housing organizations, which raise most funding for housing developments from donations from the private sector, may also have difficulty securing funds in the down economy. (Marin Housing Workbook, 2009)

Nationwide, there was a sharp drop in multi-family housing construction during the 1990's that contributed to low vacancy rates and rising rents. According to a study conducted by University of Southern California demographer and planner Dowell Myers, the reason for the drop was due to the loss of federal tax credits, local resistance to apartment construction, litigation and liability issues, and population changes. Until the 1990's single-family and multi-family permits were fairly evenly matched in California, but in the past decade multi-family permits have represented only 22 percent of the total (Baird +Driskell, 2004). Rental construction has become increasingly costly due to the same economic factors affecting single-family home construction. For these reasons many developers prefer to use scarce land to build units for sale in order to realize an early profit and minimize risk. Units for sale are also easier to finance during construction.

The current nationwide economic recession and flailing housing market have left many previous homeowners in foreclosure, many of whom are now turning to the rental market. With the flood of new renters into the housing market, multi-family housing may become more desirable for local communities, thereby eliminating some of the financial disincentives to building rental multi-family housing. However, as foreclosure rates in Larkspur are still relatively low, there is no indication that demand for multi-family housing will be substantially greater in response to the economic crisis.

### **Community Concerns**

Potential opposition to affordable housing exists in many communities throughout the Bay Area. Design plays a critical role in creating new developments that blend into the existing neighborhood, especially in higher density developments that might otherwise seem out of place. Good design can help ensure that high-density developments are not bulky or out-of-scale. Through sensitive design, a building's perceived bulk can be significantly reduced to create a development that blends with the existing character of the neighborhood. Design strategies, which the City often requires of multi-family developments to minimize the perception of bulk and create a blending with the community, do not necessarily increase costs. These include:

- (1) Minimize building heights;
- (2) Break-up the building "mass" in its architecture and detailing (e.g., create several smaller buildings instead of one large building);
- (3) Vary the roofline;
- (4) Create a three-dimensional facade (rather than a massive, flat facade);
- (5) Step-back the building height, with the lowest part of the building towards the street and adjacent properties, locating the highest part of the building towards the center of the property;
- (6) Site the building appropriately in relation to surrounding buildings;
- (7) Use architectural design, landscaping, materials and colors that fit with the area;
- (8) Use landscaping to blend the buildings with the natural setting;

- (9) Provide for open space and pathways throughout the development.

The community's most often expressed concerns are about the impact new development of any kind will have on traffic congestion and the character of the community. These are very valid concerns. Therefore, it is important that housing not only be designed to fit into the character of the community but also be spread out throughout the community. For example, much of the housing need can be met by mixed-use developments on various existing commercial sites, and not solely concentrated on the few remaining vacant sites. Building on sites that are already utilizing parking areas and traffic corridors reduces major impacts to congestion and may enhance community character by locating residences within walking distance to employment areas, shops, restaurants, grocery stores, and public transportation.

### **Working with Non-Profit Housing Developers**

The key to the success of non-profit developers lies in three areas:

- (1) In their ability to draw upon a diversity of funding sources and mechanisms to make their developments work financially;
- (2) In their commitment to working cooperatively and constructively with the local community, including local officials as well as neighborhood residents;
- (3) In their long-term commitment to ensuring excellence in design, construction and management of their developments, thereby creating assets that are valued by the people who live in the developments as well as their neighbors and others in the community.

The Nonprofit Housing Association of Northern California (NPH) serves as a local networking agency, advocacy group and resource organization for affordable housing developers in the Bay Area and elsewhere in California. Some of the affordable housing developers and housing services providers that have been active in Marin County in recent years include EAH, North Bay Housing, Citizens Housing, and BRIDGE Housing Corporation. Though funding from the private sector may be more difficult to obtain in the current down economy, non-profit developers have remained dedicated to providing affordable housing throughout Marin, and the City will continue to cooperate and collaborate with non-profit developers to ensure that housing is provided even under depressed economic conditions. EAH's Drake's Way project overcame several financial obstacles with the aid of government grants, private financing from local banks, and reduced or waived fees from the City.

### **Potential Governmental Constraints and Opportunities**

The City of Larkspur is approximately four square miles. The varied topography of this limited area impacts opportunities for additional housing development. As with other cities, Larkspur's development standards and requirements are intended to protect the long-term health, safety, and welfare of the community. The City of Larkspur charges fees and has a number of procedures and regulations it requires all developers to follow.

### **Land Use Policies**

There are many locally imposed land use and building requirements that can affect the type, appearance, and cost of housing built in Larkspur. The Larkspur General Plan establishes the locations where housing can be built and the density of units per acre. The Zoning Ordinance sets physical standards for development (e.g. lot size, setbacks, height limits, floor area ratio,

parking requirements) and, when design review is required, it defines the issues to be addressed. Table 20 below shows the City's zoning districts which permit residential development and their associated residential development standards.

Land-use controls can be viewed as a constraint in that they determine the amount of land to be developed for housing and establish a limit on the number of units that can be built on a given site. The General Plan land use designation "Low Density" allows up to five dwelling units per acre. "Medium Density" allows up to 12 units per acre, and "High Density" allows up to 21 units per acre. Each of these densities can be increased by 25% for projects meeting the requirements for an affordable housing density bonus as provided for by State Law.

The commercial land use categories in the General Plan encourage the development of residential units above storefront commercial. In 2004, under the previous Housing Element, the City's C-1, Restricted Commercial, and C-2, Commercial, zoning districts were amended to allow residential units to be constructed over storefront commercial as was already allowed in the SD, Storefront Downtown, zoning district. Policy C of the Circulation Element of the Larkspur General Plan states "Except for single-family homes and vacant properties, proposed changes in existing use shall not add traffic to Sir Francis Drake Boulevard." In 2004, this Policy was amended to allow for the potential development of affordable housing units on existing commercial sites north of Corte Madera Creek, as mixed-use projects, particularly for senior housing.

### **Zoning and Development Standards (Including Permit Processing)**

**Zoning.** Larkspur has traditionally encouraged, but not specifically required, high architectural standards for new development. Current City zoning regulations require Design Review approval for development or remodeling of planned developments and multi-family developments and to ensure consistency with the City's Historic Preservation Overlay Districts. Most of the remaining developable sites have significant environmental constraints, which require extensive review and analysis by the City (e.g., slope use permits). All City building requirements are consistent with the California Building Code. General Plan and Zoning Ordinance amendments adopted pursuant to 2004 Housing Element programs provide additional incentives for multi-family housing, and allow increased densities in certain zones to make affordable housing more feasible. Table 20 shows current residential zoning standards.

Government policies and procedures affect the supply and cost of housing. Land use controls, such as zoning, have the greatest direct impact, but development approval procedures, permit fees and building codes affect housing costs as well. Larkspur has historically permitted more multi-family housing development than any other community in southern Marin County, and multi-family units are the most common type of housing found in the City. Multi-family development will continue in areas with immediate access to major roads and commercial areas; however, much of the remaining residentially zoned land will be limited to single-family housing due to the physical constraints of the property (e.g., access problems, visual prominence, heritage trees, steep slopes and geological problems).

Though Larkspur encourages developers to submit proposals reflecting high architectural standards, it is not a condition of development, and the design review process has helped to assure "quality" development within the city. The City recognizes that high design standards can increase construction costs and may conflict with the economics of low- and moderate-

income housing development. It has been found, however, that non-profit housing groups (such as EAH) strive for a certain level of quality that has been acceptable to the City with little change. The City has also allowed for design modifications to reduce construction costs, as demonstrated in the Drake’s Way project.

<b>Table 20. Zoning Districts and Regulations for Residential Development</b>										
<b>Permitted Use</b>				<b>Setbacks (ft)</b>					<b>Parking</b>	
<b>Zone</b>	<b>Lot Area Req. (sf)</b>	<b>Width (ft.)</b>	<b>Lot coverage</b>	<b>Front</b>	<b>Side</b>	<b>Rear</b>	<b>Bldg Ht (ft)</b>	<b>Density (du/ac)</b>	<b>Unit</b>	<b>Guest</b>
R-1	7,500	60	40%	20	6*	15	30	5	2	2
R-2	8,000	60	50%	20	6*	15	35	12	2	1.5
R-3	2,000	50	50%	15	8	15	35	21	<b>See below</b>	
T-R	7,500	n/a	40%	20	6	6	15	5	n/a	n/a
SD	n/a	n/a	n/a	n/a	n/a	n/a	25**	(A)	1	n/a
GD	n/a	50	n/a	n/a	n/a	10	25**	(A)	1	n/a
TD	n/a	n/a	n/a	20	6	10	25**	(A)	1	n/a
C-1	n/a	n/a	n/a	10	0	0	25**	(A)	1	n/a
<b>Conditional Use</b>										
C-2	2,000	n/a	n/a	15	10*	15	25	(A)	1	n/a
PD**	PD district regulations vary depending on the project’s specifications.									
T-R= Tidelands Residential (Larkspur Boardwalk). SD= Storefront Downtown. GD= Garden District Downtown. TD= Transitional Downtown. C-1= Restricted Commercial. C-2= Commercial.										
* 10 ft. required for street facing yard on corner lots.										
** Or 2 stories; whichever is less.										
(A) There are no density regulations for second-story residential units. Unit density is subject to site constraints including parking and building size (second-story residential units exempt from building FAR; 1 parking space per unit).										
<b>R-3 Parking Requirements</b>				<b>Unit</b>				<b>Guest</b>		
				<i>Rental</i>		<i>Condominium</i>				
Studio/1 bd				1		1		4 spaces for the first 5 units and one additional space for each additional 5 units or portion thereof.		
2 bd				1.5		2				
3 bd				2		2.5				
4 bd				2		2.5				

The City’s parking requirements for single-family homes and second units (i.e., two parking spaces plus two guest spaces for single-family homes) can be a factor in increased housing costs. The parking ratios for multi-family developments are significantly less and vary according to the number of bedrooms per unit and whether the units are rentals or condominiums. A condominium project of 20 two-bedroom units, for example, must provide 47 parking spaces, including guest spaces. These standards may need reexamination to allow for reductions in parking for affordable housing projects or units located close to public transit. In the commercial districts, parking over commercial requires only one space per unit. Under the CLASP, parking standards for age-restricted units or affordable units may be reduced by the Planning Commission, as was done for the age-restricted multi-family units in the Rose Garden project. Parking standards for the CLASP and Downtown Specific Plan are listed in Table 21. Parking requirements have not posed a barrier to single and multi-family housing project approval or feasibility.

The City enforces energy conservation standards enacted by the State, in addition to its own Green Building Ordinance (LMC 18.17) that encourages energy and water conservation (see page 66, “Opportunities for Energy Conservation”). The standards may increase initial construction costs, but over time will result in energy and fiscal savings.

Through the City’s code provisions for Planned Development and Residential Master Plan Districts, the City is open to investigating ways to reasonably apply open space requirements and to allow for flexibility in applying other development standards, such as FAR, height limits, density, parking, etc., based on the location and design of the development, compatibility with adjacent uses, and the type, size, and income levels of the occupants of the housing. In this regard, it is recognized that smaller, more affordable housing near transit and services will generate fewer trips, lesser area-wide impacts and will require less parking.

<b>Table 21. CLASP and Downtown Specific Plan Parking Standards</b>		
<b>CLASP</b>		
	<i>Unit</i>	<i>Guest</i>
Multi-family and Cottage Homes*		
Studio or 1 bd	1	1 guest space for every 4 multi-family or cottage units
2 bd	2	
3+ bd	2.5	
Multi-family (age restricted)*	0.9	n/a
Single-family detached**	3	n/a
<b>Downtown Specific Plan</b>		
Residential	1	n/a
* Further reductions for very low and low income units at the discretion of the Planning Commission.		
** 1 tandem space per unit may be used to satisfy parking requirement.		

**Development Standards.** In addition to zoning and subdivision regulations and the policies of the City’s General Plan and Specific Plans, the City has development standards (or “design and improvement standards”) for subdivisions that are outlined in an Interim Design and Improvement Standard Resolution dated December 1977. Currently, the City is relying on adopted ordinances from Marin County and the City of Novato in the update process. A comparison of the City’s current standards with other cities indicates that the City’s existing standards are not significantly different from other jurisdictions in Marin County (i.e., Monahan’s Drake’s Cove subdivision was approved with 30’ roadway right-of-ways). Likewise, curbing, sidewalks, street widths, and utility standards are also similar or not significantly different. It is further noted that the driveway and parking standards were modified to accommodate the EAH Drake’s Way development, which is built on a steep hillside.

Because the City is relying on ordinances from other Marin County cities it is unlikely that, when they occur, the resulting updated standards will differ significantly from the other jurisdictions. The development standard update process will include an analysis of whether there are any standards that could be modified to facilitate the development and improvement of affordable housing (e.g., allowing the integration of curbs and sidewalks to reduce costs). It is important to note, however, that there are few remaining sites in Larkspur where development has not already been approved, which would require significant subdivision improvements. The street widths, sidewalk, and utility standards are already established, and in most cases already in place, for infill parcels.

**Dedications and Fees.** The cost of building permits and payment of impact fees can act as a constraint to the development of affordable housing. Portions of building permit costs are intended to provide cost recovery to the City for plan checking and building inspections. However, according to the 2001 Marin County Grand Jury Report, Larkspur’s building permit fees were only recovering 60% of the cost to provide the service. Since then Larkspur has raised its fees in order to better account for the actual costs absorbed by the City; however, they are still below full recovery. Therefore, while building permit costs are a financial factor to

be considered in the development of housing, for the foreseeable future, the fees are less than the cost of providing the service and less expensive than many other jurisdictions. Table 22 outlines the City of Larkspur's residential Planning and Building permit fee schedule (current as of February 2010).

When development projects reach certain levels of increased traffic generation in the peak commute hour, they are required to pay traffic impact fees. The fees are used to make improvements to the primary circulation routes of the City to facilitate the increase in traffic. Section 18.15.040 of the zoning code specifically exempts development of low and moderate income housing units, second dwelling units, and single-family residences constructed on lots in existence prior to 1986 from payment of the fees. Other market rate residential projects are required to pay \$3,399.00 per vehicle trip generated in the p.m. peak hour beyond the traffic generated by the prior use of the property.

The City has also enacted a Street and Roadway Impact Fee to provide for the repair and maintenance of streets and roads damaged by construction activity. This fee is 0.0075 percent of a building permit's valuation, except that, upon written request, the City Council may waive the fee if the project is directly related to the construction of affordable housing units (Resolution 11/03).

Park dedication or payment of in-lieu fees for the development of housing is required to mitigate the recreational demand created by additional city population. Section 17.13.150 of the Municipal Code allows the City Council to waive payment of the fees upon making the finding that the housing is affordable housing as defined in the Housing Element. Likewise, it has been the practice of the City Council to waive the in-lieu fee. Development of market rate residential units are required to pay in-lieu fees based on the building type ranging from \$5,677 per detached single family residence to \$3,429 per multi-family unit.

The City of Larkspur's fees are not a significant constraint to the development of residential and affordable housing for several reasons:

- 1) Most planning fees are limited to time and materials consistent with State law and are comparable to fees charged by other cities in Marin (see Table 23).
- 2) Fees are fairly standard and are not unduly burdensome or considered to be an impediment to development.
- 3) Impact fees are the minimal necessary to support the infrastructure to serve the new homes and have not been updated in recent years, and therefore do not reflect the true impact costs.
- 4) By ordinance, the City can, and has, reduce(d) planning and building permit fees for affordable units.

Development fees not controlled by the City include sewer and water connection fees and school impact fees. These fees are assessed and administered by the individual districts. Sewer and water hook-up fees can add significant costs to residential development and may present a barrier to the development of affordable housing. In 2008, the Marin Municipal Water District reduced its fees for second units and waived a deed restriction requirement for affordability for cities in its jurisdiction (the deed restriction requirement was reinstated in 2009). MMWD has

also regularly granted fee reductions to low income housing units, including multi-family units and second units, since the early 1980s. These policies encourage and facilitate the development of affordable housing units. The Ross Valley Sanitary District does not currently have an established policy to reduce fees for second units and affordable developments, but the City continues to support the creation of such a policy (see Section 4, program H8.B).

**Table 22. Fee Schedule for Residential Development**

<b>Planning</b>	
Planning Applications (e.g., General Plan Amendment, rezones, Variances, Design Review, etc.)	\$800 to \$1,200 Deposits depending on type of application. When more than one application is required, the application deposit that is greatest is required plus an additional \$500 deposit.*
Slope Use Permit	\$1,500 Deposit *City Council may waive or defer fees for projects targeted to lower income individuals when needed to ensure project feasibility.
<b>Building</b>	
Permit Fees	
Base Building Permit	Based on project cost (e.g., 4-plex w/valuation of \$2,000,000 = \$11,682; Detached Single Family Unit w/valuation of \$800,000 = \$5,892)
Electrical	\$88 minimum or 10% of valuation fee, whichever is greater
Plumbing	\$88 minimum or 10% of valuation fee, whichever is greater
Mechanical	\$88 minimum or 10% of valuation fee, whichever is greater
Energy Insulation	\$86 base fee or 10% of valuation fee, whichever is greater
Plan Check Fee	65% of the permit fees above (due at submittal) or actual cost to the jurisdiction plus 5% overhead fee
Ordinance 428	\$25/bedroom; \$75/master bedroom
SMIP (Seismic)	\$0.10 for every \$1,000 of work, \$.50 minimum
SB 1424 Fee (state)	\$1.00 for every \$25,000 of valuation
Plan Retention	Cost to scan approved plans, \$2.30/sheet, \$5.00 minimum
Planning Review	Planners hourly rate x time spent
Engineer Review	Engineers hourly rate x time spent
Business License fee	\$0.50 for every \$1,000 of job valuation
Street and Road Impact Fee	.0075 x job valuation (for any valuation \$10,000 or over)
General Plan Maintenance Fee	0.25% of job valuation
<b>Other Fees</b>	
Traffic Impact Fee	Required for new residential construction that meets one of the following criteria: new subdivisions, no existing residence on the site, or lot vacant for 5 years. \$3,339/vehicle P.M. peak hour trip over existing.
Park In-Lieu Fees	Required for new residential construction that meets one of the following criteria: new subdivisions, no existing residence on the site, or lot vacant for 5 years. \$5,677 per detached single family unit, \$3,429 per multi-family unit.
Developer Impact Fees	Paid to the school district for new residences, additions or conversion to habitable space of 500 sq ft or more. \$2.97/new sq ft.

Note: Each fee is based on specific criteria, and not every fee is charged for every permit.

Source: City of Larkspur Planning/Building Departments. Current as of June 2010.

Children in Larkspur attend schools in three school districts: Larkspur, San Rafael, and Kentfield School Districts. Each district charges school impact fees on residential development on a per square foot basis. The rates are \$1.93 per square foot for Larkspur, \$2.05 for San Rafael, and \$2.14 for Kentfield School District.

Jurisdiction	Total Fees: Single Family*	% of Development Cost	Total Fees: Multi-family**	% of Development Cost
Belvedere	\$37,987	7.6%	\$273,223	6.8%
Corte Madera	\$41,105	8.2%	\$271,748	6.8%
Fairfax	\$40,806	8.2%	\$258,968	6.5%
<b>Larkspur</b>	<b>\$41,979</b>	<b>8.4%</b>	<b>\$325,902</b>	<b>8.1%</b>
Marin County	\$42,432	8.5%	\$234,420	6.0%
Mill Valley	\$40,636	8.1%	\$289,929	7.3%
Novato	\$76,617	15%	\$433,528	11%
Ross	\$44,889	9%	\$311,578	7.8%
San Anselmo	\$39,157	7.8%	\$289,114	7.2%
San Rafael	\$51,214	10%	\$366,690	9.2%
Tiburon	\$51,937	10%	\$390,028	9.8%

\* 2,400 ft<sup>2</sup> single family home, 3 bedrooms, valued at \$800,000, development cost \$500,000.  
 \*\* 10-unit condo complex, 2 bedrooms, valued at \$500,000 per unit, total development cost \$4,000,000 (\$400,000 per unit).  
 Source: Marin Housing Workbook, 2009. Data for Sausalito unavailable.

**Permit Costs and Processing Time.** Costs associated with the time it takes to obtain planning permits for development can be significant (basic fees charged by the City are summarized in Table 22). These costs are highly variable and are related to developer overhead, financing, and start-up costs, as well as the length of the permit-processing period. It is generally accepted in the building industry that the cost of construction increases as processing time increases.

The cost to process planning permits for development is based on time and materials. However, as Program H7.G in this Housing Element states, the City will “Consider waiving or deferring development fees for housing projects targeted to lower-income households when needed to ensure project feasibility.” It has also been the City Council’s practice to waive planning processing costs incurred by staff. However, the fees charged by outside consultants hired by the City to work on the project cannot be absorbed by the City and are the financial responsibility of the applicant.

Frequently, for large or complicated development projects, a planning consultant is hired to process the application because a consultant can devote concentrated time to the application and expedite the processing. It is, and continues to be, the policy of the City (Policy H7.6 and Program H7.F) to “provide priority processing for all development applications that provide more low-and moderate-income units than are required by the city’s inclusionary policy to reduce the required processing time.” So, to the extent that an application can be processed quickly, the cost of the consultant is partially offset in saved time.

A development application for a single-family house generally takes less time to review than an application for a multi-family development. Currently, when a proposed single-family residence is not subject to special environmental constraints and is in conformity with zoning, then only

design review is required. Once an application is deemed complete, it is generally scheduled for hearing within a month, and after approval it is possible to process the required building permits in one month. The design review process was adopted due to a concern about the construction of “monster” homes on infill lots and the potential loss of existing smaller homes.

***Inclusionary Housing Requirements and Affordable Housing Fund.*** The City’s Inclusionary Housing regulations (LMC 18.31) require at least 15 percent of units in residential developments of five to 14 units to be affordable to low and very low income households (rental) or low and moderate income households (ownership). At least 20 percent of developments of 15 or more units must be affordable to low and very low income households (rental) or low and moderate income households (ownership). The ordinance also requires subdivisions of two or more parcels where five or more additional units could be constructed to set aside developable parcels to allow for the future development of the equivalent percentages of affordable units as outlined above. The applicant or another for-profit or nonprofit applicant may develop the set aside land. The units may be rental or owner-occupied. The method of providing inclusionary units from lot subdivisions would be specified in the conditions of approval of each applicable subdivision.

