



MEMORANDUM

TO: Housing Advisory Committee

FROM: Danielle Staude, Senior Planner

VIA: Patrick Kelly, Director of Planning and Building

CC: City Council
Planning Commission

SUBJECT: Overview of Workshop 4: Housing Policies & Programs

DATE: April 25, 2022

1 The upcoming Housing Element workshop on April 28, 2022 is the last community
2 workshop for the Housing Element Update. This workshop will focus on reviewing and
3 updating the Housing Element’s programs, or implementing actions, that are intended to
4 implement the City’s housing goals. The workshop will provide an overview of the
5 Housing Element Update; discuss required elements to consider as part of updating
6 housing programs; and provide an opportunity for the community to discuss various
7 housing programs of interest based on the City’s housing goals.

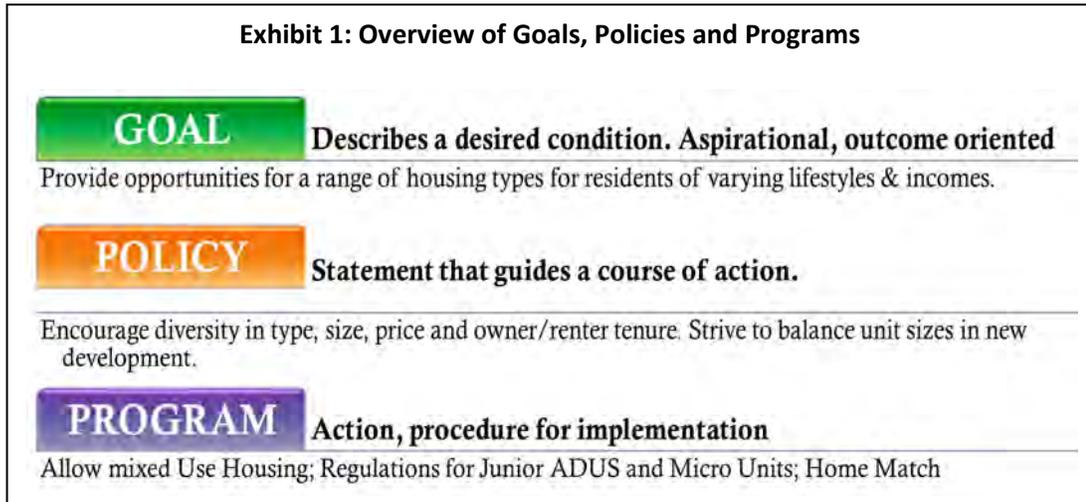
8
9 At the end of the meeting, staff will provide the opportunity for the Housing Advisory
10 Committee to provide input on any additional housing programs not identified by the
11 community to further consider. The Housing Advisory Committee will then meet on May
12 17, 2022 (6pm via zoom) to further discuss those housing programs that are of interest to
13 the community and incorporating those housing programs and/or community interests
14 into the Draft Housing Element.

15
16 **Overview of Housing Goals, Policies and Programs**

17 The Housing Element contains a series of housing programs to implement over the 8-year
18 housing element cycle, in this case 2023-2031. These programs to support the City of
19 Mill Valley’s two overarching General Plan objectives of: encouraging the continued
20 diversity of housing, income levels and lifestyles in the community (goal 1) while also
21 protecting and enhancing the natural beauty and small-town character of Mill Valley
22 (goal 2). Housing policies and programs must also address state requirements, outlined
23 in the “state requirements” section below.

24

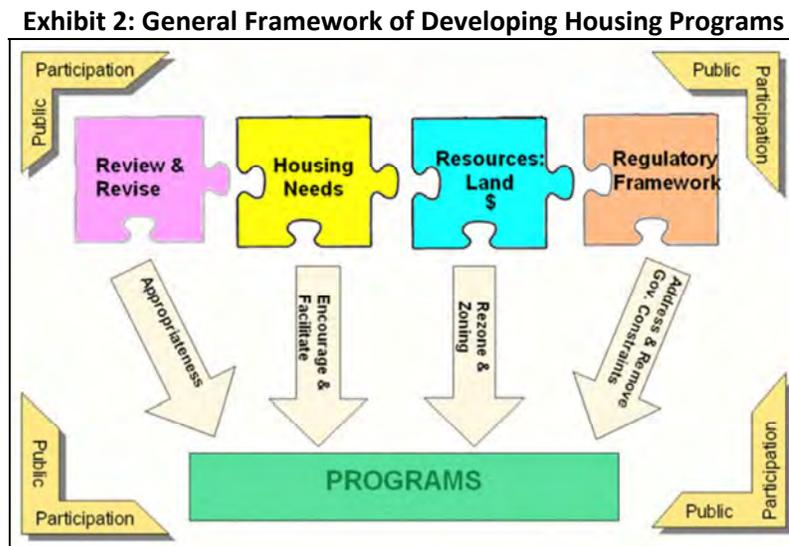
25 The existing Housing Element includes seven housing goals that generate policies and
26 programs for implementation. Housing goals break down, in finer detail, the two
27 overarching General Plan goals. Housing policies include statements of intent in terms of
28 actions that will be taken and housing programs include the specific steps required to
29 implement housing policies. See Exhibit 1 as an example.



30
31 Staff intends to focus the workshop on those actions or “programs” that are of interest to
32 the community, with the understanding that housing goals and/or policies may need to be
33 adjusted slightly based on the discussion.

34
35 **Revising, Adding and Updating Housing Programs.** As part of the Housing Element
36 Update process the community will have the opportunity to review the City’s existing
37 housing programs and discuss other programs of interest based on community interests,
38 housing needs, satisfying regional housing goals and addressing state requirements.
39 Workshop 4 will include a conversation of these various topic areas. See Exhibit 2 below.

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41



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Housing Advisory Committee
Workshop 4: Housing Programs and Policies
April 22, 2022

43 As noted above, staff will return to the Housing Advisory Committee on May 17th with
44 draft housing programs and any suggested edits to housing goals and policies based on
45 Workshop 4.

46

47 **Housing Goals & Priorities**

48 As part of kicking off the Housing Element Update, the City launched an online survey in
49 November 2021 asking members of the community to provide input as to the relevance of
50 the City's existing Housing Goals, which are:

51

- 52 1. Housing and Neighborhood Quality: Maintain and enhance the quality and
53 affordability of existing housing and ensure new development is compatible with
54 Mill Valley's small-town character and many environmental, community,
55 neighborhood and scenic attributes.
- 56
- 57 2. Housing Supply and Diversity: Provide opportunities for a range of housing types
58 suited to residents of varying lifestyle needs and income levels.
- 59
- 60 3. Housing Affordability: Enhance housing affordability so that modest income
61 households can join and remain an integral part of the Mill Valley community.
- 62
- 63 4. Address Governmental Constraints: Address governmental requirements and
64 processes related to the maintenance, improvement and development of housing
65 while maintaining community character.
- 66
- 67 5. Equal Housing and Special Needs: Promote equal housing opportunities for all
68 residents, including Mill Valley's special needs populations.
- 69
- 70 6. Sustainability and Energy Efficiency: Promote a healthy and sustainable Mill
71 Valley through support of existing and new housing which minimizes reliance on
72 natural resources.
- 73
- 74 7. Community and Government Collaboration: Coordinate with citizens, community
75 groups, and governmental agencies to help address Mill Valley's housing needs.
- 76

77

78 Over half of the 115 survey respondents indicated that the seven existing goals were still
79 relevant to supporting the City's overarching General Plan goals. Staff believes these
80 goals can be maintained and utilized, with the understanding that additional policies and
81 programs will be required to support and satisfy the goals. Staff will edit, add and
82 modify housing policies and programs based on community input and addressing state
83 requirements which include:

83

- 84 • Affirmatively Further Fair Housing.
- 85 • Promote diversity and inclusion by promoting equal housing opportunities for all
86 people, regardless of race, religion, sex, marital status, ancestry, national origin,
87 color, familial status, or disability.
- 88 • Assist in the development of adequate housing to meet the needs of extremely
low-, very low-, low-, and moderate-income households.

Housing Advisory Committee
Workshop 4: Housing Programs and Policies
April 22, 2022

- 89 • Rezoning programs to address sites inventory.
- 90 • Address and, where possible, remove governmental constraints to the
- 91 maintenance, improvement, and development of housing, including housing for
- 92 people at all income levels, as well as housing for people with disabilities.
- 93 • Conserve and improve the condition of the existing affordable-housing stock.
- 94 • Preserve assisted housing developments at-risk of conversion to market rate.

95
96 For instance, goal #5 must be further evaluated to ensure that new Affirmatively
97 Furthering Fair Housing requirements of Assembly Bill 686 are being addressed.
98 Housing policies and programs under this goal must include “meaningful actions”
99 beyond combating discrimination to overcome patterns of segregation and foster
100 inclusive, affordable and stable communities. Specifically, fair housing programs should
101 address: (1) segregation and integration, (2) racially and ethnically concentrated areas of
102 poverty, (3) access to opportunity, and (4) disproportionate housing needs, including
103 displacement.

104
105 Several survey respondents suggested that there be a ranking or priorities selected. Staff
106 would like to acknowledge the Housing Advisory Committee’s role and recent work
107 assisting staff in implementing and prioritizing housing programs contained in the City’s
108 existing Housing Element. As part of the Committee’s work, it has identified several
109 priorities based on existing Housing Element programs including:

- 110
111 1. Moving swiftly to reduce housing barriers and increase the supply of affordable
112 housing for the local community. The City has generated new housing in existing
113 homes through the Home Match program and has established regulations for
114 junior Accessory Dwelling Units.
- 115
116 2. Protecting existing affordable housing. Staff is working to evaluate multi-family
117 residential units and establish a soft story ordinance to ensure that existing homes
118 are protected and preserved.
- 119
120 3. Consider the use of public land to leverage funding or build on to create new
121 affordable units. Staff has worked with the Committee and City Council on this
122 item, which is currently underway as part of the review of the northern portion of
123 land at 1 Hamilton Drive.

124
125 These priorities were identified, acknowledging the need for new, expanded affordable
126 housing opportunities in the community, particularly to address the needs of seniors and
127 the City’s local workforce.

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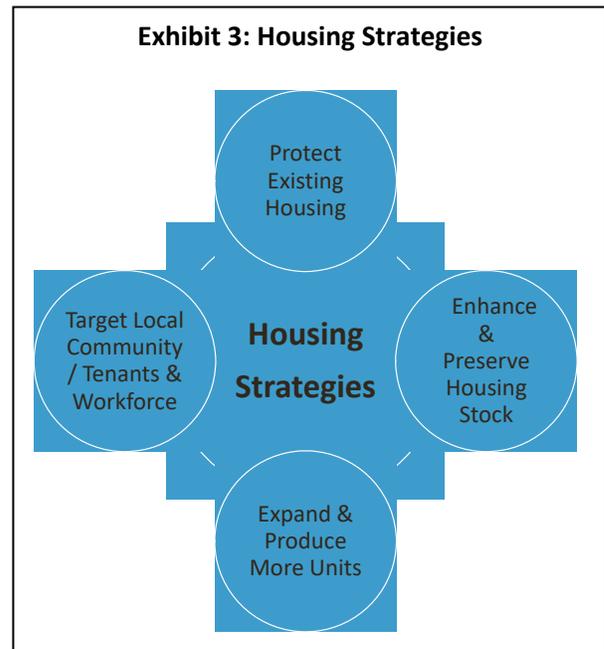
130 **Workshop Discussion**

131 The workshop will provide an overview of
132 the above and then invite the community
133 to provide input on how to further the
134 City’s housing goals by focusing on the
135 four housing strategies developed by the
136 Housing Advisory Committee, illustrated
137 in Exhibit 3.

138
139 As noted above, the Housing Advisory
140 Committee has focused its priorities on
141 targeting the local community and
142 expanding the number of affordable units
143 available in Mill Valley.