A developer can meet the inclusionary housing requirements by an alternative equivalent action, established by the ordinance as including following:

- Dedication of vacant land suitable for housing to a non-profit housing development (fully improved, free of toxic substances, appropriately zoned, and large enough to at least accommodate the required number of units).
- Transfer of inclusionary unit credits.
- Construction of affordable units on another site or enforcement of required rental/sales price restrictions on existing market-rate dwelling units consistent with the ordinance’s household income restrictions.
- Development of second dwelling units (may only satisfy 50 percent of the required affordable units).

In order to use an alternate equivalent action, the developer must show how the alternate action will further the City’s affordable housing opportunities to an equal or greater extent than providing the inclusionary units. The City Council has sole approval of alternate equivalent actions.

A developer of five to 14 units may satisfy the inclusionary housing requirements by paying in-lieu fees for the affordable units. A request for in-lieu fee payment must include: a report containing sufficient independent financial data showing why developing the affordable units is infeasible; all overriding conditions that prevent the development from meeting the inclusionary requirements; and an analysis of why the overriding conditions cannot be mitigated by incentives and concessions offered by the City. Concessions and incentives include reducing site development standards and reducing, waiving, or reimbursing fees. Projects that provide more than the minimum required affordable units would be eligible for density bonuses and other financial incentives (to be reviewed and approved by the City Council). Current in-lieu fees are listed in Table 24.

Affordability of inclusionary housing units may be established by regulatory agreements, resale restrictions (ownership units), or in deeds of trust in perpetuity, unless reduced by the City Council to a specific term to meet the requirements of a financing institution or subsidy program. Thus far, the City has not collected any in-lieu fees from approved developments, as the developments have

either accommodated the required affordable units or an alternate equivalent action. The Rose Garden project met its inclusionary unit requirement by providing second units, cottages, and affordable units within the market-rate development. The Drake’s Cove project donated vacant land to non-profit housing developer EAH as an alternate equivalent action, thus facilitating the construction of 24 very low income units at Drake’s Way.

<b>Table 24. In-Lieu Fees</b>	
Project Type	In-Lieu Fees per Affordable Housing Unit (Note: The fees per affordable unit do not change based on project size)
Rental Units	\$213,267
For-Sale Units	\$338,126

**Design Review.** Multi-family development proposals are subject to design review. In practice, the design review of a project by the Planning Commission has not added processing time to an application, since most multi-family development proposals require Planning Commission approval of a slope use permit, circulation assessment permit or tentative map due to the site location or the applicant’s wish to subdivide or build condominiums. Discretionary permits are always processed concurrently. Further, though design review is subjective to some extent, the policy of the City Council and Planning Commission has been to focus on concerns with bulk and mass and how the architecture accentuates or minimizes these components rather than the specific details of the design.

The City’s design review criteria, as outlined in the Zoning Ordinance, are typical and straightforward. They include the following:

- The need for the design to be done by a person who under the building code is designated as legally competent to submit the project application.
- The preservation of the natural landscape, particularly the preservation of heritage trees.
- The relationship between structures within the development and with the neighborhood and other surrounding development.
- The materials and colors used for siding, glazing, roofs, and concrete surfaces (what is acceptable is clearly explained in the ordinance).
- Walls, fences or screening.
- Design of drives, parking and circulation
- Garbage and refuse collections areas
- Signs
- Exterior lighting sources
- Landscaping
- Construction impacts.

The findings for slope use permits focus on impacts on views and environmental characteristics of the site (e.g., geological features, drainage ways, etc.), construction management measures, best engineering practices, fire safety measures, health, safety, and welfare of persons residing or working in the neighborhood, and General Plan consistency. Findings for Circulation Assessment Permits focus on consistency with the General Plan and any applicable Specific Plan, peak hour trip generation and impacts on intersections and roadway segments relative to the General Plan standards, provisions for specific transportation system improvements that

may be required, payment of applicable traffic impact fees, and the public benefit of the project.

As evidenced by the past approvals of affordable housing projects and projects with an affordable housing component, e.g., Edgewater Place, Cape Marin, and Drake's Cove/Drake's Way, the City's criteria and design review process has not been detrimental to the construction of affordable housing. It is also noted that in recent years the non-profit housing organizations have recognized the need for designs that are compatible with the community and the aesthetic quality of their projects further facilitate the design review process.

***Environmental Review- CEQA.*** Many major projects, however, also require environmental reviews (either negative declarations or environmental impact reports), public hearings and extensive local review. The total length of time from the initial developer contact with local officials to final map and approval can exceed two years. The City has taken actions to reduce processing time and potential delay for residential projects by encouraging developers to meet with neighborhood residents and allowing the combined processing of certain applications, and hiring consultants that are able to focus on the project. Multi-family development proposals proposed on non-environmentally sensitive land and in a multi-family zone can be acted upon within 60 days of a complete application submittal. However, except for the Sanitary District Property and the Central Larkspur Specific Plan area for which precise development plans have been approved, there is very little vacant residential land remaining that is not environmentally sensitive. Much of the remaining developable land in the City has significant environmental and land development constraints, such as access problems, visual prominence, steep slopes and geological problems, which require extensive review and analysis of proposed projects to assure appropriate site planning and design. This is indicative of the fact that the City is close to build-out.

The City of Larkspur follows the procedures set forth in the California Environmental Quality Act (CEQA) and Guidelines and processing time for multi-family projects is dependent on whether an Environmental Impact Report (EIR) is required. Barring significant environmental constraints, CEQA Section 15332 ("Infill Development Projects") allows the City to categorically exempt from CEQA review infill development consistent with the Larkspur General Plan and Zoning requirements.

Environmental review for projects, which are not categorically exempt and have no significant impacts or which mitigate impacts to less than significance, normally takes less than 60 days to accomplish, and is required by law to be completed in no more than 105 days from the time a completed application is submitted. If the development 1) has potential environmental impacts which are not determined to be mitigated to less than significant levels, or 2) requires further study to determine the significant impacts, appropriate mitigations and/or project alternatives, processing time may take longer depending on the complexity of the project and the scope of impacts, mitigations, and alternatives to be analyzed. State law requires that all development projects, not requiring legislative actions, be approved within six months from the date a completed application is submitted if a negative declaration is prepared and processed. Environmental review and action on a project must occur within one year if the project has significant impacts and an environmental impact report is prepared.

However, the City, whenever possible, has taken steps to reduce the processing time on housing developments relative to environmental review. For example, the City was able to

issue a Mitigated Negative Declaration for the Drake's Way/Drake's Cove developments. Also, the City prepared an expanded initial study and Mitigated Negative Declaration for the 2000 Larkspur Landing project. Most remaining residential sites in Larkspur, however, are on heavily vegetated steep slopes that are more expensive to develop due to geotechnical and access problems. Further, environmental protection requirements, including protection of endangered species, may make it such that CEQA Section 15332 does not apply and additional time and cost is necessary to process development permits including evaluating the effects of the project and identifying appropriate measures to mitigate adverse impacts.

Another step the City takes in facilitating the processing of applications is to encourage pre-application consultations with City staff. The purpose of the consultations is to help the applicants understand the City's development codes and regulations and issues that may arise from community concerns. Applicants are also encouraged to meet early with community groups and neighbors concerned with the proposed project as well as with any responsible or potentially interested agencies. The City also has an internal Development Review Committee comprised of planning staff and representatives from Public Works, Building, Fire Department, and Customer Service staff. The Committee meets weekly to review and discuss recently submitted applications and applications in process, as needed.

Ultimately, though, time requirements for review of the merits of a project are contingent on project complexity, its environmental impacts, and the adequacy of the application submittal. A single-family residence requiring Planning Commission approval, such as design review, can be processed within 30 days or less of the submittal of a complete application and building permit processing times are usually between one and three weeks after Planning Commission approval and a complete building permit application has been submitted. The processing time is the same for other types of small multi-family complexes or mixed-use developments (e.g., small downtown commercial projects) that do not require preparation of a negative declaration or an environmental impact report and are consistent with the historic character of the site or area, if applicable.

***Planned Development Districts.*** Larger development projects in a Planned Development District begin with submittal of a Preliminary Development Plan that consists of written and graphic materials describing a general development scheme and the parameters of development. The Planned Development District allows flexibility in determining building placement, height, bulk, and mass that will be most suitable for the site. The findings required by the Planned Development District ensure consistency between the project and the goals and policies of the City's General Plan and any applicable specific plans. Generally, unless the project is significantly complex, Planning Commission hearings are held within 30 days of when the environmental review is complete. Final action is then taken by the City Council and this can occur within 30 days of when the Commission has completed their hearing.

Subsequent to obtaining City Council approval of the Preliminary Development Plan, submittal and approval of a Precise Development Plan by the City Council is required based on the recommendations of the Planning Commission. The Precise Development Plan is more detailed than the Preliminary Plan, but must be consistent with the development scheme of the approved Preliminary Plan. Final action on Precise Development Plans usually takes 45 to 60 days after the application is determined to be complete. The subdivision of property also requires submittal and approval of a Tentative and Final Map. Tentative Maps are often

submitted and processed concurrently with the Precise Development Plan. Action on a Final Map is taken after the conditions of the Tentative Map have been met. After obtaining approval of the Precise Development Plan and the Final Map, the applicant normally applies for building permits. Future development of individual lots within a Precise Development Plan area generally require only building permits if the development is consistent with the approved plan. The Planned Development process provides an alternative method to the variance process for granting exceptions to the zoning ordinance. In the case of Drakes Way, exceptions were granted for parking to allow reductions in grading; exceptions were also granted to density for a hillside lot, covered parking requirements, minimum lot area per dwelling unit, building height limits, and rear-yard requirements.

### **Building Codes and Enforcement**

The City of Larkspur adopts the California Building Standards Code and subsidiary codes that set minimum standards for building construction. The standards may add material and labor costs but are the industry standard and considered to be the minimum necessary for the safety of those occupying the structure. The City has amended specific provisions contained in the Uniform Codes which can impose additional costs on residential development, particularly in High Hazard Fire Zones: 1) Achievement of Class A roofing standards and fire sprinklers are required for all structures in excess of 120 square feet that are located within a High Hazard Fire; and 2) plastic pipe is not permitted in any structure exceeding two stories in height. The City also uses the State Historic Building Code, as may be appropriate, to facilitate preservation, rehabilitation, and restoration of historic structures.

In addition, the City enforces provisions of Title 24 of the California Building Code, specifically those related to energy conservation and efficiency. While these requirements have tended to be strengthened over time, resulting in increased construction costs, greater energy efficiency results in lower operating costs for residents.

The City's code enforcement program is complaint-driven. The Building and Code Enforcement Officer enforces building and zoning codes with assistance from Planning staff. Most complaints are resolved voluntarily through corrective action by property owners, although some require additional actions through hearings and assessment by fines. In instances where work is done without permits, double-fee penalties are assessed and the work must meet current code standards.

### **Potential Housing Constraints for Persons with Disabilities**

The City has not identified any specific constraints within the zoning or building codes relative to the development, maintenance, and improvement of housing for persons with disabilities. Consistent with Senate Bill 520 (2002), however, the City will continue to regularly evaluate its zoning ordinance and other policies to identify and eliminate potential barriers to the construction of housing for people with disabilities, handicapped dwelling conversions (or adaptability), and appropriate site design.

The most likely types of constraints that would occur would be relative to the placement of access ramps or other structures designed for access into a designated setback area or exceeding the height limit for an elevator shaft or related mechanical equipment. These types of issues are partially addressed through the listed exceptions for structures that can extend into the setback areas and the types of structures that exceed the height limit. The exceptions

to the setbacks do not specifically list wheelchair ramps but a ramp would be similar to a landing place and outside stairway, which are listed as exceptions. Elevator shafts are specifically listed as exempt from the height limit as long as they are minimum necessary for the normal function of the elevator. With respect to parking standards, all new development is expected to meet the City's standards; however, when existing parking areas are upgraded and are modified to provide handicapped parking, the City recognizes that a space or spaces may be eliminated to accommodate the handicapped parking and allows for this to occur.

The City also has a variance process, which a person can apply for to seek relief from the zoning regulations if necessary. To date, the City has been able to accommodate building permits for accessible facilities and no variances have been requested. Further, the Larkspur Zoning Ordinance has previously been updated to define "family" within the context of Fair Housing laws and to allow for group homes as a permitted use in each of the residential districts as well as in the downtown and general commercial districts. Pursuant to Program H9.H in this Element, the definition of group homes (both handicapped and non-handicapped) will be amended to specify the inclusion of transitional and supportive housing.

The Ordinance does not restrict the number of persons living in a group home for the handicapped, but limits other group homes to six clients or less. Except for this limit on group homes for the non-handicapped, there are no particular conditions or use restrictions for group homes, including those that provide transitional, supportive, or other services on-site, and the City does not regulate the siting of special need housing in relationship to one another. With a ministerial approval, the City's Zoning Ordinance permits group homes for the handicapped (no limit on number of persons) and group homes for the non-handicapped (up to six persons) in all of the residential zoning districts (R-1, R-2, R-3 and MHP-Mobile Home Park) and the General Commercial District (C-2). Residential care homes are conditionally permitted in the Administrative and Professional District (A-P). In June of 2003, the City approved a conditional use permit for Marin Services for Women to develop a 40-bed residential care facility in the A-P District to meet the needs of individual women in receiving integrated recovery assistance, including space for infants and children.

Although these methods of addressing the accommodation needs of persons with disabilities have been adequate so far, the City recognizes the need for a formal procedure or policy of handling requests for reasonable accommodations that require exceptions to the zoning and building codes. A reasonable accommodation ordinance has been drafted, but needs further internal and public review before adoption is considered. A program to address this need has been included in the implementing programs of this Element (Program H9.C).

### **Second Units**

A second dwelling unit is a small unit, attached or detached to the main house, which provides complete independent living facilities for one or more persons. In 2003, the State of California adopted legislation that required the permitting of second units to be a ministerial process, meaning that local jurisdictions must allow the construction of second units by-right, though subject to jurisdiction-defined building and design standards. Consistent with State law, the City amended its Zoning Ordinance to allow the construction of second units by-right, subject to building and design standards specified in the Residential Second Dwelling Unit Ordinance (LMC 18.21).

Second units must meet the following standards as specified in LMC 18.21:

- a) Only one second unit allowed per parcel developed with a single-family home, either attached or detached from the main unit.
- b) The floor area must be between 320 and 700 square feet.
- c) Either the single-family unit or the second unit must be occupied by the property owner.
- d) Detached second units must meet the requisite setback and height limitations for accessory buildings in the appropriate zoning district. Attached second units must meet the same requirements for the main dwelling in the appropriate zoning district.
- e) One parking space, covered or uncovered, must be provided in addition to the existing parking spaces required for the main dwelling, subject to topographical, fire and safety hazard conditions.
- f) The second unit must be rented, leased, or provided without compensation.
- g) The second unit may be either a studio or one-bedroom unit.
- h) The design of the second unit must be compatible with that of the existing main unit, and impacts on neighboring properties must be minimized (i.e. opaque glass on second-story second units).

According to a countywide survey conducted in 2008, 80 percent of second units are affordable to low income households, with 10 to 20 percent affordable to ELI households and 10 to 20 percent affordable to very low income households. About 10 percent of units are occupied by family relatives, caretakers, or employees who pay no rent. Additionally, second units are between four and 14 percent more affordable than similarly sized rental units in apartment complexes. In Marin County, almost 90 percent of second units are one-bedroom units, with studio and two-bedroom units comprising the remaining 10 percent in fairly equal proportions (Marin County Community Development Agency, 2009). In Larkspur, second units may only be studio or one-bedroom units. One-bedroom units are particularly suited to the needs of single-person senior households, which constitute 15 percent of households in Larkspur, in addition to other low-income single or two-person households.

Some of the unique benefits of second units are as follows:

- (1) They provide flexibility for the owner of the main home (they can be an apartment for elderly parents or other family member, or a source of income);
- (2) When rented they help make home-ownership affordable for the owner of the home;
- (3) They can provide flexibility for seniors or other homeowners who rent their primary dwelling because they still want to live in the same neighborhood;
- (4) They provide lower cost housing because the units tend to be small and there are no extra land costs (surveys show that no rent is collected for half of the units);
- (5) To fit in to existing neighborhoods the units are small, limited to no more than 700 square feet.

Between 1999 and 2006, the City issued permits for six second units, two of which were affordable to ELI households and four affordable to moderate income households. In the 2007 to 2014 planning period, the City anticipates to produce the same volume at similar affordability levels, meeting two percent of the very low income housing need and five percent of the moderate income housing need.

## Opportunities for Energy Conservation

Housing Elements are required to identify opportunities for energy conservation. Energy costs can be a substantial portion of housing costs. Effective energy conservation measures built into or added to existing housing can help residents manage their housing costs over time and keep lower income households operating costs affordable. There are a number of programs offered locally through Pacific Gas & Electric, local non-profit organizations, and the State of California that provide cost-effective energy saving programs. PG&E's Energy Partners program provides income-qualified customers free energy efficient appliances, energy education, and home weatherization to help reduce their energy use. State and federal appliance standards now require manufacturers to produce and sell appliances according to specified energy-consumption performance criteria, and the Energy Crisis Intervention Program, funded by the State Department of Economic Opportunity, helps low income residents pay delinquent energy bills to avoid interruption of service. The City has made information about these energy conservation programs available to the public.

The California Human Development Corporation runs a "weatherization" program for low-income households and additional programs may be forthcoming with recent increases in energy costs. Other significant areas in which the City of Larkspur is encouraging energy conservation in new and existing housing include:

- 1) Application of State residential building standards that establish energy performance criteria for new residential buildings (Title 24 of the California Administrative Code).
- 2) Appropriate land use policies and development standards that reduce energy consumption, such as promoting more compact, walkable developments and housing close to transit, jobs, community facilities and shopping; encouraging in-fill development; planning and zoning for multi-use and higher density development; permitting common walls and cluster development; and promoting passive and active solar design elements and systems in new and rehabilitated housing.
- 3) The adoption of a Green Building Ordinance in 2007, designed to encourage water and resource conservation, reduce construction waste, increase energy efficiency in buildings, and promote buildings that are efficient and economical to own and operate. The Ordinance applies to any new construction project 500 square feet or greater, including residential or commercial building additions. Projects must comply with green building standards and guidelines established by the U.S. Green Building Council (LEED standards), Build it Green, or any other standards identified by the City Council. (Please see Larkspur Municipal Code 18.17 for full text of ordinance). The Ordinance may be replaced in the future with the State's CALGreen building code, which has similar requirements and standards for new construction.
- 4) Through participation in Marin Green BERST, a countywide collaborative of municipal employees and industry experts formed to create uniform green building standards as a model for all County jurisdictions.

Through these and other conservation measures the City seeks to help minimize the percentage of household income that must be dedicated to energy costs as well as minimize the use of nonrenewable resources.

## **Section 3. Housing Vision, Goals, and Objectives**

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### **Vision for Housing in Larkspur**

The purpose of the Larkspur's Vision of Housing in the Year 2020 helps to define what the community of Larkspur values, and to take a positive, constructive look at Larkspur and how housing fits into its future. With a clearer idea of what it is we want our community to be like, we can chart a more meaningful and effective course to get there. Further, it is important for the vision and values expressed in the Housing Element to be consistent with those of the entire Larkspur General Plan. (Note: Though the following vision statements appear relevant today, they will be reviewed as the community looks to the year 2030 through the General Plan update process to ensure they continue to reflect the community's values and vision.)

The following Vision of Housing expresses the values of the community:

1. People can live, work and play here.
2. We have housing choices to fit different needs. We have a mix of residential and non-residential in our downtown area, a significant percentage of rental apartments, and variety of housing types.
3. We value human dignity and continue to enhance our economic diversity.
4. We have and encourage creativity in design and types of housing.
5. We have support systems and housing in place to help the disenfranchised (homeless, elderly, disabled, and others in need).
6. Open spaces, environmentally sensitive areas, and the coastline have been sustained. The natural environment is beautiful and fragile natural systems work well.
7. Our City is friendly, with lots of civic pride, tradition, interaction and community involvement.
8. We coordinate with other jurisdictions to address important housing issues in creative and effective ways.

### **Housing Goals**

The City of Larkspur is committed to working with other agencies and non-profit organizations to maximize affordable housing opportunities that may exist. It is also important to ensure a "fit" of new housing with Larkspur's high quality residential and commercial neighborhoods. The Housing Element strives to achieve the following goals:

**HG Goal 1:** Ensure the City's commitment to meeting housing needs.

**HG Goal 2:** Protect and enhance existing housing, community character and resources.

**HG Goal 3:** Provide new housing and address affordable housing and other special needs housing.

### **Housing Objectives**

Policies and programs establish the strategies to achieve the Housing Element goals outlined above and the maximum number of units that can be rehabilitated, conserved, or constructed. The City's objectives (or targets) are described under each program and summarized in Appendix A. Assumptions are based on past program performance, modifications proposed to the programs to achieve better results, construction trends, land availability, and future

program funding. The City's housing policies are grouped by the housing objectives listed below.

H1. Sense of Community and Creation of Successful Partnerships. Enhance our sense of community by identifying shared responsibilities from all sectors within the community (government, business, neighborhoods, non-profits, etc.) that effectively address the City's housing needs.

H2. Equal Housing Opportunities. Promote equal housing opportunities for all persons and assure effective application of Fair Housing law.

H3. Housing Design. Assure that new housing is well-designed and of an appropriate scale to enhance our neighborhoods and community as a whole.

H4. Existing Housing and Neighborhoods Preservation. Protect and enhance the housing we have and ensure that existing affordable housing "at risk" of conversion to market rates will remain affordable.

H5. Housing and Jobs Linkage. Promote the creation of housing near the workplace and, if it makes sense in the future, establish non-residential use contributions to affordable workforce housing.

H6. Variety of Infill and a Balance of Housing Choices. Maintain a diverse population by providing a variety of choices in the type, size, cost and location of new housing and more efficient use of existing housing, including the creative and efficient use of vacant land and the redevelopment of built land within established development areas to support local transit and services, maximize sustainability, and help maintain our environment and open space.

H7. Long-Term Affordable Housing. City seeks to provide its "Fair Share" of very-low, low and moderate income housing and to ensure affordable housing remains affordable over a long term.

H8. Second Dwelling Units. Encourage well-designed, legal second units in all residential neighborhoods.

H9. Special Needs Housing. Provide housing for population groups who require special assistance.

H10. Special Needs Support Programs. Provide housing assistance for special needs and link housing to health and human Services programs helping meet the needs of seniors, people with disabilities, homeless and others.

H11. Funding for Affordable Housing. Be aggressive and creative in finding ways to increase ongoing local funding resources for low income special needs housing.

H12. Energy Conservation. Encourage energy conservation in housing.