144
145 As part of the workshop staff will also
146 introduce and review the following:

- 147
- 148 • Review of housing needs. There
149 are housing needs based the
150 existing demographics of the community, including the fact that:
 - 151 ○ The median age in Mill Valley is 50, with 23% of the population being 65
152 years or older.
 - 153 ○ 72% of the workforce lives outside of the City.
 - 154 ○ 86% of the community identifies as “white”.
 - 155 ○ 29% of all households are cost-burdened paying over 30% of their income
156 towards housing costs.
 - 157 ○ 11% of individuals have a disability.
 - 158 ○ Over 5% of individuals are below poverty level incomes.
 - 159
 - 160 • Review of existing programs. **ATTACHMENT 1** includes existing housing
161 programs contained in the current Housing Element categorized by housing goal.
162 Community members will have the opportunity to review progress made and
163 provide input on additional action or implementation that the City should consider
164 as part of updating the Housing program to incorporate into the Draft 2023-2031
165 Housing Element.
 - 166
 - 167 • New housing programs to further fair housing. The City’s goal of equal housing
168 will be revised to reflect the goal of affirmatively furthering fair housing.
169 Additional housing programs should address significant disparities in housing
170 needs and access to opportunities and take meaningful actions to overcome
171 patterns of segregation and foster inclusive communities. Programs of interest
172 may include tenant protections; anti-displacement programs; outreach and
173 enforcement of fair housing laws; housing for special needs populations such as
174 seniors, persons with disabilities and/or persons experiencing homelessness.
175 **ATTACHMENT 2** is a draft list of those housing programs of interest to some



Housing Advisory Committee
Workshop 4: Housing Programs and Policies
April 22, 2022

176 members of the community to foster diversity, equity and inclusion in Mill
177 Valley. Additional analysis will also be provided as part of the Housing Element
178 Update to identify those programs that may be required to address state laws and
179 further fair housing in Mill Valley.
180

- 181 • New programs based on community interest. Based on its first workshop, City
182 staff has identified several programs of interest, including:
 - 183 ○ Co-housing and affordable apartment scale housing
 - 184 ○ Financial assistance to the local community and/or tenants
 - 185 ○ Focus on affordable housing senior housing, workforce housing, accessory
186 dwelling units, rental housing
 - 187 ○ Housing that maintains Mill Valley’s character
 - 188 ○ Community land trusts
 - 189 ○ Changes to density along certain commercial corridors

- 191 • New required housing programs. As previously discussed as part of Workshop 3,
192 State law requires that the City of Mill Valley identify adequate sites, with
193 appropriate zoning and development standards and services to accommodate the
194 locality’s share of the regional housing needs for each income level. Based on
195 direction received at the March 22, 2022 Joint City Council/Planning Commission
196 meeting, there will be several new rezoning programs included in the Draft
197 Housing Element. The proposed rezoning and ordinance updates will be included
198 as part of the Draft Housing Element Update, and includes:
 - 199
 - 200 ✓ Small Lot Housing Overlay for those parcels identified on the sites inventory
201 that are less than ½ acre may apply for modified standards to parking, density,
202 height and inclusionary housing requirements in exchange for smaller-scale
203 units (1,000 square feet or less).
 - 204
 - 205 ✓ Opportunity Site Housing Overlay for those parcels identified on the sites
206 inventory that are ½ acre or more may apply for modified standards to
207 parking, density and height. Redevelopment on these sites will also be
208 allowed ministerial review based on objective standards, as required by State
209 Law.
 - 210
 - 211 ✓ Office Conversion Overlay for those parcels identified on the sites inventory
212 that currently utilize upper floor space as office space. These property owners
213 may convert upper floor space to residential use at modified density standards
214 with parking grandfathered based on existing parking spaces in exchange for
215 smaller-scale units (1,000 square feet or less). These projects will be subject to
216 ministerial review based on objective standards to streamline approval
217 process.
 - 218
 - 219 ✓ Removal of Conditional Use Permit for Residential Units in Commercial
220 Areas: Because the City is relying on “non-vacant” sites mainly in
221 commercial areas to address its lower income regional housing number, the

Housing Advisory Committee
Workshop 4: Housing Programs and Policies
April 22, 2022

222 City must remove the conditional use requirement and allow multi-family
 223 residential in its commercial zoning districts.

224

225 **Next Steps**

226 Staff is working on an aggressive timeline with a Draft Housing Element anticipated for
 227 public review by June/July 2022. Staff will document comments received at the
 228 Workshop and present an overview to the Housing Advisory Committee (HAC) meeting
 229 in early May. At this meeting the community and HAC will have the opportunity to
 230 further discuss and evaluate those housing policies and programs that should be included
 231 in the Draft Housing Element for Planning Commission review and City Council
 232 approval, and then subsequently submitted to the State Department of Housing and
 233 Community Development for the initial 60 day review.

234

235 **Table 1: Housing Element Project Timeline**

Housing Element Work Plan	Timeframe
Tasks	
Identification of Housing Needs	September – November 2021
Sites Analysis and Inventory	November 2021–March 2022
Affirmative Housing Analysis	January – May 2022
Constraints Analysis	March – May 2022
Housing Goals and Policies	April – May 2022
Environmental Review	March – December 2022
Draft Document	
Draft: Initial Public Review with a Minimum of 30-day review + 10 business days to respond to comments	June-July 2022
Revised Draft: HCD 90-day review	July-October 2022
Revised Final Draft: incorporate HCD comments	October-December 2022
Final Draft: Local Adoption	January-March 2023
Final Draft: HCD Certification	March-May 31, 2023

236

237 **ATTACHMENTS:**

- 238 1. Existing Housing Programs
 239 2. Possible Programs to Address Diversity, Inclusion and Equity

240

241 **Online Resources:**

242 Registration for the May 17, 2022 Housing Advisory Committee available on the City’s
 243 Housing Element Page: www.cityofmillvalley.org/housingelement

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ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