H13. Effective Implementation and Monitoring. Take a proactive approach in sharing resources and making organizational changes to effectively create and respond to opportunities to achieve housing goals.

## Section 4. Housing Policies and Implementing Programs

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**H1. Sense of Community and Creation of Successful Partnerships: Enhance our sense of community by identifying shared responsibilities from all sectors within the community (government, business, neighborhoods, non-profits, etc.) that effectively address the City's housing needs.**

- H1.1 **Local Government Leadership.** Affordable housing is an important City priority, and the City 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.
- H1.2 **Community Participation in Housing and Land Use Plans.** The City 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.
- H1.3 **Neighborhood Meetings.** Developers of any major project will be encouraged to have neighborhood meetings with residents early in the process to undertake problem solving and facilitate more informed, faster and constructive development review.
- H1.4 **Inter-Jurisdictional Strategic Action Plan for Housing.** The City will coordinate housing strategies with other jurisdictions in Marin County as appropriate to meeting the City's housing needs.

### *Implementing Programs*

H1.A **Gather and Prepare Information and Conduct Outreach on Housing Issues.** Coordinate with local businesses, housing advocacy groups, neighborhood groups, and local Chambers of Commerce and participate in the Marin Consortium for Workforce Housing in building public understanding and support for workforce and special needs housing. Gather and, as necessary, prepare informational handouts, provide information on the City's updated website, and continue to refer concerned residents to the City's successful affordable housing developments.

*Responsibility: Planning Department; City Manager; City Council*

*Financing: Staff time; the City may use funding sources such as Community Development Block Grant (CDBG) funds and City-generated affordable housing funds to implement this program.*

*Objectives: Handouts, City website, and presentation material*

*Timeframe: Initiated January 2003; ongoing thereafter*

H1.B **Collaborate in an Inter-Jurisdictional Strategic Action Plan for Housing.** Work toward implementing, whenever possible, agreed-upon best practices, shared responsibilities and common regulations to efficiently and effectively respond to

housing needs (including affordable housing, and transitional and supportive housing) within a countywide framework. The Strategic Action Plan program should be coordinated by the Marin County Affordable Housing Strategist and be available to assist participating cities.

*Responsibility: Planning Department; City Manager; City Council*

*Financing: Staff time*

*Objectives: Coordination with other jurisdictions on housing matters.*

*Timeframe: Initiated in 2002; ongoing thereafter.*

## **H2. Equal Housing Opportunities: Promote equal housing opportunities for all persons and assure effective application of Fair Housing law.**

**H2.1 Equal Housing Opportunity.** To the extent possible, the City will ensure that individuals and families seeking housing in Larkspur 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.

**H2.2 Eligibility Priorities for Deed Restricted Housing.** In order to meet a portion of the City's local housing need, consistent with ABAG Housing Need Determinations, the City 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 City employees, local school employees, or people working in the City of Larkspur or working within a five-mile radius of the City's boundary.

### ***Implementing Programs***

**H2.A Update Ordinances.** Update the zoning code ordinances to be in compliance with any amendment to the Fair Housing Act.

*Responsibility: Planning Department; City Attorney; Planning Commission; City Council*

*Financing: Staff time*

*Objectives: Effective implementation of anti-discrimination policies*

*Timeframe: Ongoing, as needed to implement amendments to the Fair Housing Act.*

**H2.B Respond to Complaints.** The City will refer discrimination complaints to the appropriate legal service, county, or state agency, or Fair Housing of Marin. If mediation fails and enforcement is necessary, refer tenants to the State Department of Fair Employment and Housing or HUD, depending on the nature of the complaint.

*Responsibility: Customer Service Counter*

*Financing: Staff time*

*Objectives: Respond to discrimination complaints.*

*Timeframe: As needed.*

**H2.C Public Information.** The City will maintain brochures and other written material on services, education and information offered by agencies related to discrimination in housing. The material will be available at the Customer Service counter and in the library at City Hall and at other public facilities. It will also be distributed to

neighborhood groups and associations and, as appropriate, in community mailings to property owners and residents and to the City website (concurrent with the forthcoming website redesign in early 2011).

*Responsibility: Planning; Customer Service*

*Financing: Staff time*

*Objective: Promote public information on housing discrimination.*

*Timeframe: Ongoing*

**H2.D Equitable Public Services.** The City will continue to provide equitable public services throughout the City, including crime prevention, police protection, street lighting, trash collection, recreational facilities and programs, and schools.

*Responsibility: City Manager; City Council; All City Departments*

*Financing: General Fund*

*Objective: Provide equitable public services throughout the City.*

*Timeframe: Ongoing*

### **H3. Housing Design: Assure that new housing is well-designed and of an appropriate scale to enhance our neighborhoods and community as a whole.**

**H3.1 Design that Fits into the Neighborhood Context.** To maintain neighborhood identity, sense of community and prevent overbuilding of the property, the design of new housing should have a sensitive transition of scale and compatibility in form to the surrounding area.

#### ***Implementing Programs***

**H3.A Family Housing Criteria.** *Encourage* developers to submit proposals that conform to the following family housing criteria:

- a) **Variety.** For a family housing project to attract families with a wide range of incomes, a plan should contain a variety of unit and lot sizes. Structures on smaller than standard size lots should be built in a scale appropriate to the lot, and the various-sized units should be interspersed throughout a project.
- b) **Identity.** Each dwelling unit should be designed with an architectural character that promotes a sense of identity for the residents.
- c) **Autonomy.** Where possible, legal constraints should be removed and family dwellings should be so designed as to allow the owner the freedom to make modifications that are not detrimental to a project as a whole.
- d) **Storage, including attics and basements.** Family units have a critical need for storage and should be provided with an ample volume. These spaces can also provide area for many of the recreation needs of a family.
- e) **Private open space.** A family unit should have a significant amount of useable open space that is a direct extension of the interior living area, directly accessible to the unit. The area should be suitable in terms of solar orientation and security for activities such as passive and active play, gardening, entertaining, etc. In some instances, it may be appropriate to provide increased common areas to compensate for reduced private open space.

- f) Number of bedrooms. A family housing project should have a reasonable mix of two- and three- bedroom units.
- g) Floor area. Ample floor area should be provided for each unit consistent with the variety and number-of-bedrooms criteria. Living areas in a variety of sizes should be provided.
- h) Laundry. Each unit should have space and hookups necessary for the provision of a washing machine and dryer.
- i) Kitchens. Kitchens should have ample counter space and storage and a natural light source.
- j) Intangibles. Security, privacy, and accessibility are three interrelated characteristics of housing that cover a great deal of territory, and individual families would feel varying degrees of need for each. Some of the more obvious needs are for visual privacy in the private outdoor space, acoustical privacy between units, security provided by access to neighbors and physical security against intruders.
- k) Solar access. Each unit should be designed to maximize solar access to the extent feasible.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time; application fees.*

*Objectives: Family housing that is compatible with the neighborhood.*

*Timeframe: Ongoing*

**H4. Existing Housing and Neighborhoods Preservation: Protect and enhance the housing we have and ensure that existing affordable housing “at risk” of conversion to market rates will remain affordable.**

- H4.1 **Preservation of Residential Units.** The City will discourage the conversion of residential units to other uses and regulate conversions, to the extent permitted by law.
- H4.2 **Condominium Conversions.** Prohibit conversion of existing multi-family rental units to market rate condominium units unless the City’s rental vacancy rate is above 5.0 percent, as determined by the State of California Finance Department annual Population Estimates or an alternative source approved by the City Manager and Planning Director. Exceptions include limited equity cooperatives, co-housing and other innovative housing proposals that are affordable to low- and moderate-income households.
- H4.3 **Protection of Existing Affordable Housing.** The City 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.
- H4.4 **Maintenance and Management of Quality Housing and Neighborhoods.** The City will encourage good management practices and the long-term maintenance and improvement of existing housing. The City will encourage programs to rehabilitate viable older housing and to preserve neighborhood character and, where possible, retain the supply of very low to moderate-income housing.
- H4.5 **Community Preservation.** Assure the retention of the character of older residential areas by protecting the residences of greatest significance, and ensure the safety of

residents and maintain the housing stock by enforcing building and fire codes for all types of residential units.

### ***Implementing Programs***

H4.A **Monitor “At Risk” Units.** Monitor 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 county’s affordable housing stock. Identify funding sources and timelines for action, and prepare an ordinance requiring a one year notice to residents, the City and the Marin Housing Authority of all proposed conversions of affordable housing units to market rents.

*Responsibility: Planning Department, City Manager, and City Council in cooperation with the County*

*Financing: Staff time*

*Objectives: Protection of affordable housing (conserve the 113 deed restricted units).*

*Timeframe: Ongoing*

H4.B **Conduct Presale Inspections.** The City will continue to inspect all residential units prior to resale. The inspection reports point out safety related matters to assure that the units meet basic life safety standards.

*Responsibility: Building Department*

*Financing: Staff time; resale inspection fees.*

*Objectives: Safety and proper maintenance of existing housing.*

*Timeframe: Ongoing*

H4.C **Inspections of Multi-Family Residences.** The Larkspur Fire Department will continue to provide inspections of multi-family residences that are most at risk for fire or other life-safety hazards. As appropriate, the Fire Department, Building Inspector, and Customer Service personnel will provide information to property owners regarding the availability of housing rehab programs and other financial resources.

*Responsibility: Fire Department; Building Inspector; Customer Service*

*Financing: Staff time*

*Objective: Protection of existing housing stock.*

*Timeframe: Ongoing*

## **H5. Housing and Jobs Linkage: Promote the creation of housing near the workplace and, if it makes sense in the future, establish non-residential use contributions to affordable workforce housing.**

H5.1 **Housing for Local Workers.** City will strive to provide an adequate supply and variety of housing opportunities to meet the needs of Larkspur’s workforce and their families, that is within the range of their household income.

H5.2 **Contributions for Workforce Housing from Non-Residential Uses.** Local housing needs for local workers must be considered when reviewing non-residential development proposals. At such time that it appears job generation will substantially increase in the future the City will investigate and consider a requirement that non-residential uses

contribute to the provision of affordable workforce housing by techniques such as in-lieu fees, provision of housing or other alternatives of equal value. Currently, job generation is projected to decrease to about 1 percent between 2010 and 2015 (Marin Housing Workbook, 2009).

### ***Implementing Programs***

□ H5.A **Identify Existing Employee Housing Opportunities.** *As appropriate, work with local school districts, other public agencies, and existing businesses to seek opportunities, as they become available, for helping their employees find needed housing. Seek the commitment of other organizations, such as the Marin Board of Realtors to have their members encourage employers to address employee-housing opportunities.*

*Responsibility: City Manager; Planning Department*

*Financing: Staff time*

*Objectives: Employee housing opportunities provided by local entities.*

*Timeframe: Ongoing, as time allows.*

## **H6. Variety of Infill and a Balance of Housing Choices: Maintain a diverse population by providing a variety of choices in the type, size, cost and location of new housing and more efficient use of existing housing, including the creative and efficient use of vacant land and the redevelopment of built land within established development areas to support local transit and services, maximize sustainability, and help maintain our environment and open space.**

- H6.1 **Diversity of Population.** Consistent with the community's housing goals, it is the desire of the City to meet its share of the regional housing need and to maintain a diversity of age, social and economic backgrounds among residents throughout Larkspur by matching housing size, types, tenure, and affordability to household needs.
- H6.2 **Variety of Housing Choices.** In response to the broad range of housing needs in Larkspur, the City will strive to promote a diversity of housing types, including single-family detached and attached residences, mobile homes, multi-family rental and ownership units, second units, and units combined with non-residential uses.
- H6.3 **Transit-Oriented Development Incentives.** The City will maintain existing higher land use densities near public transit systems, and will provide incentives for housing developments within an easy walking distance of transit stops, where reduced automobile use and parking requirements are possible.
- H6.4 **Regional Transportation/Housing Activities.** The City will facilitate the development of transit-oriented housing development by using the incentives and other means provided through regional transportation plans, to the extent they apply to Larkspur.
- H6.5 **Mixed Use Housing.** Well-designed mixed-use residential/non-residential developments are highly encouraged by the City where residential use is appropriate to

the setting and development impacts can be mitigated. The City has provided the following incentives to encourage mixed use development in appropriate locations: modified the Circulation Assessment Permit Ordinance to allow for the development of affordable housing north of Corte Madera Creek; developed more flexible parking requirements to reflect peak period overlap for mixed use projects; and related permitted residential density and parking requirements to unit size (i.e., allowing fewer parking spaces for small units, affordable housing, or units restricted to seniors).

**H6.6 High Potential Housing Opportunity Areas.** Given the diminishing availability of developable land, the City will identify housing opportunity areas and sites where a special effort will be made to provide workforce and special needs affordable housing. The City will take specific actions to promote the development of affordable housing units by the year 2014 on these sites (identified in the Implementing Programs).

**H6.7 Retention and Expansion of Multi-Family Sites at Medium and Higher Density.** The City will protect and strive to expand the supply and availability of multi-family infill housing sites for affordable workforce housing by making the most efficient use of these sites in meeting local housing needs and striving to make sites competitive for subsidies. The City will not redesignate or rezone residential land for other uses or to lower densities without redesignating or rezoning equivalent land for higher density multi-family development.

### ***Implementing Programs***

**H6.A Work with Developers.** The City *will work* with developers of non-traditional and innovative affordable housing approaches in design, construction and types of housing that meet local housing needs, especially for extremely and very low income households.

*Responsibility: Planning Department; Planning Commission; City Manager; City Council.*

*Financing: Staff time*

*Objectives: Additional housing units*

*Timeframe: Ongoing*

**H6.B Continue to Work with the School District.** As the opportunity presents itself, the City will work with the Larkspur School District and Tamalpais Union High School District toward development of affordable housing on any surplus properties.

*Responsibility: Planning Department; City Manager; City Council, and School Districts*

*Financing: Staff time*

*Objectives: Development of affordable workforce housing.*

*Timeframe: Dependent on opportunity*

**H6.C Review and Update Parking and Other Development Standards.** Continue to review and update parking and other development standards when necessary based on the most up-to-date empirical studies to allow for more flexible parking requirements to help facilitate infill, transit-oriented and mixed use development.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: More flexible parking and development standards that are reflective of development types.*

*Timeframe: Ongoing.*

**H6.D Implement Mixed Use Development Opportunities.** Encourage mixed residential/commercial uses on those parcels where a mix of uses is feasible and appropriate, consistent with the General Plan, including: (1) residential over first floor commercial in the C-1 and C-2 commercial zoning districts, (2) live/work units in the commercial and industrial districts, (3) reduced parking requirements for mixed-use with residential in commercial and industrial districts, and (4) allow for the construction of affordable housing, particularly housing for seniors consistent with modifications to the Circulation Assessment Permit Ordinance and Planned Development Zoning Districts made under previous Housing Element programs.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Small mixed use units.*

*Timeframe: Ongoing*

**H6.E Review of Planned Development Plans.** During the application and review process for new or revised Planned Development Districts, ensure they provide for a diversity of housing types to the extent possible, including very low and extremely low income housing.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Increased diversity in housing types.*

*Timeframe: Ongoing*

**H6.F Facilitate Development at Potential Housing Opportunity Sites.** Facilitate the construction of affordable housing at key sites to meet the jurisdiction's "fair share" of the regional housing need for lower income households, including extremely low and very low income households. Ensure that local affordable housing developments will be competitively positioned to access affordable housing finance sources (such as tax credits and tax-exempt bonds). Specific steps and the schedule (in parenthesis) are as follows:

- a) Facilitate the development of affordable housing, especially for very low and extremely low income housing, by using in lieu housing funding resources and other means to assist in on-and off-site mitigation that may be required.
- b) Consistent with CEQA Section 15332 ("Infill Development Projects"), seek opportunities for infill development consistent with the General Plan and Zoning requirements that can be categorically exempt from CEQA review.
- c) Investigate the feasibility of implementing variable density requirements as a tool to encourage developers to build a greater volume of smaller, affordable units in certain zoning districts (i.e. R-3, commercial, etc.).
- d) Investigate amending the Zoning Ordinance to require minimum densities in multi-family residential and mixed-use districts to discourage underutilization of parcels and encourage tailored development envelopes.

*Responsibility: Citizen Advisory Committee for the General Plan update; Planning Department; Planning Commission; City Council*  
*Financing: Staff time; General Fund; project applicants*  
*Objectives: Facilitate development of designated potential housing opportunity sites*  
*Timeframe: Ongoing; Conclude feasibility analyses by December, 2011*

**H6.G Implement Actions to Address Remaining Very Low Income Housing Need.** Work with developers, other agencies and the community to address the very low and extremely low income portion of Larkspur's housing need by offering incentives such as density bonuses, options for clustering units, mix of unit types, second units, "in-lieu" housing funds, fast-track processing, and reduced fees.

*Responsibility: Planning Department; Planning Commission; City Council*  
*Financing: Staff time; General Fund*  
*Objectives: Facilitate development of very-low income housing units.*  
*Timeframe: Ongoing*

**H6.H Implement Actions for the North End of Magnolia Avenue and other Commercial Zoned Lands.** Encourage mixed residential/commercial uses on those parcels where a mix of uses is feasible and appropriate, consistent with the General Plan. Refer to Program H6.F above.

**H6.I Implement Actions for the Tiscornia Winery Site on Magnolia Avenue and the McLaren Property off of Estelle Avenue (Potential Housing Opportunity Sites).** Promote development of both market-rate and affordable housing on the Tiscornia Winery Site on Magnolia Avenue (23 units, 5 affordable) and the McLaren Property off of Estelle Avenue (17 units, 4 affordable). The properties are both privately owned. The topography of the Tiscornia Winery Site is extremely steep and development will likely have to be clustered; therefore, the minimum density is projected for the property. The existing structures on the site have been identified as potentially eligible for the National Register of Historic Places. The McLaren Site is relatively flat and includes two existing historic dwellings.

**a) Offer Development Incentives.** As has been the City's practice, the City will consider incentives for affordable housing (e.g., floor area ratio exceptions, density bonuses, flexible parking standards, and deferred fees).

**b) Fast Track Processing.** The City will offer fast track processing with the hiring of a consultant, if necessary, to facilitate permit processing.

*Responsibility: Planning Department; Planning Commission; City Council*  
*Financing: Staff time; General Fund*  
*Objectives: Facilitate development of affordable housing*  
*Timeframe: Though discussions regarding the potential development of the Tiscornia Winery site have taken place, the property owner is not interested in developing the property at this time. The developer of the McLaren property decided to delay his development proposal, but has recently expressed renewed interest in developing the site.*

**H6.J Implement Actions for North of Corte Madera Creek -The Bon Air Center (Potential Housing Opportunity Site).** Promote development of mixed-use affordable housing (i.e., residential above commercial) on the Bon Air Shopping Center

site. Two property owners primarily own the properties. Depending on the size of the units the proposed 90 units could be built on two or more of the four properties listed. On one of the properties, the buildings date back to 1972 and are due for upgrades, which allows for the potential redevelopment of the property for mixed use. The General Plan designation allows for up to 21 units per acre, subject to height and parking restrictions. The height limit in this Planned Development District is 35 feet and the parking required for units above commercial is one parking space per unit. The site has more than 100 parking spaces over that required in the Planned District.

It is noted that the Development District process is described on pages 62 and 63 of this Element. As described, the Preliminary Development Plan provides the general development scheme and parameters of development. The Precise Development Plan is the more specific development plan showing the specific development proposal. It must be consistent with the development parameters provided in the Preliminary Development Plan. In this case, as the Preliminary Development Plan allows for residential uses, the Precise Development Plan would need to be amended to show how the uses would be laid out on the site (i.e., the design of the project) along with parking, landscaping, etc. consistent with the concepts and parameters of the Preliminary Development Plan. As described in the Element, the Precise Development District allows for flexibility in the development standards that might be needed at the time a development is proposed.

**a) Offer Development Incentives.** The City will evaluate on a biennial basis through the Annual Progress Report the status of this program and the effectiveness of the incentive programs outlined in this Element, including but not limited to flexible development standards and implementation of the following programs:  
 Program H7.A, Enact Density Bonus and Other Incentives;  
 Program H7.D, Participation by Property Owners in Federal Programs; and  
 Program H7.G, Waive/Defer Development Fees.

**b) Fast Track Processing.** In addition, Program H7.F, Priority Processing, provides for fast track processing with the hiring of a consultant, if necessary, to facilitate permit processing.

*Responsibility: Planning Department; Planning Commission; City Council*  
*Financing: Staff time; project applicants; other financing sources, as available*  
*Objectives: 90 additional affordable housing units*  
*Timeframe: July 2013*

**H6.K Promote Redevelopment of Underutilized Sites.** Implement actions to encourage the redevelopment of underutilized sites identified as housing opportunity sites in this Housing Element, especially to provide very low and extremely low income housing. Actions include reducing development standards as appropriate, meeting with developers and property owners to discuss redevelopment options for specific properties, and making information available about the City's existing incentives and zoning regulations that reduce or waive certain fees for affordable developments.

*Responsibility: Planning Department; Planning Commission; City Council*  
*Financing: Staff time*

- Objectives:* Facilitate the redevelopment of underutilized sites to provide affordable housing
- Timeframe:* Ongoing; reductions of development standards would be approved on a project basis as found appropriate by the Planning Commission or City Council.

**H7. Long-Term Affordable Housing: City seeks to provide its “Fair Share” of very-low, low and moderate income housing and to ensure affordable housing remains affordable over a long term.**

- H7.1 **Density Bonuses and Other Incentives for Affordable Housing Developments.** The City will use density bonuses and other incentives to help achieve housing goals while ensuring that potential impacts are considered and mitigated.
- H7.2 **Long-Term Housing Affordability Controls.** The City 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 on resale to the maximum extent possible (typically in perpetuity).
- H7.3 **Preserve Existing Affordable Housing Stock.** The City will strive to preserve its existing affordable housing stock.
- H7.4 **Inclusionary Housing Approach.** Require the provision of affordable housing as part of residential development throughout the community.
- H7.5 **Inclusionary units** designed for the handicapped are encouraged.
- H7.6 **Priority Processing.** Provide priority processing for all development applications that provide more low- and moderate-income units than are required by the City’s inclusionary policy to reduce the required processing time.

***Implementing Programs***

H7.A **Enact Density Bonus Zoning and Other Incentives.** Amend the Zoning Ordinance to add Density Bonus regulations, consistent with State law, to encourage an increase in the supply of well-designed housing for extremely low, very low, low and moderate income households.

*Responsibility:* Planning Department; Planning Commission; City Council.

*Financing:* Staff time

*Objectives:* Create flexibility for well-designed affordable housing development.

*Timeframe:* April 2011

H7.B **Impose Resale or Rent Controls on Affordable Units Receiving City Financial Assistance.** Impose resale or rent controls on all affordable units that receive city financial assistance or state housing density bonuses for perpetuity.

*Responsibility:* Planning Department; Planning Commission; City Council.

*Financing:* Staff time

*Objectives: Preserve affordable units*  
*Timeframe: Ongoing*

**H7.C Impose Resale or Rent Controls on Affordable Units Provided through the Inclusionary Housing Program.** Impose resale or rent controls on all affordable units provided through the inclusionary housing program or city subsidies to ensure that they remain affordable for perpetuity, to the extent allowed by funding sources.

*Responsibility: Planning Department; Planning Commission; City Council.*  
*Financing: Staff time*  
*Objectives: Preserve affordable units*  
*Timeframe: Ongoing*

**H7.D Participation by Property Owners in Federal Programs.** Encourage and facilitate to the extent possible, participation by property owners in federal for-sale and rental housing assistance programs that maintain affordability for extremely low, very low and low income residents.

*Responsibility: Planning Department; City Manager; City Council.*  
*Financing: Staff time*  
*Objectives: Increase number of affordable units*  
*Timeframe: Ongoing*

**H7.E Work with the Marin Housing Authority.** Continue to implement agreements with the Marin Housing Authority (MHA) for management of the affordable housing stock in order to ensure permanent affordability, and implement resale and rental regulations for extremely low, very low, low and moderate income units and assure that these units remain at an affordable price level.

*Responsibility: Planning Department; City Attorney*  
*Financing: Staff time*  
*Objectives: Implement agreements to maintain affordability of deed restricted housing units*  
*Timeframe: Ongoing*

**H7.F Priority Processing.** Provide a planning consultant to process applications that include more affordable housing than required under the inclusionary policies and/or give the project priority over other applications in getting to a public hearing at the Planning Commission or set up special Planning Commission public hearings to facilitate speedy processing, notwithstanding the requirements of CEQA and the Permit Streamlining Act.

*Responsibility: Planning Director; Planning Commission; City Manager*  
*Financing: Cost of consultant is the responsibility of the applicant*  
*Objective: Reduce the cost of affordable housing*  
*Timeframe: Ongoing*

**H7.G Waive/Defer Development Fees.** Consider waiving or deferring development fees for housing projects targeted to lower-income households when needed to ensure project feasibility, especially for developments targeted to very low and extremely low income households.

*Responsibility: City Council*

*Financing: General Fund*  
*Objective: Facilitate construction of affordable housing*  
*Timeframe: Ongoing*

**H7.H Notify Local Water and Service Providers.** Upon adoption of Housing Element, provide a copy to local water and service providers, including the Marin Municipal Water District, Ross Valley Sanitary District No. 1, and Central Marin Sanitary District.

*Responsibility: Planning Director*  
*Financing: Staff time*  
*Objective: Notify local utility providers of city policies and programs pertinent to their operation*  
*Timeframe: Ongoing with each adopted revision or update*

**H8. Second Dwelling Units: Encourage well-designed, legal second units in all residential neighborhoods.**

**H8.1 New Second Dwelling Units Approach.** Enable construction of second units as an important way to provide workforce and special needs housing. Because they provide smaller relatively more affordable housing, the City shall continue to encourage the construction of new second units and the legalization of existing second units under criteria that will mitigate potential adverse impacts to the neighborhood in which it is located.

**H8.2 Second Dwelling Unit Development Standards.** Review and reconsider provisions of the existing Second Dwelling Unit ordinance with the intent of removing barriers to the creation of units.

**H8.3 Second Dwelling Units in New Development.** When possible, require some second units as part of new single-family subdivision development where two or more new units are proposed.

***Implementing Programs***

**H8.A Legalization of Existing Second Units.** Consider establishing an amnesty program that takes into account site-specific conditions, to allow for and encourage the legalization of existing second unit.

*Responsibility: Planning Department; Planning Commission; City Council*  
*Financing: Staff time*  
*Objectives: Increase the number of legal second units within the City and encourage existing units to be brought up to code*  
*Timeframe: Completed, 2004. Not the preference of the City Council to grant amnesty to persons that violated the law; revisit in April, 2011.*

**H8.B Sewer and Water Hook-Up Fees for Second Units.** Support the efforts of other local jurisdictions and work with the sanitary districts to reduce or waive fees for affordable units and second units, thereby encouraging and facilitating development of these types of housing units.

*Responsibility: Planning Department; City Manager; City Council*  
*Financing: Staff time*  
*Objectives: Remove barriers to the creation of second units*  
*Timeframe: Water connection fee reduction completed 2004; sewer connection fee reduction ongoing*

**H9. Special Needs Housing: Provide housing for population groups who require special assistance (special needs groups include: homeless persons; people with disabilities; the elderly; people with serious illnesses, substance abuse or in need of mental health care; large families; single parent households; and other persons in the community identified as having special housing needs).**

- H9.1 **Special Needs Groups.** The City will actively promote the development and rehabilitation of housing to meet the needs of special needs groups, 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.
- H9.2 **Provision of Affordable Housing for Special Needs Households.** The City will work with groups to provide opportunities through affordable housing programs for a variety of affordable housing to be created for special needs groups, including assisted living and licensed group homes, and residential care facilities.
- H9.3 **Density Bonuses for Special Needs Housing.** The City will use density bonuses to assist in meeting special housing needs. Senior care facilities, including residential care facilities serving more than six people, shall be subject to inclusionary housing requirements.
- H9.4 **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 City will work with other jurisdictions, as appropriate, to develop a fully integrated approach for the broader low-income population.

***Implementing Programs***

H9.A **Accessible/Adaptable Units for the Disabled.** The City will ensure that new construction conform to applicable California Building Code regulations addressing accessibility requirements for disabled persons. Pursuant to the Central Larkspur Area Specific Plan (CLASP), the City will also require that senior housing in the CLASP Subareas use universal design principles to ensure adaptability and accessibility for disabled persons.

*Responsibility: Planning Department; Planning Commission; City Council.*  
*Financing: Staff time*  
*Objectives: Require a state-specified percentage of newly constructed units, as applicable under state law, to be accessible to disabled persons*  
*Timeframe: CLASP adopted September, 2006; Implementation ongoing, subject to amendments to the California Building Code.*

**H9.B Density and Parking Standards for Elderly Housing Projects.** Continue to waive density and parking standards for elderly housing projects if the city finds that 1) potential impacts to traffic and the environment are acceptable and 2) development is compatible with neighborhood scale (e.g., the recent parking requirement reductions for the senior housing units in the Rose Garden Project, CLASP Subarea #3).

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Encourage additional housing for the elderly*

*Timeframe: Ongoing*

**H9.C Zoning and Building Codes.** Consistent with Senate Bill 520 enacted in January 1, 2002, the City will continue to evaluate its zoning ordinance and other policies to identify and implement any provisions needed to address constraints to the construction of housing for people with disabilities, handicapped dwelling conversions (or adaptability), and appropriate site design. To insure that the City's zoning and building codes relative to housing for persons with disabilities do not impede the construction of such housing, or necessary adaptations to existing structures, the City has developed a draft policy for developing and adopting a formal process for providing reasonable accommodation to zoning, building codes, and permit procedures for all persons with disabilities. Once adopted, information regarding the process for requesting reasonable accommodations will be made available at the City's Customer Service, Planning and Public Works counters and on the City's web site.

*Responsibility: Planning Department; Planning Commission; Building Official, City Council*

*Financing: Staff time*

*Objectives: Maintain zoning and building codes as fair and equitable and in accordance with State law.*

*Timeframe: Ongoing; Adopt draft Reasonable Accommodation Ordinance, April 2011*

**H9.D Waive/Defer City Fees.** Continue to waive or defer City fees, as appropriate, for housing projects that meet special needs when necessary to improve the financial feasibility of such projects.

*Responsibility: City Council*

*Financing: General Fund*

*Objective: Facilitate construction of housing projects that meet special needs*

*Timeframe: Ongoing*

**H9.E Rental Units for Larger Families.** Require apartment projects receiving financial incentives from the City to include units with more than two bedrooms.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: Staff time*

*Objective: Facilitate construction of housing projects that serve larger families*

*Timeframe: Ongoing*

**H9.F Building Codes.** Review City building codes to determine consistency with HUD regulations and State law concerning housing for persons with disabilities. Require

developers to strictly comply with these regulations in order to increase the stock of housing accessible to persons with disabilities.

*Responsibility: Building Official; City Council.*

*Financing: Staff time*

*Objectives: Maintain zoning and building codes as fair and equitable and in accord with State law*

*Timeframe: Ongoing*

**H9.G Support Countywide Programs.** The City will support countywide programs that provide for a continuum of care for the homeless including emergency shelter, transitional housing, supportive housing and permanent housing.

*Responsibility: City Council.*

*Financing: General Fund*

*Objectives: Provide housing for the homeless*

*Timeframe: Ongoing*

**H9.H Emergency Shelters and Transitional and Supportive Housing.** The City will amend the zoning code to allow the construction of at least one permanent emergency shelter by right, without requiring any conditional or discretionary permits, in the A-P, Administrative Professional, or C-2, General Commercial, districts in order to accommodate the City's unsheltered homeless population. The City will adopt objective operating and management standards as permitted by State law. Additionally, the zoning code will be amended to include new definitions of transitional and supportive housing (as defined in California Health and Safety Code), and to clarify the definitions of "Group Home- Handicapped" and "Group Home- Non-handicapped" to encompass transitional and supportive housing. Transitional and supportive housing, under the definition of group homes, are permitted residential uses of property, allowed by right in residential zones and subject to the same restrictions of other similar dwellings in the respective zone.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: General Fund*

*Objectives: Provide emergency and transitional shelters.*

*Timeframe: November, 2011*

**H9.I Needs of Homeless Families and Individuals.** The City will participate in the Marin County Point in Time Homeless Count, a biannual analysis of the needs of unsheltered homeless families and individuals in its jurisdiction. An analysis of the data gathered in the Point in Time Homeless Count will be included in the Housing Element. The analysis will include an estimate of the number of unsheltered individuals within the City, significant issues faced by that population (including substance abuse, domestic violence, or mental illness), and an index of available services including emergency, transitional, and supportive housing.

*Responsibility: Planning Department*

*Financing: Staff Time*

*Objectives: Provide a regular analysis of special needs faced by the unsheltered homeless in order to provide services to best meet those needs*

*Timeframe: Completed, 2010; Ongoing thereafter with each Housing Element update, as required by State Housing Element Law.*

**H10. Special Needs Support Programs: Provide housing assistance for special needs and link housing to Health and Human Services programs helping meet the needs of seniors, people with disabilities, homeless and others.**

**H10.1 Rental Assistance Programs.** The City will continue to publicize and create opportunities for using available rental assistance programs, such as the project-based and tenant-based Section 8 certificates programs, in coordination with the Marin Housing Authority (MHA). The City will also continue to support the use of Marin Community Foundation funds for affordable housing and continue to participate in the Rebate for Marin Renters program administered through MHA.

**H10.2 Health and Human Services Programs Linkages.** As appropriate to its role, the City will seek ways to link together all services serving lower income people to provide the most effective response to homeless or at risk individuals by providing a highly responsive set of programs corresponding to the unique needs of all sub-populations which make up the County's homeless population, including adults, families, youth, seniors, and those with mental disabilities, substance abuse problems, HIV/AIDS, physical and developmental disabilities, multiple diagnoses, veterans, victims of domestic violence, and other economically challenged or underemployed workers.

**H10.4 Emergency Housing Assistance.** Participate and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related counseling services.

***Implementing Programs***

**H10.A Assist in the Effective Use of Available Rental Assistance Programs.** Develop and implement measures to make full use of available rental assistance programs. Actions include:

- a) Maintain descriptions of current programs to hand out to interested persons.
- b) Provide funding support, as appropriate.
- c) Refer interested parties to the Marin Housing Authority for rental housing assistance programs, such as Shelter Plus Care, AB2034, HOPWA, Rental Deposit Program, and Welfare to Work Program.

*Responsibility: Customer Service; Marin Housing Authority; City Council; Marin Community Foundation*

*Financing: Staff time*

*Objectives: Continued use of rental housing programs at current funding levels*

*Timeframe: Ongoing*

**H10.B Engage in Countywide Efforts to Address Homeless Needs.** Actively engage with other jurisdictions in Marin to provide additional housing and other options for the homeless, supporting and implementing *Continuum of Care* actions in response to the needs of homeless families and individuals. Participate and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related counseling services.

*Responsibility: Planning Department; City Manager; City Council*

*Financing: Staff time*

*Objectives: Assist in addressing emergency shelter needs in a comprehensive, countywide manner*  
*Timeframe: Annual participation, as appropriate*

**H11. Funding for Affordable Housing: Be aggressive and creative in finding ways to increase ongoing local funding resources for low income special needs housing.**

H11.1 **Local Funding for Affordable Housing.** The City will seek ways to reduce housing costs for lower-income workers and people with special needs by continuing to utilize local, state and federal assistance to the fullest extent to achieve housing goals and by increasing ongoing local resources.

H11.2 **Coordination Among Projects Seeking Funding.** Ensure access to, and the most effective use of, available funding in Larkspur by providing a mechanism for coordination among affordable housing developments when they seek funding from various sources. Continue to seek and participate in available federal, state, county, nonprofit, and philanthropic programs suitable for maintaining and increasing the supply of affordable housing in Larkspur.

H11.3 **Housing Trust Fund.** Implement the Affordable Housing Trust Fund, using collected in-lieu fees to provide a source of funding for affordable housing.

H11.4 **Waive City Processing Fees.** Waive City fees for processing discretionary permits for stand-alone affordable housing projects.

***Implementing Programs***

H11.A **Affordable Housing Trust Fund Ordinance.** Continue to implement the Housing Trust Fund Ordinance, using monies paid into the fund to develop or rehabilitate units affordable to extremely low, very low and low income households, or for the purchase of market rate units for conversion to affordable housing units.

*Responsibility: Planning Department; City Manager; City Council*

*Financing: Staff time*

*Objectives: Provide funding to facilitate implementation of Housing Element programs*

*Timeframe: Ongoing*

H11.B **Seek Additional Local Sources of Funding.** Continue to seek local sources of funding to support affordable housing, including consideration of:

- a) In-lieu fee payments under inclusionary requirements (residential and non-residential developments).
- b) Voluntary donations.
- c) Increase in the Transient Occupancy Tax , if it becomes practical for assisting with meeting housing needs (as an alternative, increased revenue from an increase in the number of transient occupancy rooms could be used to support affordable housing).

*Responsibility: City Manager; City Council*

*Financing:*        *Staff time*  
*Objectives:*      *Create additional sources of funding*  
*Timeframe:*      *Ongoing*

H11.C **Coordinate Funding Among Development Proposals.** Recognizing that limited resources are available from the State and other sources, and accessing such resources is highly competitive, the City of Larkspur will participate in efforts to establish administrative procedures to create a data base of development proposals throughout the County and their anticipated funding sources. The purpose of the data base is to ensure that local projects are competitive for outside funding sources and these resources are used in the most effective manner possible. Potential sources of funding include, but are not limited to:

- a) CDBG/HOME
- b) Marin Community Foundation
- c) Applications for mortgage revenue bonds and/or mortgage credit certificates
- d) Housing Trust Fund
- e) Tax Credit Allocation
- f) California Housing Finance Agency (CHFA)

*Responsibility:*   *City Manager; City Council*  
*Financing:*        *Staff time*  
*Objectives:*       *Efficient use of available funding for high priority developments*  
*Timeframe:*        *Ongoing*

H11.D **Contacts with Nonprofit Housing Organizations.** Maintain contacts with nonprofit housing organizations to benefit from their expertise in developing and supporting affordable housing, including extremely low and very low income housing. Refer potential developers of housing to these organizations for assistance.

*Responsibility:*   *Planning Department; City Manager; City Council.*  
*Financing:*        *Staff time*  
*Objectives:*       *Efficient use of available funding for high priority developments*  
*Timeframe:*        *Ongoing*

## **H12. Green Building Standards: Encourage energy and resource conservation in housing.**

H12.1 **Energy Conservation Features in New Design.** The City will promote the use of energy conservation in the design of residential development.

H12.2 **Energy Conservation in Older Homes.** The City will promote energy conservation in the City's older homes.

### ***Implementing Programs***

H12.A **Evaluation of Residential Projects.** Continue to evaluate residential projects for consistency with Section 66473.1 (Energy Conservation) of the Subdivision Map Act during the development review process.

*Responsibility:*   *Planning Department; Planning Commission; City Council.*  
*Financing:*        *Staff time*

*Objectives: Energy conservation*  
*Timeframe: Ongoing*

□H12.B **Ensure compliance with the City's Green Building Code.** Pursuant to Ordinance 956 ("Green Building Ordinance") and any future amendments to it or the Building Code pursuant to the State's CALGreen Code, continue to review all applications for new development for compliance with the City's Green Building standards. Review and update Green Building Code as necessary according to new strategies and recommendations from Marin Green Building, Energy Retrofit and Solar Transformation (BERST), a countywide collaborative formed to develop green building policies and strategies.

*Responsibility: Planning Department; Public Works*

*Financing: Staff time*

*Objectives: Improve resource utilization of new construction*

*Timeframe: Ongoing; update building code by January 2011 to incorporate the State's CALGreen code*

□H12.C **PG&E Conservation Programs.** Continue to cooperate with PG&E in the provision of information about their energy conservation programs, including SmartAC™, ClimateSmart™, and Energy Partners Program.

*Responsibility: Planning Department; Customer Service*

*Financing: Staff time*

*Objectives: Encourage household participation in energy-saving programs offered by local utility*

*Timeframe: Ongoing*

□H12.D **State of California Energy Conservation Programs.** Continue to provide information about energy conservation programs offered by the State of California's Energy Commission, including rebates for efficient appliances, solar power generation, and home energy rating systems.

*Responsibility: Planning Department; Customer Service*

*Financing: Staff time*

*Objectives: Encourage household participation in energy-saving programs and incentives offered by the State of California*

*Timeframe: Ongoing*

### **H13. Effective Implementation and Monitoring: Take a proactive approach in sharing resources and making organizational changes to effectively create and respond to opportunities to achieve housing goals.**

H13.1 **Effective and Efficient Management of Data.** Work with other jurisdictions to establish standardized methods (procedures, definitions, responsibilities, etc.) for the effective and efficient management of housing data among all jurisdictions in Marin and to establish a regular monitoring and policy/actions/priorities update process to assess needs achievements on an ongoing basis. Also, to effectively respond to changing conditions and the changing needs of the population.

H13.2 **Organizational Effectiveness.** In recognition that there are limited resources available to the City to achieve housing goals, the City will seek ways to organize and allocate staffing resources effectively and efficiently to implement the programs of the housing element.

H13.3 **Housing Element Monitoring, Evaluation and Revisions.** The City 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.

### ***Implementing Programs***

H13.A **Conduct an Annual Housing Element Review.** Develop a process for the assessment of Housing Element implementation through annual review by the Larkspur Planning Commission and City Council. 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 City Council.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: Staff time*

*Objectives: Annual review of the Housing Element*

*Timeframe: Annually by April 1, prior to the budget cycle*

H13.B **Update the Housing Element Regularly.** Undertake housing element updates as needed in accordance with State law requirements.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Comprehensive update of the Housing Element*

*Timeframe: Future updates according to Housing Element update schedule, as determined by the State Department of Housing and Community Development*

H13.C **Support Establishment of a Countywide Housing Data Clearinghouse.** Coordinate with other jurisdictions, as determined appropriate for the City, the establishment of a central housing data clearinghouse with up-to-date information on housing conditions in the County (by jurisdiction), best practices, State law, funding opportunities, and related housing information as part of the Marin County Housing Workbook process

*Responsibility: Planning Department*

*Financing: Marin County; possible contributions by the City (Housing Trust Fund)*

*Objectives: Establishment of data methodologies; effective data collection and monitoring*