Status of Existing Mill Valley Housing Element Programs			
HOUSING & NEIGHBORHOOD QUALITY: Maintain and enhance the quality and affordability of existing housing and ensure new development is compatible with Mill Valley’s small town character and many environmental, community neighborhood and scenic attributes.			
Program	Progress and Accomplishments	Notes- Considerations for HE Update	Housing Strategy
<p>1. Residential Design Guidelines. Develop and adopt Multi-Family Design Guidelines which address development compatibility and promote sustainable site design and building practices.</p>	<p>Completed and in process.</p> <p>Original set of design guidelines and standards adopted in 2016. Additional update in process to update standards and guidelines to address new state laws requiring “objective” standards and guidelines (SB 330, SB 35, Housing Accountability Act, etc.).</p>	<p>Include in update. “Objective” standards and guidelines pending public review. Coordinating with local jurisdictions and the County of Marin to develop a toolkit to address objective standards. Paid through State grant funding available through SB2.</p>	<p>Enhance Produce</p>
<p>2. Historic Preservation Guidelines and Incentives. Explore revising the H-O Ordinance to clarify demolition procedures and role of the Historical Society.</p>	<p>In process.</p> <p>In 2021 City Council adopted a Historic Context Statement, Historic Resources Inventory Survey Report and Property List.</p>	<p>Include in update. Next steps include developing a Historic Preservation Ordinance and local preservation incentives.</p>	<p>Enhance</p>
<p>3. Housing Maintenance and Public Information. Publicize rehabilitation assistance and energy retrofit programs. Goal to provide rehabilitation assistance to five lower income households.</p>	<p>On-going.</p> <p>2018: County grant to assist with energy retrofits</p> <p>MCE continued to offer rebates for solar and electric cars. MHA offers rehabilitation assistance to low income households. Additional financial incentives could come from Trust Fund should it be identified as a priority.</p>	<p>Include in update. Program should include establishing relationships and/or partnerships with property managers/owners of Multi-Family Residential buildings so that information is exchanged on various opportunities that are available to maintain properties. Require safety retrofits to Multi-Family Residential properties, including adoption of a soft story ordinance.</p>	<p>\$ Enhance</p>

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Status of Existing Mill Valley Housing Element Programs			
<p>4. Preservation of Existing Affordable Rental Housing. Consider regulations and incentives for property owners to maintain their existing rental housing as opposed to tearing down building and/or converting rental units to for-sale units or commercial space.</p> <p>Evaluate allowing rental projects to utilize funds that are set aside in a Local Affordable Housing Trust Fund (Program #17) for the purposes of rehabilitating buildings while maintaining affordable rent levels.</p> <p>Consider regulating short-term rentals (less than 30 days) in single family residential areas as a means of increasing the availability of rental properties for longer term residence (as opposed to vacation rentals).</p>	<p>On-going.</p> <p>Short term rental program was established in 2016. All short term rentals must register through business license process with supplemental forms and fees required to rent short term.</p> <p>Short term rentals are allowed only in Single Family Zoning Districts. However, new ADUS approved since 2018 may not be rented on a short-term (less than 30 day) basis. The City monitors short term rentals through a third party to ensure that the short-term rental is registered in Mill Valley.</p> <p>Staff continues to provide updates and monitor the number of short-term rentals in town. Currently, there are approximately 100 registered short-term rentals that operate in Mill Valley.</p>	<p>Consider modifying or adding a new program titled: “preserve existing housing” (not just affordable rental housing).</p> <p>Potential implementation measures could include: establishing anti-neglect regulations; increased demolition fees; etc.</p> <p>Consider 1-to-1 unit replacement requirement indicating that “non-vacant sites” must replace units affordable to the same or lower income level as a condition of any development on non-vacant site. This program will help address concerns about tear down/rebuild scenarios that reduce affordability of housing stock and also will allow existing non-conforming buildings that exceed current density standards to maintain the existing number of units on site.</p>	<p>\$</p> <p>Protect Enhance</p>
<p>5. Preservation of Existing Deed Restricted Affordable Rental Housing. Continue to contract with MHA to ensure compliance with affordability restrictions. Require long-term affordability controls on future affordable housing units.</p>	<p>On-going. Long-term affordability restrictions are required. Affordable rental housing typically managed through non-profit organizations that operate affordable housing sites.</p>	<p>Include in update. This has been effective in maintaining the affordability in over 300 existing housing units. Continue to extend the program with further opportunities through MHA.</p>	<p>Protect</p>

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

HOUSING SUPPLY & DIVERSITY: Provide opportunities for a range of housing types suited to residents of varying lifestyle needs and income levels.			
Program	Progress and Accomplishments	Notes- Considerations for HE Update	Housing Strategy
<p>6. Mixed Use Zoning in Commercial Districts. Evaluate modifications to residential development regulations in Commercial districts. Remove CUP for multi-family and mixed uses for residential above ground floor or off commercial street frontage.</p>	<p>Partially Completed.</p> <p>Contained Mixed Use / Multi-Family Development Standards adopted in 2016.</p>	<p>Include in update.</p> <p>CUP requirement to permit multi-family and mixed-use buildings in commercial areas must be removed.</p>	Produce
<p>7. Micro-Apartment Units. Explore the feasibility of encouraging and incentivizing micro-apartment units.</p>	<p>Completed. Contained in Mixed Use / Multi-Family Standards adopted in 2016. Micro units as ½ a unit (or .5 density) as an incentive. Regulations also limit the number of microunits to 20% of the total units in a development.</p>	<p>Do not include in update, unless there is an interest to update the standard, such as modifying the ratio of allowable micro-units allowed per development.</p>	Produce
<p>8. Second Units/Accessory Dwelling Units (ADUs). Conduct a survey of recently built second units, and adopt ordinance amendments to ensure maintenance of second units as per City approval. Seek to create an average of eight second units annually.</p>	<p>Completed & On-going.</p> <p>The ADU Ordinance was updated in 2021. The regulations continue to balance the production of housing with hazards and safety (see Program 35).</p> <p>County-wide survey conducted in 2020. Averaging well over 8+ new ADUs annually. In 2021, 29 building permits were issued for ADUs.</p>	<p>Include in update. Additional updates anticipated to address Very High Fire Severity Zone and other community interests such as ADUs above a garage.</p> <p>The County-wide ADU website (ADUMarin.org) was launched in late 2020, which was funded through the SB2 grant. The website provides information on regulations, floor plans, video testimonials and a calculator for establishing approximate costs. Three county-wide webinars were hosted to facilitate discussion and interest in ADUs.</p>	Produce