*Timeframe: Ongoing*

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# **APPENDICES**

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## Appendix A

## Potential Housing Sites

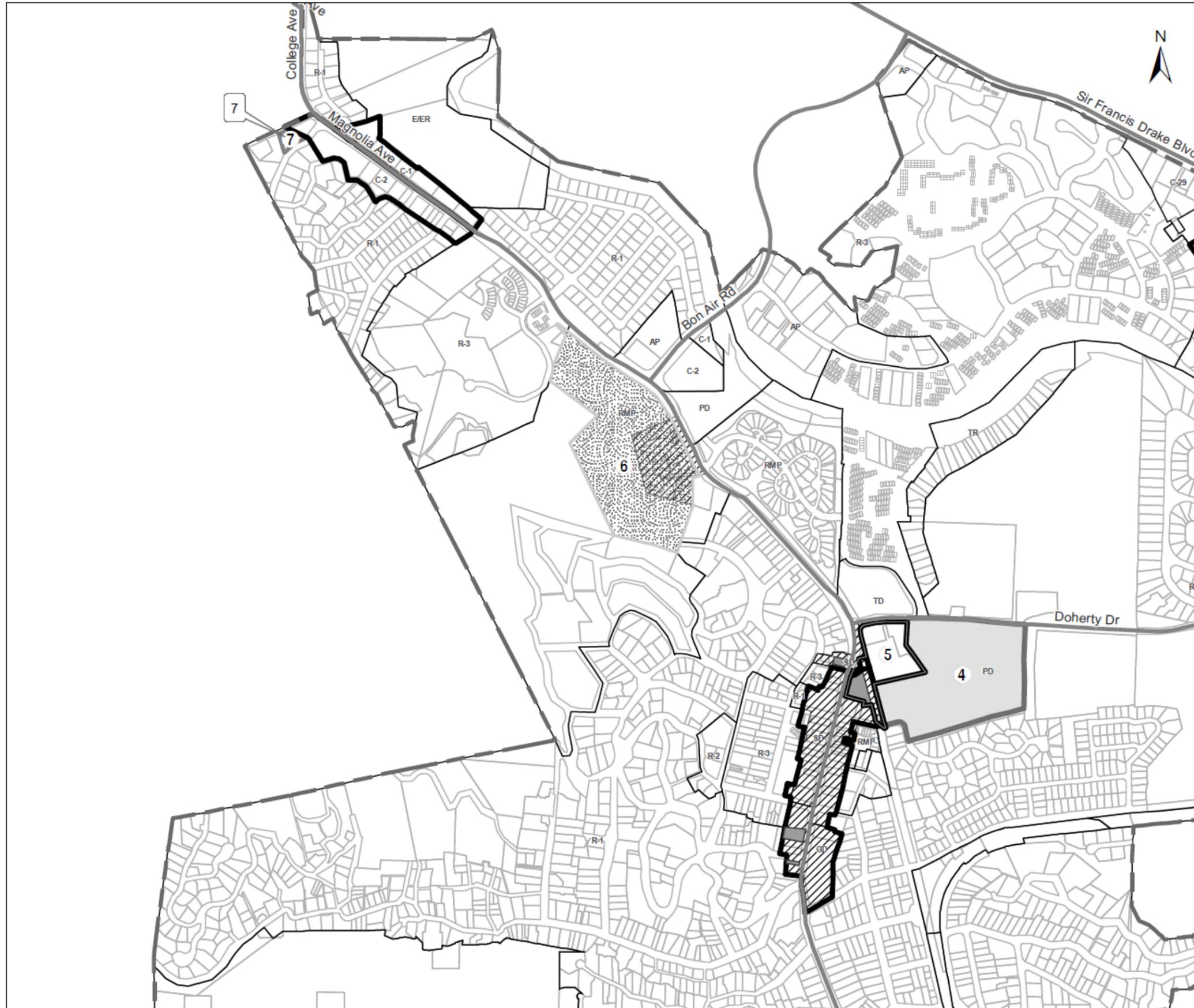
		Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
	<b>Regional "Fair Share" Housing Need</b>	<b>90</b>	<b>55</b>	<b>75</b>	<b>162</b>	<b>382</b>
Site No.	<b><i>Housing Units Built or Approved ('07-'09)</i></b>					
1	Drake's Way/EAH (permitted July 09; completed Nov. 09)	24			23	47
2	Drake's Cove/Monahan (permits issued)					
	New second units (permits issued)	2		4		6
	Downtown Area- Above Ex. Commercial 484 Magnolia Ave (completed)	2				2
3	2000 Larkspur Landing Cir. (Precise Plan approved)		12	13	101	126
4	The Rose Garden (CLASP Subarea 3) (Precise Plan approved; incl 6-2 <sup>nd</sup> units)	3	9	8	71	91
	<b>Subtotal from Built or Approved</b>	<b>31</b>	<b>21</b>	<b>25</b>	<b>195</b>	<b>272</b>
	<b>Remaining Need (2010-2014)</b>	<b>59</b>	<b>34</b>	<b>50</b>	<b>+33</b>	<b>110</b>
	<b><i>Miscellaneous Housing Sites</i></b>					
	New Second Units	1	6	1		8
	Downtown Area- Vacant Properties	2	3	1	6	12
	Downtown Area- Above Ex. Commercial	4				4
	North End Magnolia	7				7
	<b>Subtotal from Misc. Housing Sites</b>	<b>14</b>	<b>9</b>	<b>2</b>	<b>6</b>	<b>31</b>
	<b>Remaining Need (2009-2014)</b>	<b>45</b>	<b>25</b>	<b>48</b>	<b>+39</b>	<b>79</b>
	<b><i>Specific Project Sites</i></b>					
5	CLASP Subareas 1 and 2**	3	4	20	20	47
6	Tiscornia Winery		2	3	18	23
7	McLaren Property				6	6
8	Bon Air Center (north of Corte Madera Creek)	42	43	5		90
	<b>Subtotal from Specific Project Sites</b>	<b>45</b>	<b>49</b>	<b>28</b>	<b>44</b>	<b>166</b>
	<b>Total Units</b>	<b>90</b>	<b>79</b>	<b>55</b>	<b>245</b>	<b>469</b>
	<b>Remaining Need (2009-2014)</b>	<b>0</b>	<b>+24</b>	<b>20</b>	<b>+83</b>	<b>+87</b>

Please see site-specific narratives (beginning page 40) for City's methodology for assigning units to income categories, lot consolidation potential, and realistic development capacity.



# City of Larkspur Housing Opportunity Sites

Map 1 of 2



### Legend

— Arterials, Collectors, & Interstate

▭ City Limits

### Housing Opportunity Sites

- 1 Draks's Way/EAH
- 2 Drake's Cove/Monahan
- 3 2000 Larkspur Landing Circle
- 4 The Rose Garden
- 5 CLASP Subareas 1 and 2
- 6 Tiscomia Winery
- 7 McLaren Property
- 8 Bon Air Center

▭ Approved or Built Development

▭ Infill sites-mixed use

▭ Infill sites-vacant

▭ Vacant Lands

▭ Vacant Lands with Steep Slopes

▨ H HERITAGE PRESERVATION DISTRICT OVERLAY

### ZONING

- ▭ R-1 RESIDENTIAL FIRST
- ▭ R-2 RESIDENTIAL SECOND
- ▭ R-3 RESIDENTIAL THIRD
- ▭ TR TIDELANDS RESIDENTIAL
- ▭ MHP MOBILE HOME PARK
- ▭ RMP RESIDENTIAL MASTER PLAN
- ▭ AP ADMINISTRATIVE PROFESSIONAL
- ▭ SD STOREFRONT DOWNTOWN
- ▭ GD GARDEN DOWNTOWN
- ▭ TD TRANSITIONAL DOWNTOWN
- ▭ C-1 COMMERCIAL RESTRICTED
- ▭ C-2 COMMERCIAL
- ▭ LI LIGHT INDUSTRIAL
- ▭ OS OPEN SPACE
- ▭ E/ER EDUCATIONAL/ENVIRONMENTAL
- ▭ PD PLANNED DEVELOPMENT
- ▭ S STUDY DISTRICT

This map is intended to be used for informational purposes only. The City of Larkspur does not guarantee its accuracy for any purpose.



# City of Larkspur Housing Opportunity Sites

Map 2 of 2



### Legend

— Arterials, Collectors, & Interstate

▭ City Limits

### Housing Opportunity Sites

- 1 Drake's Way/EAH
- 2 Drake's Cove/Monahan
- 3 2000 Larkspur Landing Circle
- 4 The Rose Garden
- 5 CLASP Subareas 1 and 2
- 6 Tiscornia Winery
- 7 McLaren Property
- 8 Bon Air Center

▭ Approved or Built Development

▭ Infill sites-mixed use

▭ Infill sites-vacant

▭ Vacant Lands

▭ Vacant Lands with Steep Slopes

### ZONING

- ▭ R-1 RESIDENTIAL FIRST
- ▭ R-2 RESIDENTIAL SECOND
- ▭ R-3 RESIDENTIAL THIRD
- ▭ TR TIDELANDS RESIDENTIAL
- ▭ MHP MOBILE HOME PARK
- ▭ RMP RESIDENTIAL MASTER PLAN
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- ▭ GD GARDEN DOWNTOWN
- ▭ TD TRANSITIONAL DOWNTOWN
- ▭ C-1 COMMERCIAL RESTRICTED
- ▭ C-2 COMMERCIAL
- ▭ LI LIGHT INDUSTRIAL
- ▭ OS OPEN SPACE
- ▭ E/ER EDUCATIONAL/ENVIRONMENTAL
- ▭ PD PLANNED DEVELOPMENT
- ▭ S STUDY DISTRICT
- ▭ H HERITAGE PRESERVATION DISTRICT OVERLAY

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## Evaluation of the 2004 Housing Element

### 2004 Housing Element

As the 2010 Housing Element is not a completely new Element but an update to the 2004 Housing Element, Section 4 of the Element retains most of the programs and policies from the 2004 Element. **As appropriate, these policies and programs have been updated to reflect changes in the programs based on the following analyses of the appropriateness, effectiveness, and progress in program implementation.** Where programs have been successful, it is noted that the program is ongoing. If the action related to the program has been completed this is also noted.

***H1. Sense of Community and Creation of Successful Partnerships: Enhance our sense of community by identifying shared responsibilities from all sectors within the community (government, business, neighborhoods, non-profits, etc.) that effectively address the City's housing needs.***

#### ***Implementing Programs***

H1.A **Gather and Prepare Information and Conduct Outreach on Housing Issues.** Coordinate with local businesses, housing advocacy groups, neighborhood groups, and the Chamber of Commerce and participate in the Marin Consortium for Workforce Housing in building public understanding and support for workforce and special needs housing. Gather and, as necessary, prepare informational handouts.

*Responsibility: Planning Department; City Manager; City Council*

*Financing: Staff time; the City may use funding sources such as Community Development Block Grant (CDBG) funds and City-generated affordable housing funds to implement this program.*

*Objectives: Handouts, City website, and presentation material*

*Timeframe: January 2003; ongoing thereafter*

Evaluation: Since this program's implementation in January of 2003, the City has coordinated with housing advocacy groups and the Larkspur community to promote public understanding and acceptance of affordable housing projects. The City's facilitation of the Drake's Way project (EAH) is the most recent example of the successful implementation of this program. The project had little to no opposition. Drake's Way has been embraced by the Larkspur community as a valuable asset that provides affordable housing and fits aesthetically with the community character. To further the program, staff will add material and resource links to the City website, as appropriate, in accordance with the website's upcoming redesign in early 2011. The City Council and City staff will continue to provide information about affordable housing to the public at large and other interested parties. The most effective approach to garnering public support for affordable housing is referring those concerned to projects already completed, including Edgewater Place and Drake's Way. The City's General Plan Update Citizen Advisory Committee will host at least one public workshop on housing in Larkspur and regional housing needs that will highlight the success of the City's existing affordable housing developments and solicit public comment on future affordable housing developments.

Program status: Continue program.

**H1.B Collaborate in an Inter-Jurisdictional Strategic Action Plan for Housing.** Work toward implementing, whenever possible, agreed-upon best practices, shared responsibilities and common regulations to efficiently and effectively respond to housing needs within a countywide framework. The Strategic Action Plan program should be coordinated by the Marin County Affordable Housing Strategist and be available to assist participating cities.

*Responsibility: Planning Department; City Manager; City Council*

*Financing: Staff time*

*Objectives: Coordination with other jurisdictions on housing matters.*

*Timeframe: 2002 and ongoing*

Evaluation: Since this program was implemented, the City has cooperated with the County's 11 jurisdictions in creating the Marin Housing Workbook (strategic action plan for housing), a compendium of best-practices, up-to-date housing and population data, and state law requirements. The Workbook is a very effective tool for comparing housing policies and programs across the County and was regularly referenced by City staff during the Housing Element update process. A position for a Marin County Affordable Housing Strategist was established in the early 2000's, but was absorbed by the position of Principal Planner for the Marin County Redevelopment Agency due to budget constraints. The Principal Planner and other County staff have since managed the Marin Housing Workbook process.

Program Status: Continue program, to the extent of participating in future Marin Housing Workbooks and sharing common regulations. The City would assist with funding the position of Affordable Housing Strategist should the County's economic climate become more favorable in the future and monies are available.

***H2. Equal Housing Opportunities: Promote equal housing opportunities for all persons and assure effective application of Fair Housing law.***

***Implementing Programs***

**H2.A Update Ordinances.** Update the zoning code ordinances to be in compliance with any amendment to the Fair Housing Act.

*Responsibility: Planning Department; City Attorney*

*Financing: Staff time*

*Objectives: Effective implementation of anti-discrimination policies*

*Timeframe: As needed.*

Evaluation: City staff has implemented this program successfully, integrating amendments to the Act into the zoning ordinance, as applicable.

Program Status: Continue program, as needed to implement amendments to the Fair Housing Act.

**H2.B Respond to Complaints.** The City will refer discrimination complaints to the appropriate legal service, county, or state agency, or Fair Housing of Marin. If mediation fails and enforcement is necessary, refer tenants to the State Department of Fair Employment and Housing or HUD, depending on the nature of the complaint.

*Responsibility: Customer Service Counter*

*Financing:* Staff time  
*Objectives:* Respond to discrimination complaints.  
*Timeframe:* As needed.

Evaluation: Though the City has not received such complaints since this program's adoption, helping to resolve and prevent discrimination in housing is a goal the City strives to meet. The City has up to date resources for victims of housing discrimination (see evaluation below) that will be available whenever the need arises.

Program Status: Continue program.

**H2.C Public Information.** The City will maintain brochures and other written material on services, education and information offered by agencies related to discrimination in housing. The material will be available at the Customer Service counter and in the library at City Hall and at other public facilities. It will also be distributed to neighborhood groups and associations and, as the opportunity arises, in community mailings to property owners and residents.

*Responsibility:* Planning; Customer Service  
*Financing:* Staff time  
*Objective:* Promote public information on housing discrimination.  
*Timeframe:* Ongoing

Evaluation: The City has brochures and other written materials on public display at the customer service counter. The Planning Department and Library also keep materials on hand. Informational mailings have been limited due to budgetary and conservation efforts. The City will add, as appropriate, material to the City website, concurrently with the forthcoming website redesign in early 2011.

Program Status: Continue program. Consider expanding availability of resources to City website.

**H2.D Equitable Public Services.** The City will continue to provide equitable public services throughout the City, including crime prevention, police protection, street lighting, trash collection, recreational facilities and programs, and schools.

*Responsibility:* City Manager; City Council  
*Financing:* General Fund  
*Objective:* Provide equitable public services throughout the City.  
*Timeframe:* Ongoing

Evaluation: The City has fully implemented this program in all its public service efforts.

Program Status: Continue program.

***H3. Housing Design: Assure that new housing is well-designed and of an appropriate scale to enhance our neighborhoods and community as a whole.***

### ***Implementing Programs***

□H3. A **Amend the Design Review Ordinance.** Amend the Environmental and Design Review ordinance to provide findings that the project will be compatible in design and scale with its surroundings. Maintain findings that are the minimum necessary to ensure a design that is compatible with the site and neighborhood and not detrimental to the construction of affordable housing. For example, findings should focus only on visual scale, bulk, capability with the site and surrounding structures, minimization of impacts on views and solar access, functional site layout, and the protection of public health and safety. If and when the design criteria are updated, ensure that the criteria support the findings and continue to be clear and objective so as not to create new barriers to housing.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Revised design review findings.*

*Timeframe: Completed June 2004*

Evaluation: The Environmental and Design Review Ordinance (LMC 18.64) was amended in June 2004 by Ordinance 933. The findings established in amended (and renamed) Design Review Ordinance are as follows:

- A. The applicant has demonstrated that the visual scale and bulk of the proposed structure(s) are compatible with the surrounding structures and uses, and the district in which they are situated.
- B. The applicant has demonstrated that the proposed project is compatible with the physical characteristics of the site. These characteristics include, but are not limited to, the scale of the principal trees, major rock croppings, stream courses, landforms, existing structures on the site, and the dimensions of the lot.
- C. The applicant has demonstrated that the proposed structure(s) will not be responsible for significantly affecting the views from and solar access for adjacent structures.
- D. The location, size, design, and characteristics of the proposed structure(s) will be compatible with and will not be detrimental to the public health, safety, comfort, privacy, and welfare of persons residing in or working in the proposed structures or in developments adjacent to the proposed project. For multiple-unit residential, mixed use, or non-residential projects, this includes the layout of structures, parking, circulation, pathways, landscaping, and other amenities are functional and appropriate to the site and use, and compatible to surrounding structures and uses.
- E. The project is consistent with any applicable specific or area plans and conforms to the standards and regulations of all applicable provisions of the Larkspur Municipal Code.

Since the ordinance was amended, the City received applications for multi-family housing developments (including Drake's Way and the Rose Garden) which triggered design review. Meeting the findings stipulated by design review proved not to be burdensome to the developers and did not pose a barrier to the projects' approvals. Further, EAH was required to revise their original design for Drake's Way to reduce costs and the revisions were approved without difficulty.

Program Status: Completed.

H3.B **Family Housing Criteria.** Encourage developers to submit proposals that conform to the following family housing criteria:

- a) Variety. For a family housing project to attract families with a wide range of incomes, a plan should contain a variety of unit and lot sizes. Structures on smaller than standard size lots should be built in a scale appropriate to the lot, and the various-sized units should be interspersed throughout a project.
- b) Identity. Each dwelling unit should be designed with an architectural character that promotes a sense of identity for the residents.
- c) Autonomy. Where possible, legal constraints should be removed and family dwellings should be so designed as to allow the owner the freedom to make modifications that are not detrimental to a project as a whole.
- d) Storage, including attics and basements. Family units have a critical need for storage and should be provided with an ample volume. These spaces can also provide area for many of the recreation needs of a family.
- e) Private open space. A family unit should have a significant amount of useable open space that is a direct extension of the interior living area, directly accessible to the unit. The area should be suitable in terms of solar orientation and security for activities such as passive and active play, gardening, entertaining, etc. In some instances it may be appropriate to provide increased common areas to compensate for reduced private open space.
- f) Number of bedrooms. A family housing project should have a reasonable mix of two- and three- bedroom units.
- g) Floor area. Ample floor area should be provided for each unit consistent with the variety and number-of-bedrooms criteria. Living areas in a variety of sizes should be provided.
- h) Laundry. Each unit should have space and hookups necessary for the provision of a washing machine and dryer.
- i) Kitchens. Kitchens should have ample counter space and storage and a natural light source.
- j) Intangibles. Security, privacy, and accessibility are three interrelated characteristics of housing that cover a great deal of territory, and individual families would feel varying degrees of need for each. Some of the more obvious needs are for visual privacy in the private outdoor space, acoustical privacy between units, security provided by access to neighbors and physical security against intruders.
- k) Solar access: Each unit should be designed to maximize solar access to the extent feasible.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Family housing that is compatible with the neighborhood*

*Timeframe: Ongoing*

Evaluation: This ongoing program has successfully achieved its aims as evidenced by recently approved or built multi-family housing projects (the Rose Garden project and Drake's Way). Both have been successful in providing almost all of the characteristics outlined in this program in the project design. Staff works closely with project developers and architects upon project submittal to orient them to the City's community and design principles, and have found multi-family developers to be amenable to staff suggestions and feedback and interested in meeting these criteria.

Program Status: Continue program.

***H4. Existing Housing and Neighborhoods Preservation: Protect and enhance the housing we have and ensure that existing affordable housing "at risk" of conversion to market rates will remain affordable.***

***Implementing Programs***

□H4.A **Monitor "At Risk" Units.** Monitor 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 county's affordable housing stock. Identify funding sources and timelines for action, and prepare an ordinance requiring a one year notice to residents, the City and the Marin Housing Authority of all proposed conversions of affordable housing units to market rents.

*Responsibility: Planning Department, City Manager, and City Council in cooperation with the County*

*Financing: Staff time*

*Objectives: Protection of affordable housing (conserve the 113 deed restricted units).*

*Timeframe: Ongoing*

Evaluation: There are five affordable housing developments in Larkspur: Drake's Way and Edgewater Place are rental developments managed by EAH with deeded income restrictions; Larkspur Courts and Cape Marin are rental developments that have recorded income restriction agreements between the developer, the City, and the Marin Housing Authority; and Larkspur Isle is a development of deed-restricted BMR ownership units. The long-term affordability of these developments beyond their deed-specified terms (with the exception of the ownership BMR units) is subject to the financial solvency of the organizations that manage them; namely EAH and the Marin Housing Authority. EAH and the Housing Authority are two of the premier providers of affordable housing in Marin and have built up extensive networks for financial support, whether from government grants and loans, local financial institutions, or donations from private sources.

The City is aware of all applicable dates of termination of financial assistance, and works with organizations to ensure continued affordability of units in perpetuity. For example, in 2001 EAH proposed an affordable homeownership program for the 28 affordable rental units it owned in the Larkspur Isle development. The City worked closely with EAH during the program's creation, providing direction and comments regarding the program's specifics, and coordinating review of the program with the Marin Housing Authority.

Program Status: Continue program, with the identification of funding and creation of an action timeline in the future, if an ordinance is required.

□H4.B **Conduct Presale Inspections.** The City will continue to inspect all residential units prior to resale. The inspection reports point out safety related matters to assure that the units meet basis life safety standards.

*Responsibility: Building Department*

*Financing: Staff time*

*Objectives: Safety and proper maintenance of existing housing.*

*Timeframe: Ongoing*

**Evaluation:** The City employs a part-time Fire Marshal who conducts all resale inspections. The Building Inspector or Fire Chief conducts inspections in the Fire Marshal's absence. Resale inspections are performed regularly and with integrity on the part of the Fire Marshal or other City representative.

**Program Status:** Continue program.

**H4.C Amend Zoning to Protect Existing Housing.** The City will amend the zoning ordinance pursuant to the Downtown Specific Plan to prohibit the conversion of existing residential units to commercial or office space.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: Staff time*

*Objectives: Elimination of conversions of residential units to commercial uses.*

*Timeframe: November, 2004*

**Evaluation:** This program was completed successfully with the adoption of Ordinance 939 by the City Council in 2004. The Zoning Ordinance Chapter 18.41 was amended to require a conditional use permit for conversion of residential units to commercial or office space, on sites where residential uses are no longer appropriate. The ordinance also increased the required parking for commercial uses, acting as a disincentive to conversion. No such conversions have occurred since the Zoning Ordinance was amended.

**Program Status:** Completed.

**H4.D Expand the Historic Resources Inventory.** The Historic Resources Inventory will be expanded to include significant single family residences in the older neighborhoods. The criteria for designation include architecture and historic events or persons. Remodels, additions and demolitions will be subject to the historic resource provisions of CEQA.

*Responsibility: Planning Staff, Heritage Preservation Board, City Council*

*Financing: General fund for consultant to evaluate properties; staff time*

*Objective: Preservation of single family residences that collectively create the historic character of the neighborhood.*

*Timeframe: Phase I completed-August 2003; Phase 2-Fiscal year 2004-2005*

**Evaluation:** The City hired a consulting historic architect in 2002 to complete both phases of this program, which was completed in 2008. The changes to the inventory recommended by the consultant were examined at several public hearings held by the Heritage Preservation Board and the City Council. After considering public input, the City Council adopted the amendments to the Historic Resources Inventory in 2008 with Resolution 33/08.

**Program Status:** Completed.

**H4.E Inspections of Multi-Family Residences.** The Larkspur Fire Department will continue to provide inspections of multi-family residences that are most at risk for fire or other life-safety hazards. As appropriate, the Fire Department, Building Inspector, and Customer Service personnel will provide information to property owners regarding the availability of housing rehab programs and other financial resources.

*Responsibility: Fire Department; Building Inspector; Customer Service*

*Financing:* Staff time  
*Objective:* Protection of existing housing stock.  
*Timeframe:* Ongoing

Evaluation: The Fire Marshal inspects multi-family housing developments every year or every other year to check for fire-safety and other life-safety hazards in the common area of the developments (individual units are not inspected). Among the points of inspection are verifying that exits are accessible and up to code, that fire escapes are cleared, and that pool areas are appropriately fenced to protect children. This program has effectively maintained the safety of residents in multi-family units.