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

<p>9. Junior Second Units. Consider adopting regulations.</p>	<p>Completed. Adopted in 2020. See Program 8 above.</p>	<p>Do not include in update.</p>	<p>Produce</p>
<p>10. Affordable Housing Overlay. Adopt an Affordable Housing Overlay for the Redwoods site, specifying development incentives tailored to the site. Coordinate with property owners in facilitating public review of development proposals, and in application for affordable housing funds.</p>	<p>On-going. Coordination with Redwoods continues.</p>	<p>Include in update. Three new overlays are proposed for the Housing Element Update to facilitate affordable housing, including: office conversion, small lots and opportunity sites.</p>	<p>Produce</p>
<p>11. Lot Consolidation Incentives. Adopt lot consolidation incentives in coordination with Multi-family Design Guidelines.</p>	<p>Completed.</p>	<p>Include in update. Additional incentives will be available for those parcels on the sites inventory and proposed overlay (Program 10).</p>	<p>Produce</p>
<p>12. Publicly-Owned Land for Affordable Housing. Prepare inventory of publicly-owned land. Modify City’s zoning regulations to allow residential uses in C-F zone.</p>	<p>Partially Completed. City staff has worked through the Housing Advisory Committee on this program. On June 21, 2021 City Council reviewed and accepted the Housing Advisory Committee’s recommendations to select the northern portion of the 1 Hamilton city-owned parcel and issue a Request for Qualifications to solicit interest and partner with a non-profit home builder. This portion of land has been deemed “exempt surplus land” for the sole purpose of building affordable homes on the property and the City has an exclusive negotiating agreement with EAH Housing.</p>	<p>Include in update. Update this program to further evaluate housing opportunities on public owned properties, including: a) further collaboration with educational facilities and religious institutions to facilitate housing opportunities; b) further investigation of city-owned parcels, particularly the Miller Avenue and Edgewood sites, to remove existing barriers to development (e.g. floodway designation and open space easement); and c) use of the City’s Affordable Housing Trust Fund to assist with feasibility studies to determine redevelopment potential. Further explore an “C-F housing overlay” based on interests from property owners and to better</p>	<p>Produce</p>

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

		<p>understand how housing could be incorporated onto such sites. As part of the 2023-2031 Housing Element update, staff had discussed modifying zoning regulations in CF Zones. Several members of the public have expressed concern applying blanket regulations to allow residential uses in C-F zones currently occupied by churches, schools and city-facilities. Additional research required to determine how to balance and not lose these community assets to housing. Some members of the community have indicated to select certain parcels rather than all C-F Zoned properties.</p>	
<p>13. Non-Traditional Housing Types. Modify Zoning Ordinance to develop standards for new housing typologies.</p>	<p>Partially completed. Regulations include junior accessory dwelling units and duplexes in single family zones. The City has also launched the Home Match program to facilitate co-housing/shared housing opportunities.</p>	<p>Include in update. Additional policies to consider include: Regulations for co-housing or live/work housing.</p>	<p>Enhance Produce</p>
<p>14. Maintain and Monitor Capacity in Sites Inventory. Amend Ordinance to strengthen and enhance the program’s effectiveness in providing affordable housing.</p>	<p>Completed and On-going.</p>	<p>Include in update. Minimum density standards exist to ensure that multi-family and commercial zoned sites are being redeveloped in an efficient manner.</p>	<p>Produce</p>

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

HOUSING AFFORDABILITY: Enhance housing affordability so that modest income households can join and remain an integral part of the Mill Valley community.			
Program	Progress and Accomplishments	Notes- Considerations for HE Update	Housing Strategy
15. Inclusionary Housing Regulations. Amend Zoning Ordinance to strengthen effectiveness of providing affordable housing and comply with state law.	Completed. Extensive update (2017), small update to incorporate requirements for rental units (2018). Requires projects with four or more units to build 25% of new units at affordable levels (split between low and moderate).	Do not include in update, unless there is interest in updating the requirements.	Produce
16. Single-Family Housing Impact Fee. Conduct nexus study to assess impact of single-family construction on affordable housing demand.	Completed. A 1% fee is collected for all residential remodels over \$105K. These fees are deposited in the Affordable Housing Trust Fund earmarked to fund projects that enhance, produce or protect affordable housing. Approximately \$300K is collected annually with the Fund at \$1M since 2018. The Trust Fund This has helped fund the Home Match Program and 1 Hamilton environmental and feasibility studies.	Include in update indicating City Council to monitor the impact fee to determine the applicability every 5 years (as required under the mitigation fee act).	Protect Enhance Produce
17. Local Affordable Housing Fund. Establish a dedicated Affordable Housing Fund with implementing regulations for deposit of in-lieu fee revenues.	Completed.	Include in update.	Protect Enhance Produce
18. Affordable Housing Development Assistance. Provide financial and regulatory incentives to private developers for affordable housing.	On-going. Loan programs available through Marin County and Marin Housing Authority.	Include in update. Additional financial incentives could also come from Trust Fund, should it be identified as a priority. Or, reduced fees could be considered.	\$ Enhance Produce

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

<p>19. Partnerships for Affordable Housing. Work through Nonprofit Housing Association of Northern California to identify and explore partnerships with affordable housing providers.</p>	<p>On-going. Coordination with Marin County and Marin Housing Authority continues.</p>	<p>Include in update. Additional financial incentives could come from Trust Fund, should it be identified as a priority.</p>	<p>\$ Enhance Produce</p>
<p>20. Homebuyer Assistance. Continue participation with Marin Housing to administer Below Market Rate homeownership program.</p>	<p>On-going. Required as part of the City’s inclusionary housing program (25% of all new units in developments of 4 or more must be sold or rented at low and moderate affordability levels)</p>	<p>Include in update.</p>	<p>Produce</p>
<p>21. Section 8 Rental Assistance. Continue to offer tenants information regarding Section 8 and encourage landlords to register units with the program.</p>	<p>On-going.</p>	<p>Include in update.</p>	<p>Protect</p>

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

GOVERNMENT CONSTRAINTS: Address governmental constraints on the maintenance, improvement and development of housing while maintaining community character.			
Program	Progress and Accomplishments	Notes- Considerations for HE Update	Housing Strategy
<p>22. Update Land Use Map and Zoning Code. Establish minimum and maximum residential densities for residential districts, and maximum densities and development standards for residential uses in commercial districts. Monitor to ensure adequate sites to address RHNA.</p>	<p>Complete.</p> <p>Minimum and maximum densities completed with General Plan Update (2013).</p>	<p>Include in update.</p> <p>Required rezoning program: new overlay zoning districts to accommodate RHNA.</p> <p>Rezone the Miller Ave/Presidio area to align Land Use and Zoning so the designated uses are compatible.</p> <p>Rezone 300 East Blithedale (Comcast)</p> <p>Required rezoning program: all residential projects in commercial areas. Because the City must rely on commercial and mixed use sites to accommodate over 50% of its very low- and low-income RHNA, the City will be required to rezone those commercial and mixed use sites that are identified in the Sites Inventory to allow fully residential projects and require that for any mixed-use projects proposed on those sites that 50% of the floor area must be occupied for residential uses. Rezoning must occur within 3 years of adoption of the Housing Element (January 2026).</p>	<p>Enhance Produce</p>

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

<p>23. Update Parking Standards. Evaluate and establish modified parking standards in the Zoning Ordinance to facilitate specific types of housing.</p>	<p>Completed and On-going. Micro units and ADUs have reduced parking standards. Multi-Family projects with 4 or more units qualify for Density Bonus reduced parking standards based on the City’s inclusionary requirements.</p>	<p>Include in update. Additional reduced parking standards proposed as part of the housing overlays that will be adopted as part of the Housing Element Update.</p>	<p>Produce</p>
<p>24. Fee Deferrals and/or Waivers for Affordable Housing. Provide information to affordable housing community on fee deferrals, reductions and waivers. Amend Code to waive of 100% of application processing fees for projects with 10% Extremely Low Income units.</p>	<p>On-going. 2017: Affordable Housing Ordinance allows for reduced fees for those units that are affordable.</p>	<p>Include in update. Code has not been updated to waive 100% of application processing fees for those projects with 10% Extremely Low-Income units.</p>	<p>\$ Enhance Produce</p>
<p>25. Density Bonus and Other incentives for Affordable Housing. Adopt a local density bonus ordinance, and clarify relationship with City’s inclusionary housing ordinance.</p>	<p>Completed. Density Bonus ordinance adopted in 2015.</p>	<p>Include in update. Include “streamlining” in the Housing Program title. Additional modifications proposed as part of “overlay” zoning districts that will be reviewed as part of the 2023-2031 Housing Element Update. Add required streamlined approval process to this program. Because the City does not have adequate vacant sites and therefore must rely on non-vacant sites to accommodate its lower income RHNA, State law requires that the City establish a process by which projects proposed on those sites that designate 20% of the units as affordable to lower income households are subject to by-right approvals without discretionary</p>	<p>Produce</p>

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

		review. Must include a minimum density of 20 dwelling units/acre, a maximum density of at least 30 units/acre, and be large enough to accommodate at least 16 units per site.	
26. CEQA Exemptions for Infill Projects. Utilize categorical exemptions where appropriate, case-by-case basis.	On-going.	Do not include in update as it is implied and required by law.	Protect Enhance Produce
EQUAL HOUSING & SPECIAL NEEDS: Promote equal housing opportunities for all residents, including Mill Valley’s special needs populations.			
Program	Progress and Accomplishments	Notes- Considerations for HE Update	Housing Strategy
27. Fair Housing Program. Publicize the program through brochures and on the City’s website.	Complete and On-going. Source of income ordinance adopted in 2005. Housing Resources website: https://ca-millvalley.civicplus.com/916/Housing-Resources	Include in update. Existing policies and programs should be further explored to ensure that the City is addressing state requirements. Additional materials will be developed to analyze the County of Marin and Mill Valley in terms of: (1) segregation and integration, (2) racially and ethnically concentrated areas of poverty, (3) access to opportunity, and (4) disproportionate housing needs, including displacement.	Community/ Workforce
28. Senior Support Services. Continue to support the provision of senior services in Mill Valley.	On-going. Recent activity through Age-Friendly Cities and Home Match program.	Include in update.	\$ Community/ Workforce

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

<p>29. Home Sharing and Tenant Matching Opportunities. Support organizations that facilitate housing sharing; actively promote through senior citizen organizations.</p>	<p>On-going. In September 2020, the City Council approved a contract with Covia Foundation to assist the City in Home Matching opportunities. As of March 2021, five home matches have been established, with several others in process.</p>	<p>Include in update. City Council to discuss the Home Match program at an upcoming Council meeting to evaluate the effectiveness of the program.</p>	<p>Community/ Workforce</p>
<p>30. Universal Design/ Visitability. Develop and promote guidelines encouraging principles of universal design and visitability.</p>	<p>Completed in 2016 as part of the Multi-Family/Mixed Use Design Guidelines.</p>	<p>Include in update as part of updating any multi-family regulations. See Program 27 above.</p>	<p>Community/ Workforce</p>
<p>31. Homeless Assistance. Support implementation of the Homeless Countywide Continuum of Care, publicize the Marin Community Resource Guide and emergency 211 call system.</p>	<p>On-going.</p>	<p>Include in update. Coordination with Marin County.</p>	<p>Community/ Workforce</p>
<p>SUSTAINABILITY & ENERGY EFFICIENCY: Promote a healthy and sustainable Mill Valley through support of existing and new housing which minimizes reliance on natural resources and automobile use.</p>			
Program	Progress and Accomplishments	Notes- Considerations for HE Update	Housing Strategy
<p>32. Prioritization of Sustainable Housing Projects. Prioritize projects in sustainable locations competing for funds/grants.</p>	<p>On-going. See Program 33/Green Building.</p>	<p>Include in update.</p>	<p>Enhance Produce</p>

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

<p>33. Green Building. Provide outreach and education to developers regarding CALGREEN and the Green Building Ordinance. Evaluate incentives for Green Building Ordinance for higher energy efficiency.</p>	<p>On-going, updated bi-annually based on Building Code Updates.</p> <p>Mill Valley is currently Tier 1 CalGreen (including Title 24) for large remodels, new single-family homes and small multi-family projects. Tier 1 CalGreen (without Title 24) for larger multi-family projects.</p>	<p>Include in update.</p>	<p>Enhance Produce</p>
<p>34. Energy Conservation. Implement actions for energy efficiency identified in the General Plan.</p>	<p>On-going. See Program 33/Green Building.</p> <p>Implementation through the CalGreen/Green Building Code, Climate Action Plan and Coordination with Marin Climate and Energy Partnership.</p>	<p>Consider incorporating as part of Program 33.</p>	<p>Enhance Produce</p>
<p>35. Addressing Natural Hazards. Incorporate references to the Floodplain Management Ordinance in the 2040 General Plan as required by AB 162. Review Housing Element whenever General Plan amendments are made to ensure consistency.</p>	<p>In process. Over 30% of the City's parcels are in Very High Fire Severity Zones, and are adjacent to narrow roadways with limited access. In 2020, the City hosted several study sessions with Planning Commission and City Council to discuss and investigate options to balance fire safety with state ADUs law. Staff continues to evaluate options for regulating ADUs in Very High Fire Severity Zones and/or other areas with natural hazards. Staff also continues to provide information and feedback on proposed state legislation in recognition of surrounding natural hazards.</p>	<p>Include in update.</p>	<p>Protect Enhance Produce</p>