Program Status: Continue program.

***H5. Housing and Jobs Linkage: Promote the creation of housing near the workplace and establish non-residential use contributions to affordable workforce housing.***

### ***Implementing Programs***

**H5.A Complete Commercial/Housing Nexus Study.** Review the Marin County Jobs/Housing Linkage Study to determine appropriate and possible contributions for affordable housing from residential and non-residential uses, and to document the relationship between job growth and affordable housing needs of various types of development.

*Responsibility:* Planning Department; City Council  
*Financing:* Staff time  
*Objectives:* Legal basis for non-residential to housing linkage.  
*Timeframe:* December, 2004

Evaluation: The analysis of the Marin County Jobs/Housing Linkage Study was completed in December of 2004. Given the historically low level of new non-residential construction for which a linkage fee would be most practical, the City found that a jobs/housing linkage fee would not be practical at this time.

Program Status: Completed. Staff may consider reinstating program at a later date if construction trends change.

**H5.B Establish Job/Housing Linkage Fee Program.** Considering for adoption a Jobs/Housing Linkage Fee Ordinance with consideration of the following exaction requirements:

- a) Set exaction requirements for dwelling units and/or in-lieu fees according to empirically based evidence and comply with all other legal tests.
- b) Include affordable housing units within hotels, office, other commercial, or industrial buildings if feasible (options may include housing on-site, off-site, subsidizing mortgages or rents, in-lieu fee for housing production), or
- c) Establish a Housing Trust Fund for the collection of in-lieu fees based on a dollar amount per square foot of office, commercial, and industrial building development.

*Responsibility:* Planning Department; City Manager; City Council.  
*Financing:* Staff time  
*Objectives:* Establish requirements for non-residential uses.  
*Timeframe:* December, 2004

Evaluation: See evaluation of program H5.A above.

Program Status: Deleted. The City did establish a Housing Trust Fund for in-lieu fees for residential projects, but with little development and required affordable housing being incorporated into projects, to date, no in-lieu fees have been paid. Staff may consider reinstating consideration of a job/housing linkage free program at a later date if construction trends change.

**H5.C Identify Existing Employee Housing Opportunities.** Work with local school districts, public agencies, and existing businesses to seek opportunities for helping their employees find needed housing, such as purchasing or leasing larger facilities to provide local housing opportunities, mortgage buy-downs or subsidies, rent subsidies, etc. Seek the commitment of other organizations, such as the Marin Board of Realtors to have their members encourage employers to address employee-housing opportunities.

*Responsibility: Planning Department; City Manager*

*Financing: Staff time*

*Objectives: Employee housing opportunities provided by local entities.*

*Timeframe: Ongoing*

Evaluation: In implementing this program, staff found that the lack of time and financial resources necessary to fully implement the program's objectives limited its effectiveness and practicality. Thus, this program has been amended (see program H5.C in Section 4 of this Housing Element) to acknowledge the strains on staff time and budget and give staff more flexibility in its implementation. The program's objectives continue to be important and staff strives towards its full implementation.

Project Status: Amended and continued.

***H6. Variety of Infill and a Balance of Housing Choices: Maintain a diverse population by providing a variety of choices in the type, size, cost and location of new housing and more efficient use of existing housing, including the creative and efficient use of vacant land and the redevelopment of built land within established development areas to support local transit and services, maximize sustainability, and help maintain our environment and open space.***

### ***Implementing Programs***

**H6.A Implement Actions for Central Larkspur Area Specific Plan (CLASP) Housing.** Amend the General Plan, Downtown Larkspur Specific Plan, and Rezone parcels in the Plan Area consistent with the land use designations and density/intensity specified in the CLASP; certify environmental impact report and approve the CLASP.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: General Fund; Staff time; future reimbursement by developers*

*Objectives: Additional housing units*

*Timeframe: October/November, 2004*

Evaluation: The CLASP, all associated General Plan, Downtown Specific Plan, and zoning amendments were adopted in 2006 by the City Council with Resolutions 46/06, 47/06 and

48/06. The CLASP's housing goals include achieving mixed-use in Subareas 1 and 2 through construction of housing units above existing retail and commercial spaces, and allows for multi- and single-family housing at a mix of income levels in Subarea 3. The Plan's land use objectives include creating a community center of mixed uses near the downtown area, minimizing traffic and vehicle trips, and promoting development that maximizes community benefits. Pursuant to the CLASP, the Rose Garden development was approved by the City Council in January of 2010 for Subarea 3 and includes a mix of single family and multi-family housing types (20 percent of which will be affordable).

Program Status: Completed.

**H6.B Work with Developers.** The City will work with developers of non-traditional and innovative affordable housing approaches in financing, design, construction and types of housing that meet local housing needs.

*Responsibility: Planning Department; Planning Commission; City Manager; City Council.*

*Financing: Staff time*

*Objectives: Additional housing units*

*Timeframe: Ongoing*

Evaluation: This program is intended to maximize the City's remaining developable vacant parcels and to encourage creative mixed-use solutions for developed parcels. Staff works with architects and developers as new project applications come in to implement the objectives of this program. The Rose Garden development is a successful example of design addressing a variety of community housing needs, as stipulated in the development agreement. The mixed-income level development combines multi-family style senior housing, single-family homes, and small cottages on a parcel close to public transportation and other services in the downtown area. The developer has also set aside a portion of land for a community facility. The City's Inclusionary Housing Ordinance facilitates the construction of affordable housing units within market-rate developments, or allows developers to donate land or provide some other alternate equivalent action to provide for affordable units. The City will continue to work with developers and implement the Inclusionary Housing Ordinance to meet local housing needs.

Program Status: Continue program.

**H6.C Continue to Work with the School District.** As the opportunity presents itself, the City will work with the Larkspur School District and Tamalpais Union High School District toward development of affordable housing on any surplus properties.

*Responsibility: Planning Department; City Manager; City Council, and School Districts*

*Financing: Staff time*

*Objectives: Development of affordable workforce housing.*

*Timeframe: Dependent on opportunity*

Evaluation: The Larkspur and Tamalpais Union High School districts are sizeable employers in the Larkspur area, and providing affordable or workforce housing on surplus district properties would help reduce in-commuting by district employees who can't afford to live near their workplace. While there are currently no surplus properties under the ownership of the two school districts, the City has and will continue to monitor any changes in use of school

properties. Should a property become available, the City will work with the districts to develop affordable housing on the site(s) as this program intends.

Program Status: Continue program.

**H6.D Review and Update Parking and Other Development Standards.** Review and update parking and other development standards based on the most up-to-date empirical studies to allow for more flexible parking requirements to help facilitate infill, transit-oriented and mixed use development.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: More flexible parking and development standards that are reflective of development types.*

*Timeframe: November, 2004*

Evaluation: Amendments to parking and other development standards were adopted in 2004 and 2007 by Ordinance Nos. 939 and 940 (November 2004). These ordinances amended parking standards to increase commercial parking requirements if converting from residential to commercial uses and amended the commercial regulations to require only one parking space per unit for residential over first-story commercial. The Ordinances also amended the City's commercial districts to exempt second-story residential units over first-story commercial from FAR restrictions and required a conditional use permit for the conversion of residential to commercial or office space. The circulation assessment permit requirements were amended to exempt projects that contain no less than 15% of units dedicated to very-low income and 10% to low and 25% to moderate, or 50% of units dedicated to senior or disabled persons. Commercial and industrial districts were also amended to allow live/work units.

Program Status: Completed; continue program to facilitate ongoing review.

**H6.E Implement Mixed Use Development Opportunities.** Encourage mixed residential/commercial uses on those parcels where a mix of uses is feasible and appropriate, consistent with the General Plan, through the following and other means, if appropriate: (1) zoning text amendment to allow residential over first floor commercial in the C-1 and C-2 commercial zoning districts, (2) zoning text amendment to allow live/work units in the commercial and industrial districts, (3) modifications to parking requirements for mixed-use with residential in commercial and industrial districts, and (4) modifications to the Circulation Assessment Permit Ordinance and Planned Development Zoning Districts to allow for the construction of affordable housing, particularly housing for seniors, north of Corte Madera Creek. Continue to permit residential uses as a conditional use in commercial district regulations (i.e., multi-family) and light industrial (i.e., caretaker units) zoning districts.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Small mixed use units.*

*Timeframe: January, 2005*

Evaluation: This program was completed in 2004 when the City Council adopted ordinances 939 and 940. Ordinance 939 amended the C-1 (Restricted Commercial) district to allow second-story residential as a permitted use and exempted second-story residential units from floor area ratio restrictions. It also amended the C-2 (Commercial) district to allow multiple dwellings and

residential units above first-story commercial as permitted uses exempt from FAR restrictions. It also amended the Circulation Assessment Permit regulations to exempt developments providing affordable housing at the minimum percentages stipulated in the City's inclusionary housing ordinance or to developments with at least 50% of the units dedicated to seniors. Ordinance 940 amended the C-1, C-2, and L-1 (Light Industrial) districts to allow live/work units as a conditional use, subject to meeting certain objective standards including a minimum square footage of 750 square feet, and subject to the district's FAR restrictions. Though the City does not have much development, the program has been successful in encouraging the redevelopment of a small commercial property downtown with mixed use (commercial first floor; affordable units above. It has also resulted in inquiries by other downtown property owners and the owners of the Bon Air Center.

Program Status: General Plan, zoning amendments completed; implementation ongoing.

**H6.F Review of Planned Development Plans.** During the application and review process for new or revised Planned Development Districts, ensure they provide for a diversity of housing types to the extent possible.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Increased diversity in housing types.*

*Timeframe: Ongoing*

Evaluation: The success of this ongoing program can be seen in the approval of the mixed-use development at 2000 Larkspur Landing Circle (zoned PD) with Ordinance Nos. 948 and 951 and Resolution 34/05. The LLC project's Precise Development Plan allows for 126 residential ownership units at a mix of income levels, a hotel, and new sanitary district facilities. The Rose Garden project's Precise Development Plan allows for 85 dwelling units and six second units, with 50 of the units reserved as senior housing (42 multi-family units and eight cottages) and 29 single-family homes directly adjacent to transportation and grocery and retail shops. The project includes a donation of 2.79 acres of land to the City for use as a public park or facility. As with any submitted project application, staff works closely with architects and developers to encourage creative housing design that meets a variety of community needs. Staff intends to continue using this approach to all future new or revised PD developments.

Program Status: Continue program.

**H6.G Facilitate Development at Potential Housing Opportunity Sites.** Undertake a General Plan Amendment, Rezoning and other implementing actions to facilitate the construction of affordable housing at key sites to meet the jurisdiction's "fair share" of the regional housing need for lower income households. Ensure that local affordable housing developments will be competitively positioned to access affordable housing finance sources (such as tax credits and tax-exempt bonds). Specific steps and the schedule (in parenthesis) are as follows:

a) Draft General Plan and Zoning Ordinance Amendments (completed for Omnibus Zoning Amendments; underway for CLASP and Sanitary District Property; October/November, 2004)

- b) Conduct environmental review and begin preparation of an EIR, if necessary, for General Plan Amendments, Zoning Ordinance changes and Rezoning (underway or completed for: Omnibus Zoning Amendments; CLASP and Sanitary District Property; October/November 2004).
- c) Certify the environmental review (October/November 2004).
- d) Modify General Plan Land Use designations for specific sites as needed and initiate rezoning the potential sites as appropriate. (October/November 2004).
- e) Facilitate the development of affordable housing by using funding resources and other means to assist in on-and off-site mitigation that may be required (ongoing).
- f) Consistent with CEQA Section 15332 ("Infill Development Projects"), seek opportunities for infill development consistent with the General Plan and zoning requirements that can be categorically exempt from CEQA review (ongoing).
  - Responsibility: Planning Department; Planning Commission; City Council.*
  - Financing: Staff time; General fund; project applicants*
  - Objectives: Facilitate development of designated potential housing opportunity sites.*
  - Timeframe: Some actions concurrently with adoption of the updated Housing Element, others per schedule above.*

Evaluation: a) The General Plan and Zoning Ordinance amendments associated with the CLASP were adopted in 2006, and those associated with the Sanitary District property (2000 Larkspur Landing Circle) were adopted in 2005 and 2006 (see evaluations of programs H6.A and H6.L). Both projects have a 20 percent affordable housing component.

b,c) The EIR for the CLASP was certified and CEQA findings adopted by Resolution 46/06.

d) General Plan and Zoning Ordinance amendments for specific housing sites were adopted in various omnibus zoning amendment Ordinances in 2006 and 2007.

e) The City has not had the financial resources to provide direct monetary support to projects to assist in on- and off-site mitigation, but has waived or reduced fees to facilitate project completion (e.g., Drake's Way).

f) The City promotes infill development in the CLASP, as well as in approving infill projects such as the 2000 Larkspur Landing Circle project.

Due to the completion of objectives A-D (with objectives E and F ongoing), staff amended the program to include new objectives including:

- a) Facilitate the development of affordable housing by using in-lieu housing funding resources and other means to assist in on- and off-site mitigation that may be required.
- c) Investigate the feasibility of implementing variable density requirements as a tool to encourage developers to build a great volume of smaller, affordable units in certain Zoning Districts (e.g. R-3, C-1 and C-2, etc.)
- d) Investigate amending the Zoning Ordinance to require minimum densities in multi-family residential and mixed-use districts to discourage underutilization of parcels and encourage tailored development envelopes.

Program Status: Specific objectives completed; program objectives and timeframe amended to continue ongoing program objectives and complete feasibility analysis by December, 2011 (see Program H6.F in the 2010 Housing Element).

**□H6.H Implement Actions to Address Remaining Very Low Income Housing Need.**

Work with developers, other agencies and the community to address a portion of Larkspur's housing need by offering incentives such as density bonuses, options for clustering units, mix of unit types, second units, "in-lieu" housing funds, fast-track processing, and reduced fees, as appropriate to the development at the following sites:

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: Staff time; General Fund*

*Objectives: Facilitate development of very-low income housing units.*

*Timeframe: Ongoing*

Evaluation: This program's success can be seen in the Drake's Way development, a development dedicated exclusively to very-low income households. The City facilitated the transfer of land from the original developer (Monahan) to EAH as part of the market-rate project approval. Though the difficulties of the unimproved site posed a great cost to the project's development, the project was completed and is now fully occupied. The City has since adopted its inclusionary housing ordinance which requires donated land to be fully improved to prevent such situations from reoccurring. The incentives employed by the City for this project included waiving fees, expedited permit processing and approval of design changes for purposes of project feasibility. The City will continue to work with developers to identify opportunities for meeting the very-low and ELI housing need.

Program Status: Continue program.

**□H6.I Implement Actions for Blue Rock Inn.** Consider approval of Design Review for restoration of the Blue Rock Inn, including the legalization of 11 affordable units.

*Responsibility: Planning Department; Planning Commission; Heritage Board; City Council.*

*Financing: Staff time; project applicant*

*Objectives: Legalization of affordable housing units*

*Timeframe: Design Review approved and building permits issued; as of June 2004, under construction.*

Evaluation: The application for Design Review was approved in May of 2003, leading to the legalization of seven very-low income units and 4 low-income units in 2004.

Program Status: Completed.

**□H6.J Implement Actions for the North End of Magnolia Avenue and other Commercial Zoned Lands.** Encourage mixed residential/commercial uses on those parcels where a mix of uses is feasible and appropriate, consistent with the General Plan. Refer to Program H6.E above.

Evaluation: See evaluation of Program H6.E above.

Program Status: Completed.

**□H6.K Implement Actions for the Monahan/EAH Project on East Sir Francis Drake and Larkspur Landing Circle.** Consider approval of a Preliminary Development, Precise Development Plan, Design Review, and Tentative Map for the 23 unit market-rate housing

development proposed off of East Sir Francis Drake Blvd. and the 24 unit affordable housing development proposed off of Larkspur Landing Circle.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time; project applicants*

*Objectives: Additional housing units, both market-rate and affordable*

*Timeframe: The Preliminary and Precise Development Plans and the Design Review have been approved for both projects. No further discretionary actions are required for the affordable housing development. A Vesting Tentative Map has been approved. Final Map has been submitted for review. As of June, 2004, under construction (preliminary grading).*

Evaluation: This program is complete. Construction of the Drake's Way development was completed in November of 2009 and the development is now fully occupied. Construction on Drake's Cove has stalled due to unfavorable economic conditions. See evaluation of program H6.H above for description of City actions facilitating this development.

Program Status: Completed.

**H6.L Implement Actions for the Sanitary District Property off of Larkspur Landing Circle.** Consider approval of a General Plan Amendment (from Administrative and Professional Office and Medium Density Residential, up to 12 du/ac, to High Density Residential, up to 21 du/ac), Preliminary Development, Precise Development Plan, Design Review, and Tentative Map for 120 housing units on 10.67 acres, including 24 affordable units for the Sanitary District Property located off of Larkspur Landing Circle. An applicant for the site has applied for 126 dwelling units on 7.65 acres of the site. An Administrative Environmental Impact Report has been prepared for a previous mixed-use proposal and, based on that information, it is anticipated that Mitigated Negative Declaration will be issued for the revised project.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time; project applicants*

*Objectives: Additional housing units, both market-rate and affordable*

*Timeframe: Applications submitted and Initial Study underway; Application approvals including General Plan Amendment-October 2004.*

Evaluation: The City Council passed Resolution 34/05 in 2005, adopting the necessary General Plan amendments to the Land Use Element and Land Use Map. The Precise Development plan and Design Review for the residential component of the project were approved in 2005 and 2006, with approval of Ordinances 948 and 951, respectively.

Program Status: Completed.

**H6.M Implement Actions for the Casitas de Larkspur Site at 220/224 Lower Via Casitas.** Consider approval of a Tentative Map for six market-rate housing units located on Casitas de Larkspur.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time; project applicants*

*Objectives: Additional market rate housing unit*

*Timeframe: Tentative Map approved; City waiting for filing of the Final Map by the developer.*

Evaluation: This program was completed in July of 2004 with the approval of the Tentative Map. The units have been built and are currently occupied.

Program Status: Completed.

**H6.N Implement Actions for the College of Marin Site (Potential Housing Opportunity Site).** Promote development of affordable housing units. The College of Marin currently owns the 13-acre parcel. Initiate discussions with the College of Marin regarding the development of a portion of the College property for affordable housing.

*Responsibility: Planning Department; City Manager; City Council*

*Financing: Staff time; General Fund*

*Objectives: Facilitate development of very-low income housing serving persons with special needs.*

*Timeframe: Begin work within twelve months of adoption of the updated Housing Element.*

Evaluation: The City spoke with campus officials on several occasions in 2004 and 2005 in order to determine what kind of development would be best for that site. Ultimately, the college felt that housing development of the site is not consistent with the College's Master Plan. The City decided against pursuing it further as the site is immediately adjacent to and encompasses marshlands.

Program Status: Completed.

**H6.O Implement Actions for the Conversion of Existing Market Rate Housing to Affordable Housing.** Investigate the feasibility of, and opportunities for, the purchase of existing market rate housing to affordable housing in compliance with Government Code Section 65583.1. Work with interested non-profits and willing property owners.

*Responsibility: Planning Department; City Manager; City Council*

*Financing: Staff time; General Fund*

*Objectives: Conversion of existing market-rate multi-family housing to affordable units.*

*Timeframe: Begin investigation of the feasibility of, and opportunities for, this program within six months of adoption of the updated Housing Element.*

Evaluation: Staff had the opportunity to investigate the feasibility of market-rate conversions to affordable units when a developer approached the City with the intent to convert some of market-rate units on Bon Air Hill. The proposed units were already affordable to moderate and low-income households. If these units were converted to affordable units with income restrictions, most of the existing low and moderate income residents would be displaced as they would not qualify for the restricted income housing. In April of 2007, the City Council determined that the proposed conversions would have too severe an impact on existing moderate and low income residents, and this program was no longer considered.

Program Status: Completed.

**H6.P Implement Actions for the Tiscornia Winery Site on Magnolia Avenue and the McLaren Property off of Estelle Avenue (Potential Housing Opportunity Sites).** Promote development of both market-rate and affordable housing on the Tiscornia Winery Site

on Magnolia Avenue (23 units, 5 affordable) and the McLaren Property off of Estelle Avenue (17 units, 4 affordable). The properties are both privately owned. The topography of the Tiscornia Winery Site is extremely steep and, it is likely, development will have to be clustered; therefore, the minimum density is projected for the property. The existing structures on the site have been identified as potentially eligible for the National Register of Historic Places. The McLaren Site is relatively flat and includes two existing historic dwellings. The City will take the following specific actions to:

a) **Amend the Land Use Element and Rezone the Property.** The 1.46 acre McLaren Property is designated Low Density Residential (up to 5 du/ac) in the General Plan and zoned R-1, Residential First District. Environmental review shall be conducted to assess the impact of designating the site to Medium Density Residential (up to 12 du/ac) and R-2, Residential Second District. (Note: General Plan Amendments and Rezoning are not required for the other property. The Tiscornia Winery Site is currently designated Low Density Residential [up to 5 du/ac] in the General Plan and zoned Residential Master Plan. The steep topography limits development to 1 du/ac.)

b) **Offer Development Incentives.** The City will offer incentives for affordable housing (e.g., floor area ratio exceptions, density bonuses, flexible parking standards, and deferred fees).

c) **Fast Track Processing.** The City will offer fast track processing including the hiring of a consultant, if necessary, to facilitate permit processing.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: Staff time; General Fund*

*Objectives: Facilitate development of affordable housing*

*Timeframe: Concurrent with, or within six months of adoption of the updated Housing Element the McLaren property will be processed for a General Plan amendment and rezoning. The property owner has expressed interest in providing affordable housing and has presented a preliminary concept plan for the site. Discussions regarding the potential development of the Tiscornia Winery site have taken place.*

Evaluation: Though discussions regarding the potential development of the Tiscornia Winery site have taken place, the property owner is not interested in developing the property at this time. In the event that the property owner wishes to develop the site in the future, staff will implement the objectives of this program to facilitate project development. The developer of the McLaren property decided to delay his development proposal, but has recently expressed renewed interest in developing the site. Staff will continue to discuss the potential of the site with the developer and will apply the incentives and strategies outlined in this program as they become appropriate.

Program Status: Ongoing.

***H7. Long-Term Affordable Housing: City seeks to provide its "Fair Share" of very-low, low and moderate income housing and to ensure affordable housing remains affordable over a long term.***

### ***Implementing Programs***

**H7.A Enact Density Bonus Zoning and Other Incentives.** Amend the Zoning Ordinance to add Density Bonus regulations, consistent with State law, to encourage an increase in the supply of well-designed housing for very low, low and moderate income households.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Create flexibility for well-designed affordable housing development.*

*Timeframe: March 2004*

Evaluation: The City has been relying on State density bonus regulations, and due to the changing nature of the regulations in the mid-2000's, the City Council put a City density bonus regulation on hold. However, as time has passed and the State regulations have been clarified, the City now plans to adopt density bonus regulations by February 2011.