ATTACHMENT 1: Existing Housing Element Programs, by Housing Goal

COMMUNITY & GOVERNMENT COLLABORATION			
Program	Progress and Accomplishments	Notes- Considerations for HE Update	Housing Strategy
<p>36. Community Education and Outreach. Provide education and outreach on housing issues, assist prospective applicants, and coordinate with interested groups.</p>	<p>On-going. Housing summit conducted in 2017 and the Housing Advisory Committee established in 2019 as the forum to discuss housing issues and assist staff in implementing Housing Element programs.</p>	<p>Include in update. Staff coordinates with other local jurisdictions on housing-related matters on a regular and ongoing basis on various topics such as homelessness, diversifying housing, new legislation and affordable housing opportunities. Outreach and discussion occurs through City Council meetings, as well as meetings with the Housing Advisory Committee (see below).</p>	<p>Community/ Workforce</p>
<p>37. Housing Element Monitoring/Annual Report. Submit an annual report to HCD by April 1 of each year, with the first annual report due April 1, 2014.</p>	<p>In process and on-going.</p>	<p>Include in update. Based on building permits issued, the City of Mill Valley has successfully met its regional housing goal of 129 units for the 2014-2023 Housing Element.</p>	<p>Community/ Workforce</p>
<p>38. Mill Valley Housing Advisory Committee. Establish Mill Valley Housing Advisory Committee and define roles and responsibilities.</p>	<p>Completed and on-going. By-laws, workplan and priorities established in 2019. Priority work programs for the Housing Advisory Committee in 2020 and 2021 included leveraging existing, underutilized housing through a Home Sharing Program (HE Program 29 above) and identification of public land to leverage an affordable housing project (HE Program 12 above).</p>	<p>Include in update as part of continued work to assist staff in implementing Housing Element programs.</p>	<p>Community/ Workforce</p>

ATTACHMENT 2: Draft Programs related to Diversity, Inclusion and Equity

Diversity, Inclusion and Equity: Housing Programs of Interest		
1. Pursue Regulatory Options to Expand Affordable, Equitable Housing Opportunities	City Staff Notes - Considerations for HE Update	Related Housing Goal/ Strategy
1A. Affordable Housing Easement: This program would offer owners of homes valued at the median value or below an opportunity to apply for an affordable housing easement that would preserve the home as affordable in perpetuity in exchange for property tax abatement	<p>City Staff: There are some examples of other City’s offering payments to homeowners in exchange for restricting the sale or rental of the property to the local workforce in the future. Examples include Placer County and Marin County.</p> <p>This program could be incorporated into Housing Program #4.</p>	Housing Supply & Diversity/ Enhance
1B. Vacant Home or Luxury Home Tax. Consider a tax on homes that remain vacant for a period of time and/or that are larger than a certain square footage	Create a tax creating a disincentive for either 1) not occupying or using existing housing stock and/or 2) creating housing units over a certain size. These potential taxes could help fund the Affordable Housing Trust Fund.	Housing Supply & Diversity/ Enhance
1C. Diversify Single Family Zoning Districts: Consider regulations to facilitate the division of homes into smaller units. Change residential zoning regulations to allow single-family houses in MV to be divided into two homes. Streamline the ability to convert a single-family home into two condominiums, which could then be sold or rented separately. This addresses the current underutilization of homes and provides home ownership opportunities at the lower end of the market.	This program is in progress based on new state regulations under Senate Bill 9 and can be added to the City’s programs under Housing Program 13 (“non-traditional housing types”).	Housing Supply and Diversity/ Enhance
1D. Universal Design/Visitability. Require all substantially remodeled or newly built affordable housing to meet ADA requirements. Currently, units are "adaptable" but adapting an existing apartment can be costly for a low-income resident. Three-foot hallways and doors, roll-in showers, roll-under bathroom sinks, and grab bars on first-floor apartments are the bare minimum for those in wheelchairs, for example..	See program 30. Additional requirements could be made based on input received. Staff will review building requirements prior to the May 17 Housing Advisory Committee meeting.	Equal Housing & Special Needs / Enhance

ATTACHMENT 2: Draft Programs related to Diversity, Inclusion and Equity

2. Regulate Rental Inspection, Maintenance, Increases & Short-Term Rentals	City Staff Notes - Considerations for HE Update	Related Housing Goal/ Strategy
<p>2A. Rental Inspection: Institute a proactive rental inspection program. This removes the burden on renters to report violations, exposing them to retaliation, and makes it impossible for landlords to know if a renter has reported violations.</p>	<p>This is an on-going program. Rental unit inspection programs serve to address the issue of substandard rental properties and ensure compliance with the California Health and Safety Code. The program applies to properties having 3 or more units and consists of inspections and compliance/enforcement procedures. Many years ago, the City of Mill Valley entered into an agreement with the County of Marin establishing the County as the lead agency for administering a rental inspection program for Mill Valley. Environmental Health Services (EHS) is tasked with managing this program. EHS conducts regular inspections, responds to complaints, handles the follow up and compliance procedures. The County provides this service for all cities in Marin except for San Rafael and Novato.</p>	<p>Equal and Fair Housing/ Preserve and Enhance</p>
<p>Rental Maintenance: Encourage landlords to maintain their rental units and penalize them if they do not. If rental units persistently fail to meet basic living standards, consider receivership or condemnation options. Put in place lien waivers and other supportive measures so that homes are rehabilitated and become permanently affordable.</p>		
<p>Rent Control: Rent Control is worth a thorough investigation and consideration by the City Council. Though research is mixed on rent control measures, according to Policy Link: “Market controls affect a lot of housing at once, at relatively low cost to the government. In places where very little land is available for development or where existing housing is too expensive to acquire, regulating the existing housing market may be the most practical way to take housing affordability to scale.”</p>	<p>At the July 8, 2021 City Council meeting, this item was discussed and direction was given not to pursue rent control. Given the size of Mill Valley and the limitations imposed under the Costa Hawkins Act, there is a relatively small number of rental units in the City (multifamily housing built before 1995) that could be made subject to a rent control ordinance were the City to adopt one. State law is now providing similar rent control protections. Council will need to consider whether the benefits of a rent stabilization ordinance in Mill Valley would justify the costs of administering and enforcing rent stabilization requirements. Income restricted affordable housing for new developments may be a better use of limited City resources, with a greater potential pay-off in terms of resulting long term affordable housing stock. Currently 1 of every 4 new units built within a development of 4 or more units must be affordable to low and moderate income households in perpetuity (rental and ownership units).</p>	<p>Equal and Fair Housing/ Protect</p>

ATTACHMENT 2: Draft Programs related to Diversity, Inclusion and Equity

<p>Short Term Rentals: Regulate Short-Term Rentals in ways that encourage STRs for cost-sharing rather than profit-making. Consider regulations recommended by the Sustainable Economies Law Center to:</p> <ul style="list-style-type: none"> • Restrict STRs to primary residences only • Require that a resident occupy the unit for a minimum amount of time before hosting STRs • Prohibit remodeling or structurally altering units that would prevent the residence from being used as a residence in the future • Prohibit short-term rental of single-family structures that were constructed less than five years prior to the date of application for an STR permit • Set a cap of 30 nights per year. <p>We also recommend that the City provide all current STR owners (with properties that meet the criteria) with a rental license for long-term rental at the same time as these regulations are put in place so that there is a minimal loss of income for these homeowners.</p>	<p>Currently short-term rentals are addressed as part of Housing Program #4 and includes language to consider regulating and/or limiting short term rentals. As this time, City Council has directed staff to regulate short term rentals through a registration process. Staff continues to provide updates and monitor the number of short term rentals in town.</p> <p>Short term rentals are allowed only in Single Family Zoning Districts. However, new ADUS approved since 2018 may not be rented on a short-term (less than 30 day) basis. The City monitors short term rentals through a third party to ensure that the short-term rental is registered in Mill Valley.</p> <p>There are approximately 100 registered short-term rentals that operate in Mill Valley.</p>	<p>Equal and Fair Housing/ Enhance</p>
<p>3. Investigate and Redress Historical Inequities</p>	<p>City Staff Notes - Considerations for HE Update</p>	<p>Oversight</p>
<p>(a) Provide restitutions for descendants of those who were restricted by law from purchasing a home in Mill Valley. Marin County is the most racially segregated county in California, a deliberate result of “purposeful segregationist policies and practices” during a period of major population growth between 1940 and 1970. In Mill Valley, it was not uncommon for deeds to restrict home sales to Whites only, and today the City is 87% White. In contrast, Marin City is 32% White and 68% Black and people of color.</p>	<p>The County of Marin is currently working to identify restrictive covenants that may reside on homeowners’ deeds to retract the statements. Mill Valley homeowners may participate in the program</p> <p>Also, beginning July 1, 2022, new State Law (AB1466) will require a title company, escrow company, real estate broker, or real estate agent that has actual knowledge of a declaration, governing document, or deed that is being directly delivered to a person who holds or is acquiring an ownership interest in property and includes a possible unlawfully restrictive covenant to notify the person of the existence of that covenant and their ability to have it modified through the restrictive</p>	<p>Equal and Fair Housing/ Enhance</p>

ATTACHMENT 2: Draft Programs related to Diversity, Inclusion and Equity

<p>(b) Work with Marin County and the appropriate Tribal government to create conservation easements to preserve Indigenous lands and land trusts for Indigenous management.</p> <p>(c) Increase the transaction tax on the sale of homes and commercial buildings to be designated to direct payments to descendants of the Indigenous peoples of this area and projects that foster and support the tribal histories and cultures of this area.</p>	<p>covenant modification process. This legislation will be implemented over time and will aide in righting a historical wrong. The Restrictive Covenant Project’s purpose is beyond transactional. The objective is to create awareness of institutionalized racist past practices that resulted in long-lasting segregation in Marin County.</p>	
<p>5. Pursue Funding Opportunities for Affordable, Equitable Housing</p>	<p>City Staff Notes - Considerations for HE Update</p>	<p>Oversight</p>
<p>(a) Maintain or increase Section 8 rental subsidies.</p> <p>(b) Consider a sales or parcel tax for an affordable housing fund.</p> <p>(c) Encourage a program of estate giving.</p> <p>(d) Waive fees for affordable housing additions.</p> <p>(e) Secure commitments from local banks and credit unions and the State of California to work with the City of Mill Valley and its non-profit partners (that may secure private capital) to purchase current and future distressed mortgage notes to prevent foreclosures and develop new affordable ownership.</p> <p>(f) Raise the 1% building permit fee that funds the Affordable Housing Trust Fund.</p> <p>(g) Provide grants or low/no interest home repair loans to homeowners that meet gross household income requirements so that homes are healthy and safe for the current occupants and are preserved rather than replaced.</p>	<p>(a) Coordinated through Marin Housing Authority</p> <p>(b) Requires City Council input</p> <p>(c) The City has an Affordable Housing Trust Fund that can accept funds that are dedicated for housing. Promotion of estate giving required Council input.</p> <p>(d) See Municipal Code Section 5.32.010 Low and moderate income housing—Exemption from fees, licenses and taxes. exempt from payment of 50% of any and all City licenses, fees and taxes contained in certain sections of the Municipal Code. City staff can provide additional information to promote and advertise this exemption.</p> <p>(e) Marin Housing Authority should be the lead on this recommendation. This also requires City Council direction.</p> <p>(f) Currently, the Affordable Housing Permit Fee is scheduled to be reviewed in 2023 to determine if funds are being adequately used. At that time, Council could consider increasing the fee.</p> <p>(g) Marin Housing Authority has this program available to Marin County residents, and is highlighted on the City’s website at: https://www.cityofmillvalley.org/services/home/housing_resources.htm</p>	<p>Equal and Fair Housing/ Enhance</p>