Program Status: Continue program; timeframe amended to "February 2011".

**H7.B Impose Resale or Rent Controls on Affordable Units Receiving City Financial Assistance.** Impose resale or rent controls on all affordable units that receive city financial assistance or state housing density bonuses for perpetuity.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Preserve affordable units.*

*Timeframe: Ongoing*

Evaluation: Affordability restrictions for all of the affordable housing developments in Larkspur are either integrated into the deed of the property or are otherwise stipulated in the project's approval (i.e., in the Precise Development Plan, Development Agreement, etc.). Pursuant to other programs in the Housing Element, the City will work with developers and affordable housing organizations to maintain affordability of units in the long-term.

Program Status: Ongoing.

**H7.C Impose Resale or Rent Controls on Affordable Units Provided through the Inclusionary Housing Program.** Impose resale or rent controls on all affordable units provided through the inclusionary housing program or city subsidies to ensure that they remain affordable for perpetuity.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Preserve affordable units.*

*Timeframe: Ongoing*

Evaluation: See evaluation for program H7.B above.

Program Status: Continue program.

**H7.D Participation by Property Owners in Federal Programs.** Encourage and facilitate to the extent possible, participation by property owners in federal for-sale and rental housing assistance programs that maintain affordability for very low and low-income residents.

*Responsibility: Planning Department; City Manager; City Council.*

*Financing: Staff time*

*Objectives: Increase number of affordable units.*  
*Timeframe: Ongoing*

Evaluation: The City has historically encouraged property owners to participate in federal assistance programs, and facilitated the acceptance of Section 8 housing at the Larkspur Courts apartments (approved in the 1980's). The City continues to provide information about such programs to interested property owners at its Customer Service and Planning counters.

Program Status: Continue program.

**H7.E Revise Inclusionary Housing Regulations.** Amend Chapter 18.16 Regulations for All Districts of the Zoning Ordinance to require non-market rate housing to be included as part of residential projects, as follows:

a) 15 percent of the units in a *rental housing* project of five to fourteen units and 20 percent of the units in a rental housing project of fifteen or more units shall be affordable to *very low- and low-income households*.

b) 15 percent of the units in a *for-sale project* of five to fourteen units and 20 percent of the units in a for-sale project of fifteen or more units shall be affordable to *low- and moderate-income households*.

c) Alternative methods of meeting the intent of the inclusionary requirements, such as the provision of land for the required inclusionary units or the payment of an in-lieu fee, may be permitted under certain circumstances.

d) The inclusionary units shall be constructed concurrently with market-rate units when feasible.

e) The long-term affordability of the inclusionary units shall be guaranteed.

Consider providing a program of incentives (e.g., fee deferral, priority processing, local public subsidy, and reduced design standards for such elements as setbacks, infrastructure, open space, landscaping, outdoor amenities, and parking) to assist developers in meeting the inclusionary housing requirements."

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Amend the Zoning Ordinance.*

*Timeframe: October, 2004*

Evaluation: The City Council adopted the objectives of this program with Ordinance 941 in 2005, amending the zoning ordinance to include a new chapter 18.31, Affordable Housing Fund and Inclusionary/In-Lieu Fee Requirements. The ordinance also established an affordable housing fund to finance the development of affordable housing.

The City Council adopted in-lieu fees in 2007 with Resolution 40/07, as follows:

Project Type	In-Lieu Fees per Market Rate Housing Unit	
	Projects of 5-14 units	Projects with 15+ Units
Rental Units	\$31,990	\$42,653
For-Sale Units	\$50,719	\$67,625

Project Type	In-Lieu Fees per Affordable Housing Unit
	Note: The fees per affordable unit do not change based on project size.
Rental Units	\$213,267
For-Sale Units	\$338,126

The Fee amounts are adjusted annually on July 1 by the same percentage as the annual change in the "Engineering News Record" Construction Costs Index for the San Francisco Bay Area. The City Council may adjust fee amounts based on significant changes in the factors used in the Fee methodology as defined in the EPS Technical Memorandum dated August 29, 2007.

Program Status: Completed.

**H7.G Work with the Marin Housing Authority.** Continue to implement agreements with the Marin Housing Authority (MHA) 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.

*Responsibility: Planning Department; City Attorney.*

*Financing: Staff time*

*Objectives: Implement agreements to maintain affordability of deed restricted housing units.*

*Timeframe: Ongoing*

Evaluation: As discussed in several related programs' evaluations, this program has been successful, and the City continues to work with the Marin Housing Authority and other affordable housing organizations (EAH) to maintain the affordability of existing affordable units and establish affordability for proposed units.

Program Status: Continue program.

**H7.H Priority Processing.** Provide a planning consultant to process applications that include more affordable housing than required under the inclusionary policies and/or give the project priority over other applications in getting to a public hearing at the Planning Commission or set up special Planning Commission public hearings to facilitate speedy processing, notwithstanding the requirements of CEQA and the Permit Streamlining Act.

*Responsibility: Planning Director; Planning Commission; City Manager*

*Financing: Cost of consultant is the responsibility of the applicant.*

*Objective: Reduce the cost of affordable housing.*

*Timeframe: Ongoing*

Evaluation: While budget constraints preclude the hiring of a City-paid consultant to provide priority processing, the City does give projects that include affordable housing priority over other applications in terms of staff time and scheduling of public hearings. Staff will continue to implement this program.

Program Status: Continue program.

H7.I **Waive/Defer Development Fees.** Consider waiving or deferring development fees for housing projects targeted to lower-income households when needed to ensure project feasibility.

*Responsibility: City Council*

*Financing: General Fund*

*Objective: Facilitate construction of affordable housing.*

*Timeframe: Ongoing*

Evaluation: The City has waived or deferred development fees for housing developments including Drake's Way, which facilitated the project's feasibility and hastened its construction. The City will continue to consider waiving or deferring fees on a case-by-case basis.

Program Status: Continue program.

***H8. Second Dwelling Units: Encourage well-designed, legal second units in all residential neighborhoods.***

***Implementing Programs***

H8.A **Legalization of Existing Second Units.** Consider establishing an amnesty program, that takes into account site specific conditions, to allow for and encourage the legalization of existing second unit.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: Staff time*

*Objectives: Increase the number of legal second units within the City and encourage existing units to be brought up to code.*

*Timeframe: Completed December 2004—not the preference of the City Council to grant amnesty to persons that violated the law; revisit in January, 2005 with a more limited scope.*

Evaluation: The City Council considered this program in 2004. While recognizing the importance of legalizing existing units (both for public safety and to get a more accurate picture of the City's housing supply), the Council decided that it was not the City's policy to grant amnesty to those who had broken the law. A more refined amnesty program was not considered. Staff is suggesting that the Council consider the amnesty program again in spring of 2011, as the General Plan update commences with the assistance of the Citizen Advisory Committee.

Program Status: Continue program.

**H8.B Amend the Second Dwelling Unit Ordinance.** Review and reconsider provisions of the existing Second Dwelling Unit ordinance including submittal requirements, required minimum lot size, required separate utility metering, whether detached units should be allowed, and parking requirements.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: Staff time*

*Objectives: Remove barriers to the creation of second units.*

*Timeframe: Completed, July 2003.*

Evaluation: The City Council amended Chapter 18.21 of the Larkspur Municipal Code with the adoption of Ordinance 921 in July of 2003 and Ordinance 953 in May of 2007. The ordinance was amended in response to changes in state law requiring that local governments process applications for second units ministerially; i.e., the City would not conduct discretionary review as long as the application met certain City-determined, objective standards.

Under the amended ordinance, second dwelling units are allowed as a permitted use in all three residential zoning districts, as well as in the Planned Development district (subject to ordinances governing PD districts). It also established design standards including minimum and maximum floor area, and requires one parking space in addition to the parking spaces required for the main unit. The program has been successful in meeting the objectives as over the 1999-2006 RHNA period, the City issued six building permits for second dwelling units. Two of the units were affordable to ELI households and four were affordable to moderate income households (affordability levels determined using the County-wide survey of second unit affordability, available on the Marin Housing Workbook website: [www.marinhousingworkbook.com](http://www.marinhousingworkbook.com)). The City has projected the same number of second units to be built during the 2007-2014 RHNA period.

Program Status: Completed.

**H8.C Sewer and Water Hook-Up Fees for Second Units.** Support the efforts of other local jurisdictions and work with the sanitary and water districts to reduce or waive fees for affordable units and second units, thereby encouraging and facilitating development of these types of housing units.

*Responsibility: Planning Department; City Manager; City Council*

*Financing: Staff time*

*Objectives: Remove barriers to the creation of second units.*

*Timeframe: Completed February 2004*

Evaluation: In response to the lobbying efforts of Marin jurisdictions, the Marin Municipal Water District Board of Directors revised its Low-Income/Affordable Housing Policy (Board Policy No. 12) to extend a 50 percent reduction in water connection fees for second dwelling units in all jurisdictions in its service area (including Larkspur) in 2007. The Board adopted a policy establishing reductions in connection fees to developers providing affordable housing beginning in 1985. The policy currently grants a 50 percent reduction fee for both for-profit and non-profit developments providing a certain percentage of affordable housing.

The Ross Valley Sanitary District currently has no formal policy reducing sewer connection fees for affordable housing developments or second units. The City will continue to advocate for such a fee reduction, along with the other jurisdictions served by the District.

Program Status: Partly completed; City will continue to support a reduction or waiver of fees for affordable and second units.

H8.D **Second Unit Requirement for Large Houses.** Consider requiring projects with two or more units and/or homes over 2,000 sq. ft. to provide a second unit(s) or the space and adequate parking for a conversion to a second unit.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: Staff time*

*Objectives: Increase the number of second units*

*Timeframe: Complete July 2004*

Evaluation: After consideration of this program and its implications, the City Council determined not to pursue it due to safety issues inherent with the varied shape, slope and size of lots which might preclude the construction of a second unit, and that a generalized requirement would be unrealistic for many lots. Therefore, this program has been discontinued.

Program Status: Deleted.

***H9. Special Needs Housing: Provide housing for population groups who require special assistance (special needs groups include: homeless persons; people with disabilities; the elderly; people with serious illnesses, substance abuse or in need of mental health care; large families; single parent households; and other persons in the community identified as having special housing needs).***

### ***Implementing Programs***

H9.A **Adaptable Units for the Disabled.** Depending on the appropriateness (e.g. number of units, ease of access), the City may require as a condition of approval new housing developments include units that can be adapted for use by disabled residents.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: 3% of the units built by July, 2006 (10 units)*

*Timeframe: Ongoing*

Evaluation: One example of this program's successful implementation can be seen in the Central Larkspur Specific Plan (adopted 2006), which requires that senior housing in the CLASP subareas use universal design principles to ensure adaptability and accessibility for disabled persons.

Program Status: Ongoing. The program continues in the 2010 Housing Element and specifies that new construction will conform to the applicable California Building Code regulations addressing accessibility requirements for disabled persons. The timeframe for implementation has been amended to be subject to amendments to the California Building Code.

H9.B **Density and Parking Standards for Elderly Housing Projects.** Consider waiving density and parking standards for elderly housing projects if the city finds that 1) potential impacts to traffic and the environment are acceptable and 2) development is compatible with neighborhood scale.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Encourage additional housing for the elderly*  
*Timeframe: April, 2004*

Evaluation: This program has been implemented successfully in the Rose Garden project (CLASP Subarea #3), which received reduced parking requirements for its 50 senior housing units. The program gives the City flexibility in determining when it is appropriate to grant parking requirement reductions, while not impeding the practice.

Program Status: Continue program. Timeframe has been amended to "Ongoing."

**H9.C Zoning and Building Codes.** Consistent with Senate Bill 520 enacted in January 1, 2002, the City will continue to evaluate its zoning ordinance and other policies to identify and implement any provisions needed to address constraints to the construction of housing for people with disabilities, handicapped dwelling conversions (or adaptability), and appropriate site design. To insure that the City's zoning and building codes relative to housing for persons with disabilities do not impede the construction of such housing, or necessary adaptations to existing structures, the City is in the process of developing and adopting a formal process for providing reasonable accommodation to zoning, building codes, and permit procedures for all persons with disabilities. Once adopted, information regarding the process for requesting reasonable accommodations will be made available at the City's Customer Service, Planning and Public Works counters and on the City's web site.

*Responsibility: Planning Department; Planning Commission; Building Official, City Council.*

*Financing: Staff time*

*Objectives: Maintain zoning and building codes as fair and equitable and in accord with State law.*

*Timeframe: Ongoing; Approve formal request process-October 2004.*

Evaluation: The City continues to update its zoning ordinance to reflect the objectives of this program. Staff recognizes the importance of accommodating the needs of disabled persons and has drafted a reasonable accommodation ordinance and plan to bring it to the City Council in April of 2011. On the one occasion where an accommodation has been requested with supporting documentation (e.g., a doctor's letter) for the need and the request, the accommodation has been granted administratively. Upon the Ordinance's adoption, the City will make information regarding requesting reasonable accommodations available to the public at all venues listed in this program.

Program Status: Continue program. Timeframe amended to April, 2011.

**H9.D Waive/Defer City Fees.** Consider waiving or deferring City fees for housing projects that meet special needs when necessary to improve the financial feasibility of such projects.

*Responsibility: City Council*

*Financing: General Fund*

*Objective: Facilitate construction of housing projects that meet special needs.*

*Timeframe: Ongoing*

Evaluation: This program was successful when the City granted fee waivers to the Drake's Way project, which includes housing units specifically reserved for households with disabled persons. The City will consider similar waiver requests for any future housing projects that provide accessible units or other special needs accommodations.

Program Status: Continue program.

H9.E **Rental Units for Larger Families.** Require apartment projects receiving financial incentives from the City to include units with more than two bedrooms.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: Staff time*

*Objective: Facilitate construction of housing projects that serve larger families.*

*Timeframe: Ongoing*

Evaluation: Since the last Element update, Drake's Way is the only project to request financial incentives and the original project proposal included units with more than two bedrooms.

Program Status: Continue program.

H9.F **Building Codes.** Review City building codes to determine consistency with HUD regulations and State law concerning housing for persons with disabilities. Require developers to strictly comply with these regulations in order to increase the stock of housing accessible to persons with disabilities.

*Responsibility: Building Official, City Council.*

*Financing: Staff time*

*Objectives: Maintain zoning and building codes as fair and equitable and in accord with State law.*

*Timeframe: Ongoing*

Evaluation: This program states the City's commitment to proactively follow and respond to changes in State or federal laws governing the provision of housing for disabled persons. The City's Building Official provides direction to staff and the City Council when updates to City code are required. The City has been and will continue to be responsive to changes in housing law.

Program Status: Continue program.

H9.G **Support Countywide Programs.** The City will support countywide programs that provide for a continuum of care for the homeless including emergency shelter, transitional housing, supportive housing and permanent housing.

*Responsibility: City Council.*

*Financing: General Fund*

*Objectives: Provide housing for the homeless.*

*Timeframe: Ongoing*

Evaluation: The City has historically been supportive of emergency, transitional, and supportive housing throughout the County and in the City itself. The City is home to Marin Services for Women, a residential substance-abuse rehabilitation facility that provides both transitional and supportive housing for women enrolled in the program and their children. Many of the women enrolled in the program have either been homeless or precariously housed in the past or are currently homeless (program participants share their stories on the MSW website). Additionally, program H9.H in this Element states the City's intent to allow permanent emergency homeless shelters as a permitted use in the Administrative-Professional and Commercial districts. The City will continue to look for opportunities to provide housing for the homeless and will continue to support countywide efforts to do the same.

Program Status: Continue program.

□H9.H **Emergency and Transitional Shelters.** The City will allow emergency and transitional shelters as permitted uses in conjunction with an existing Church and other places of religious assembly, and in appropriate districts (residential and commercial) either by right (6 or less persons) or by use permit (7 or more persons) to facilitate the provision of such shelters.

*Responsibility:* Planning Department; Planning Commission; City Council

*Financing:* General Fund

*Objectives:* Provide emergency and transitional shelters.

*Timeframe:* April, 2004

Evaluation: Pursuant to this program, the zoning ordinance was amended to allow group homes, handicapped or non-handicapped, as permitted uses in the C-2 (General Commercial), R-1, R-2, and R-3 (all residential) districts. Group homes are defined in the Larkspur Municipal Code as "A family dwelling unit licensed or supervised by any federal, state, or local health/welfare agency which provides twenty-four hour non-medical care of unrelated persons who are handicapped [or not handicapped] and in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual, in a family-like environment." The number of individuals in a handicapped group home is not limited by the Zoning Ordinance. Group homes for non-handicapped individuals are limited to six clients.

The Zoning Ordinance defines any facility serving more than six clients (non-handicapped) as a residential care facility, allowed as a conditional use in the R-3 district. Residential care facilities are defined as "A facility licensed or supervised by any federal, State, or local health/welfare agency which provides twenty-four-hour nonmedical care of unrelated persons who are not handicapped but are in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment. The number of persons living in such a facility is seven or more clients."

These uses allow for transitional, supportive, and emergency housing for those in need. However, the number of clients is limited for non-handicapped group homes, and the requirement for a "family-like environment" in a family dwelling unit precludes a permanent shelter using dormitory-style housing or more intense uses. Additionally, the definitions of "group home" and "residential care facility" do not explicitly state what types of housing (i.e. emergency, transitional, or supportive housing) they are intended provide, nor does the zoning ordinance define emergency, transitional, and supportive housing. In response to these inconsistencies, and to the requirements of SB 2, the City has amended this program in the updated Housing Element. The revised program will amend the zoning code to allow at least one permanent emergency shelter by right in the A-P (Administrative-Professional) or C-2 (General Commercial) districts. It will also include new definitions of transitional and supportive housing (as established in the California Health and Safety Code) and clarify that the definitions of "Group Home," handicapped and non-handicapped, encompass transitional and supportive housing.

Program Status: Continue program, as amended, to November 2011 (per state law, the City has up to one year after the Element's adoption to update the zoning ordinance).

**H9.I Residential Care Facilities.** The City will work Marin Services for Women to allow the creation of a 40-bed residential care facility, including space for infants and children, to meet the needs of individual women in receiving integrated recovery.

*Responsibility: Planning Department; Planning Commission; City Council*

*Financing: General Fund*

*Objectives: Provide residential care facility for women and children..*

*Timeframe: June 2003, approved by the Planning Commission*

Evaluation: This program was successfully completed in 2003 when the Planning Commission approved the project. The zoning ordinance was amended to allow residential care facilities in the R-3 as a conditional use.

Program Status: Completed.

***H10. Special Needs Support Programs: Provide housing assistance for special needs and link housing to Health and Human Services programs helping meet the needs of seniors, people with disabilities, homeless and others.***

### ***Implementing Programs***

**H10.A Assist in the Effective Use of Available Rental Assistance Programs.** Develop and implement measures to make full use of available rental assistance programs. Actions include:

a) Maintain descriptions of current programs to hand out to interested persons.

b) Provide funding support, as appropriate.

c) Refer interested parties to the Marin Housing Authority for rental housing assistance programs, such as Shelter Plus Care, AB 2034, HOPWA, the Rental Assist Line, Rental Deposit Program, and Welfare to Work Program.

*Responsibility: Customer Service; MHA; City Council; Marin Community Foundation.*

*Financing: Staff time*

*Objectives: Continued use of rental housing programs at current funding levels.*

*Timeframe: Ongoing*

Evaluation: The City provides pamphlets and other information to interested persons at its customer service and planning counters, and makes referrals to the Marin Housing Authority (Marin Housing) as necessary; it is difficult, however, to determine the success of the program as no data is available. The City monitors the status of programs offered by Marin Housing and updates its information accordingly (for instance, the City has updated its information to reflect the suspension of the Rental Assist Line and the creation of the Homeless Prevention Program). The City may add information to its website concurrent with the website's redesign in 2010. The City does not have the financial resources to fund rental assistance programs at this time.

Program Status: Continue program.

**H10.B Engage in Countywide Efforts to Address Homeless Needs.** Actively engage with other jurisdictions in Marin to provide additional housing and other options for the homeless, supporting and implementing *Continuum of Care* actions in response to the needs of homeless families and individuals. Participate and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related counseling services.

*Responsibility: Planning Department; City Manager; City Council.*

*Financing: Staff time*

*Objectives: Assist in addressing emergency shelter needs in a comprehensive, countywide manner.*

*Timeframe: Annual participation, as appropriate*

Evaluation: The City supports and participates in several countywide efforts to addressing homeless needs. These efforts include the bi-annual "Point-In-Time" homeless population count coordinated by the County, and the Marin Housing Workbook process, which brings together City and County officials and representatives from organizations providing services to the homeless (among other organizations). The City values the work of non-profit organizations providing housing and treatment services, and facilitated the approval of the Marin Services for Women facility in 2003. The City recognizes that homeless needs are growing and difficult to address by any one jurisdiction.

Program Status: Continue program.

***H11. Funding for Affordable Housing: Be aggressive and creative in finding ways to increase ongoing local funding resources for low income special needs housing.***

### ***Implementing Programs***

H11.A **Adopt a Housing Trust Fund Ordinance and Operating Procedures.** If appropriate, adopt a Housing Trust Fund Ordinance, specifying that monies paid into the fund will be used to develop or rehabilitate units affordable to very low and low-income households, or for the purchase of market rate units for conversion to affordable housing units. Explore other streams of financing to add to or match these funds, and establish administrative guidelines for land acquisition for affordable housing; capital improvements for affordable housing developments; and other implementation actions.

*Responsibility: Planning Department; Affordable Housing Strategist; City Manager; City Council.*

*Financing: Staff time; Larkspur's proportionate share for the hiring of the Affordable Housing Strategist*

*Objectives: Provide funding to facilitate implementation of Housing Element programs.*

*Timeframe: 2006*

Evaluation: The City Council adopted a Housing Trust Fund and established operating procedures in 2005 with the adoption of Ordinance 940. The ordinance added a new Chapter 18.31 to the Larkspur Municipal Code entitled "Affordable Housing Fund and Inclusionary/In-Lieu Fee Requirements." The ordinance also establishes the percentages and affordability levels of rental and ownership projects and sets guidelines for alternate equivalent actions. Alternate equivalent actions include donating developable land to a non-profit housing developer and development of second units. The City does not have a redevelopment agency and, due to the built out nature of the community, has few projects from which to collect in-lieu fees. However, the City's efforts to secure the construction of or obligation for affordable units through other means (inclusionary requirements, alternate equivalent actions) have been successful.

Program Status: Completed.

H11.B **Seek Additional Local Sources of Funding.** Develop permanent local sources of funding to support affordable housing, including consideration of:

- a) In-lieu fee payments under inclusionary requirements (residential and non-residential developments).
- b) Voluntary donations.
- c) Increase in the Transient Occupancy Tax (as an alternative, increased revenue from the increase in the number of transient occupancy rooms could be used to support affordable housing).

*Responsibility: City Manager; City Council.*

*Financing: Staff time*

*Objectives: Create additional sources of funding.*

*Timeframe: June, 2004*

Evaluation: As discussed previously, the City has adopted an Affordable Housing Fund and an inclusionary housing ordinance, though in-lieu fees have not yet been collected. Though voluntary donations would gladly be accepted, the City does not wish to compete with the number of established organizations providing affordable housing in the region (such as EAH, Bridge Housing, and others) in the solicitation of private funding. An increase in the Transient Occupancy Tax would not be practical at this time in assisting with housing needs, as these revenues are getting difficult to collect due to online reservations, and are proposed to be appropriated by the State during the current fiscal crisis. However, the City will retain this aspect of the program as the economic climate may shift.

Program Status: Continue program. Timeframe has been amended to "Ongoing."

H11.C **Coordinate Funding Among Development Proposals.** Recognizing that limited resources are available from the State and other sources, and accessing such resources is highly competitive, the City of Larkspur will participate in efforts to establish administrative procedures to create a data base of development proposals throughout the County and their anticipated funding sources. The purpose of the data base is to ensure that local projects are competitive for outside funding sources and these resources are used in the most effective manner possible. Potential sources of funding include, but are not limited to:

- a) CDBG/HOME.
- b) Marin Community Foundation.
- c) Applications for mortgage revenue bonds and/or mortgage credit certificates.
- d) Housing Trust Fund.
- e) Tax Credit Allocation.
- f) California Housing Finance Agency (CHFA)

*Responsibility: City Manager; City Council.*

*Financing: Staff time*

*Objectives: Efficient use of available funding for high priority developments.*

*Timeframe: Ongoing*

Evaluation: The City participates in a countywide database managed by the County of Marin that tracks all residential and commercial development projects under review, approved, under construction, or completed. This "PROPDEV" database is updated annually. However, the database does not track the funding sources or eligibility of funding for each project, most likely due to lack of resources both on the County and municipal level, and that a majority of the funding sources are private for market-rate development. The City will continue to participate in

the annual PROPDEV database survey and will support the inclusion of funding sources in the database if possible.

Program Status: Continue program.

H11.D **Contacts with Nonprofit Housing Organizations.** Maintain contacts with nonprofit housing organizations to benefit from their expertise in developing and supporting affordable housing. Refer potential developers of housing to these organizations for assistance.

*Responsibility: Planning Department; City Manager; City Council.*

*Financing: Staff time*

*Objectives: Efficient use of available funding for high priority developments.*

*Timeframe: Ongoing*

Evaluation: The City maintains relationships with several local and regional non-profit housing organizations and has facilitated projects between those organizations and developers. The donation of land from private developers to EAH to facilitate the construction of Drake's Way is a recent example of the City's role in connecting non-profits with developers. The City will continue to make such referrals as opportunities become available in the future.

Program Status: Continue program.

## ***H12. Energy Conservation: Encourage energy conservation in housing.***

### ***Implementing Programs***

H12.A **Evaluation of Residential Projects.** Continue to evaluate residential projects for consistency with Section 66473.1 (Energy Conservation) of the Subdivision Map Act during the development review process.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Energy conservation.*

*Timeframe: Ongoing*

Evaluation: The City checks plans both in-house and with outside consultants to insure consistency with all applicable state laws, including the Subdivision Map Act. Projects not meeting required standards are advised as such so the inconsistencies can be addressed in revised plans.

In order to better address the intent of Policy H12, the City has added two new programs to this Element (H12.B and H12.C) which address the City's recently adopted Green Building Ordinance (2007). The Green Building Ordinance, Chapter 18.17 of the Larkspur Municipal Code, applies to any construction project over 500 square feet subject to design review. Resolution 23/07 establishes the standards of compliance and compliance thresholds. This includes requiring new single-family homes to meet the green building guidelines promulgated by Build it Green or LEED (the two most widely accepted and supported green building organizations in the U.S.). The new programs address the City's intent to implement and enforce the Green Building Ordinance and to regularly evaluate the ordinance and update it to

reflect the most up to date standards and recommendations. Staff is revising the City's Green Building Ordinance relative to the recommendations of the Marin Green Building, Energy Retrofit and Solar Transformation Committee (or BERST, a countywide collaborative formed to develop uniform green building policies within the county), and the State's new CALGreen code.

Program Status: Continue program.

***H13. Effective Implementation and Monitoring: Take a proactive approach in sharing resources and making organizational changes to effectively create and respond to opportunities to achieve housing goals.***

### ***Implementing Programs***

H13.A **Conduct an Annual Housing Element Review.** Develop a process for the assessment of Housing Element implementation through annual review by the Larkspur Planning Commission and City Council. Provide opportunities for public input and discussion, in conjunction with State requirements for a written review by July 1 of each year. (Per Government Code Section 65400). Based on the review, establish annual work priorities for staff, Planning Commission and City Council.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Annual review of the Housing Element*

*Timeframe: Annually in March of each year, prior to the budget cycle.*

Evaluation: State law now requires the annual report due on April 1 of each year. The City has and will continue to comply with the annual reporting requirements. Prior to submitting the evaluation of the Housing Element to the state, the City Council holds a public hearing to receive public input on the Housing Element and the report. The annual report analyzes the effectiveness and appropriateness of Housing Element programs and policies, and allows staff and the public to reexamine programs in more detail. Thus far, the reviews have found the programs to be adequate and effective on the whole. Neither the public nor City staff has identified necessary updates or amendments to the Element outside of the state-mandated update schedule.

Program Status: Continue program; program text amended to reflect new due date of April 1.

H13.B **Update the Housing Element Regularly.** Undertake housing element updates as needed, including an update to occur no later than June of 2007, in accordance with State law requirements.

*Responsibility: Planning Department; Planning Commission; City Council.*

*Financing: Staff time*

*Objectives: Comprehensive update of the Housing Element.*

*Timeframe: June, 2007*

Evaluation: The state-mandated update for the current RHNA period was shifted from June of 2007 to June of 2009. The City began work on the Housing Element in December of 2008 but did not submit the Draft Housing Element to the State until April of 2010 (following City Council review and direction), due to a lack of staffing and financial resources. The City strives to meet

all required deadlines but must take into account the difficulties of balancing current and future planning needs with strained resources.

Program Status: Completed, and continued to next planning period.

**H13.C Support Establishment of a Countywide Housing Assistance Team (HAT).** Support through coordination and other means, as determined appropriate for the City, the establishment of a Housing Assistance Team who can advise and assist staff in implementing housing programs and facilitating development of partnerships with affordable housing developers for specific projects. The HAT can consist of a pool of specialists with the following specialties: A local architect, an individual with knowledge regarding underwriting housing financing and available funding sources, a local community representative who is knowledgeable about local issues.

*Responsibility: Planning Department; City Council*

*Financing: Marin County; possible contributions by the City (Housing Fund).*

*Objectives: Establishment of HAT to assist in program implementation.*

*Timeframe: January, 2005; implementation thereafter*

Evaluation: Due to budgeting and staffing constraints, an official countywide HAT has not been created. However, the County's 11 jurisdictions collaborate in the sharing and development of housing policies and programs. In particular, the Marin Housing Workbook process is a successful multi-jurisdictional collaboration that analyzes current housing trends and housing needs, and shares "best practice" inclusive and proactive housing policies. The jurisdictions also met with affordable housing advocates, homeless services providers, and other non-profits organizations to share strategies for meeting the housing needs of vulnerable populations within the County. Because of the unlikelihood of funding for an official Housing Assistance Team in this planning period, this program has been deleted.

Program Status: Deleted.

**H13.D Support Establishment of a Permanent County "Affordable Housing Strategist" Position.** Investigate and consider supporting, through coordination and other means, as determined appropriate for the City, the establishment of a full-time, permanent County Housing Strategist position with adequate support staffing to work with the City in creating affordable housing opportunities. The role of the Affordable Housing Strategist and supporting staff will be to implement the recommendations of the Inter-Jurisdictional Strategic Action Plan for Housing and coordinate the HAT, as described above.

*Responsibility: Planning Department; City Council*

*Financing: Marin County; possible contributions by the City (Housing Trust Fund)*

*Objectives: Establishment of Affordable Housing Strategist*

*Timeframe: January, 2005; implementation thereafter*

Evaluation: An Affordable Housing Strategist position was created by the County in the early to mid 2000's, working within the Community Development Agency. Due to funding constraints this position was absorbed by the Marin County Redevelopment Agency's Principal Planner position. The City continues to support the positions objectives and feel that the Redevelopment Agency Principal Planner performs the duties of the Affordable Housing Strategist sufficiently. Thus, this program has been deleted. The City may consider reinstating the program if the economic climate improves in the future.

Program Status: Deleted.

H13.E **Support Establishment of a Countywide Housing Data Clearinghouse.**

Coordinate with other jurisdictions, as determined appropriate for the City, the establishment of a central housing data clearinghouse, under the Housing Strategist position (see program H13.D above), with up-to-date information on housing conditions in the County (by jurisdiction), best practices, State law, funding opportunities, and related housing information.

*Responsibility: Planning Department*

*Financing: Marin County; possible contributions by the City (Housing Trust Fund)*

*Objectives: Establishment of data methodologies; effective data collection and monitoring*

*Timeframe: January, 2005; implementation thereafter*

Evaluation: This program describes the Marin Housing Workbook process (discussed throughout the Housing Element), in which the City has been an active participant. The housing data clearinghouse is accessible on the Marin Housing Workbook's website as well as on CD, and contains up to date information on housing conditions within the City and County as well as technical memos regarding best practices, new state laws, funding opportunities, and other information. The Housing Workbook process has been valuable to the City during the current update of the Housing Element and the City intends to continue to participate in this Countywide effort.

Program Status: Continue program; this program has been reclassified as program H13.C in the Housing Element. The timeframe has been amended to reflect the "ongoing" nature of the program.

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## Appendix C

<b>County Homeless Services by Jurisdiction</b>				
		<b>Number of Beds</b>		
<b>Facility/Program Name</b>	<b>Provider Name</b>	Emergency Shelter	Transitional Housing	Supportive Housing
<b>Corte Madera</b>				
San Clemente Place	EAH			20
<b>Subtotal Corte Madera</b>				<b>20</b>
<b>Novato</b>				
Gilead House	Gilead House	0	9	0
Hamilton Meadows	Hamilton Continuum Partners	0	105	0
Meadow Park	Homeward Bound of Marin	0	23	0
New Beginnings Center	Homeward Bound of Marin	64	0	0
New Beginnings Center (beds for vets)	Homeward Bound of Marin	16	0	0
Next Key	Homeward Bound of Marin	0	36	0
<b>Subtotal Novato</b>		<b>80</b>	<b>173</b>	<b>0</b>
<b>San Rafael</b>				
Reilly House	Center Point, Inc.	0	12	0
THP Mary Street	Center Point, Inc.	0	36	0
Nine Grove Lane	Huckleberry Youth Program	4	0	0
Family Emergency Center	Homeward Bound of Marin	52	0	0
Mill Street Center	Homeward Bound of Marin	40	0	0
Family Park	Homeward Bound of Marin	0	30	0
Family Resource Center	Homeward Bound of Marin	0	25	0
Voyager	Homeward Bound of Marin	0	10	0
4 <sup>th</sup> Street	Homeward Bound of Marin	0	0	20
Carmel	Homeward Bound of Marin	0	0	26
Palm Court	Homeward Bound of Marin	0	0	21
Second Step TH	Marin Abused Women's Services	0	96	0
Short-term TH	Marin Abused Women's Services	0	16	0
Motel Voucher Program	St. Vincent de Paul Society	3	0	0
Apartments above dining room	St. Vincent's de Paul Society	0	0	6
<b>Subtotal San Rafael</b>		<b>92</b>	<b>292</b>	<b>73</b>
<b>Scattered Site Programs</b>				
Transition Age Youth TH	Buckelew Programs	0	3	0
Residential Support Services	Buckelew Programs	0	0	64
Supported Housing	Buckelew Programs	0	0	64
Assisted Independent Living	Buckelew Programs	0	0	63
THP Scattered Sites	Center Point, Inc.	0	38	0
Housing First	Homeward Bound of Marin	0	0	9
Formerly SHIA (Section 8)	Housing Authority of Marin	0	0	47
Odyssey (Section 8)	Housing Authority of Marin	0	0	21
Shelter Plus Care	Housing Authority of Marin	0	0	82
Shelter Plus Care 3	Housing Authority of Marin	0	0	3
<b>Subtotal Scattered Site Programs</b>		<b>0</b>	<b>41</b>	<b>353</b>
<b>Unincorporated County</b>				
Fireside Affordable Housing	Citizens Housing Corp.	0	0	50
<b>Subtotal Unincorp. County</b>				<b>50</b>
<b>Total, Countywide</b>		<b>179</b>	<b>416</b>	<b>496</b>

Source: Kate Bristol Consulting, 2009

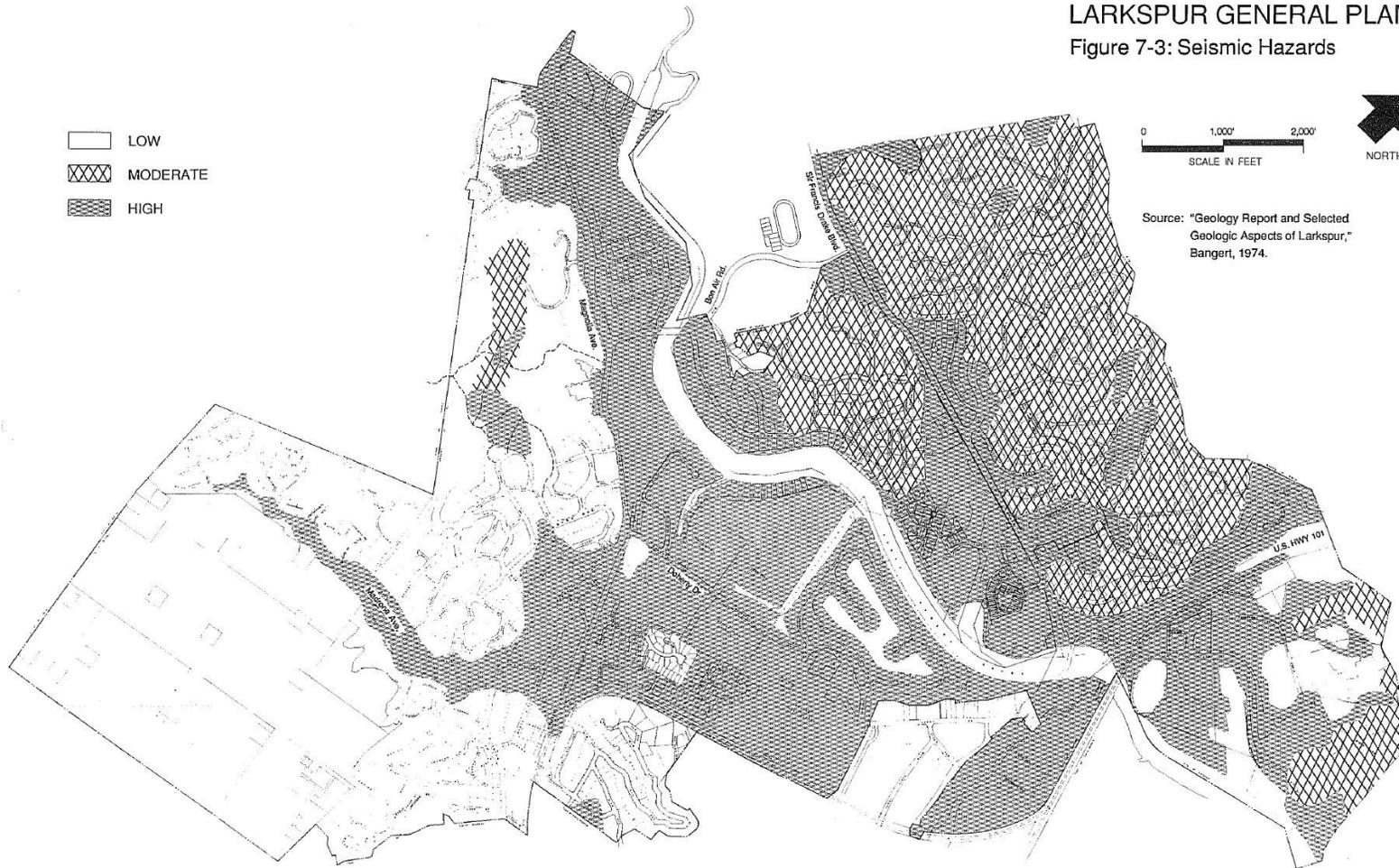
## Appendix C

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# Natural Hazards and Geographic Constraints

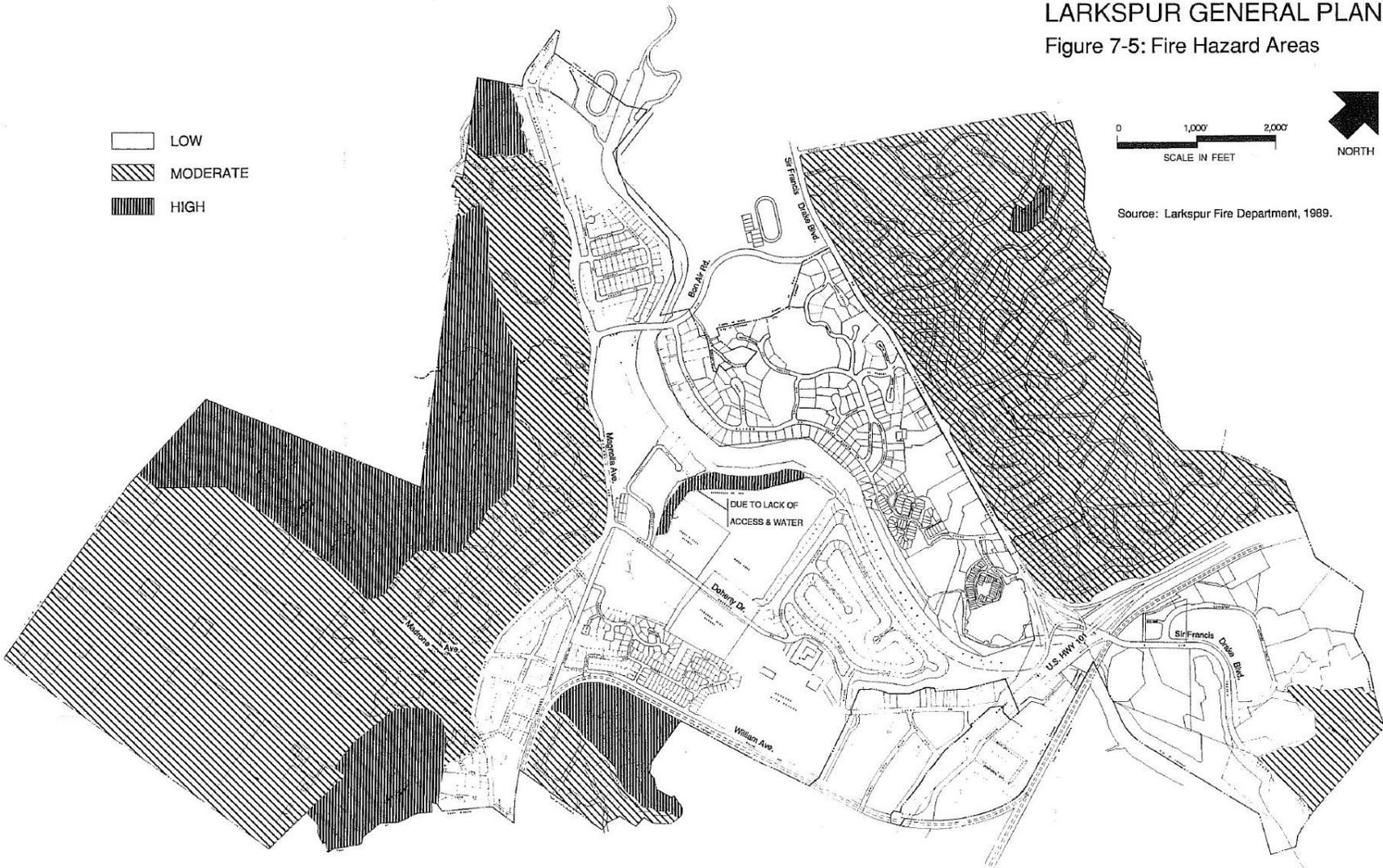
The maps in this Appendix appear in the Community Health and Safety Element of the 1990 Larkspur General Plan.

LARKSPUR GENERAL PLAN  
Figure 7-3: Seismic Hazards





LARKSPUR GENERAL PLAN  
Figure 7-5: Fire Hazard Areas



Source: Larkspur Fire Department, 1989.



Technical Amendment Errata Sheet per Comments from State HCD

<b>Page</b>	<b>Description of Change</b>
iii	Table of Contents adjusted to reflect updated page numbers for policies under goals H.7, H.8, H.9, H.10, H.11, and H.12 due to addition of text.
iv	Table of Contents adjusted to reflect addition of Appendix E, Technical Amendment Errata Sheet per Comments from State HCD.
47	New column, "Estimated Unit Capacity," added to table for Bon Air Center site narrative. Estimated unit capacity is shown for each parcel. It is noted that the City is only showing 90 units on this site for the current planning period, though the estimated unit capacity is greater.
78	<p>Program H6.J, Implement Actions for North of Corte Madera Creek- the Bon Air Center. Technical clarification was added to this program to explain the relationship between the Preliminary Development Plan and Precise Development Plan, and why it is necessary to amend the Precise Development Plan to show how potential housing units would be laid out on the site.</p> <p>The program was further amended to specify the development incentives the City will use when implementing this program, including flexible development standards and the implementation of the following Housing Element programs: H7.A Density Bonus, H7.D Participation by Property Owners in Federal Programs, H7.G Waive/Defer Development Fees, and H7.F Priority Processing.</p>
E-1	Technical Amendment Errata Sheet per Comments from State HCD.