

Revised Element

# 6<sup>th</sup> Cycle Housing Element Update (2023-2031)

City of Belvedere

November 3rd, 2023



CITY OF  
BELVEDERE

Prepared by

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REVISED ELEMENT

**6<sup>TH</sup> CYCLE HOUSING ELEMENT UPDATE  
(2023-2031)  
CITY OF BELVEDERE**

**PREPARED FOR**

**City of Belvedere**

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November 3, 2023

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# **I Introduction**

Every municipality in California is required to include a Housing Element within its General Plan. This element is instrumental in defining housing goals, policies, and initiatives aimed at addressing local housing conditions and demands, while also meeting the State's housing goals as set forth in Article 10.6 of the California Government Code. The California State Legislature has identified the attainment of a decent home and a suitable living environment for every Californian as the State's major housing goal.

The Housing Element presented here has been developed to address the existing and near-term housing needs of the community over the next eight years within the City of Belvedere, while providing a framework for a longer-term approach to addressing housing in the region.

Housing costs in the Bay Area and Marin County have skyrocketed, leading to a major crisis of affordability with far-reaching consequences, driven by increasing construction costs, high demand, and shortfall of new housing production. In the coming 20-year period, Marin County is projected to add 169,700 jobs, which represents a 15 percent increase. These changes will increase demand for housing across all income levels, and if the region is unable to identify ways to significantly increase housing production, it risks increasing the cost burden for existing lower-income households in the region. High housing costs have become a significant obstacle to hiring teachers, first responders, and others essential to the community. Additionally, when people must travel long distances from work to where they live, it can impact congestion on local roadways and increase air pollution and greenhouse gas emissions.

Belvedere's lack of housing production overall has resulted in limited affordable housing opportunities at all income levels, and a lack of housing type choices has prevented low- and moderate-income households in the county and broader region from residing in the City. Belvedere is committed to playing its part in meeting this growing demand for housing, and the Housing Element includes strategies to expand the development of housing as well as the availability of housing types at a more diverse range of price points and promote more equitable housing opportunities.

## **Purpose and Objective**

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The State of California requires each city, town and county to adopt a General Plan Housing Element which includes housing goals, policies, and programs in response to community housing conditions and needs.

This Housing Element has been prepared to respond to current and future housing needs in the City of Belvedere. The overall focus is to provide adequate housing opportunities for people of all income levels while being sensitive to the unique and historic character of the City that residents know and love.

Per State Housing Element law, the document must be periodically updated in order to:

- Outline the community's housing production objectives, as consistent with State and regional growth projections;
- Describe goals, policies and implementation strategies to achieve local housing objectives;
- Examine the local need for housing with a focus on special needs populations;
- Identify adequate sites for the production of housing serving various income levels;
- Analyze potential constraints to new housing production;
- Evaluate the Housing Element for consistency with other General Plan elements; and
- Evaluate Affirmatively Furthering Fair Housing.

This 6th Cycle Housing Element covers the planning period from 2023 to 2031 and replaces the City's 5th Cycle Housing Element that covered the period from 2015 to 2023.

## **REGIONAL HOUSING NEEDS ALLOCATION (RHNA)**

The Plan Bay Area 2050 Final Blueprint forecasts that the nine-county Bay Area will add 1.4 million new households between 2015 and 2050. For the eight-year time frame covered by this Housing Element Update, the Department of Housing and Community Development (HCD) has identified the region's housing need as 441,176 units. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to market rate housing. This calculation is based on population projections produced by the California Department of Finance, as well as adjustments that incorporate the region's existing housing need. Per Government Code Section 65583(a), the Housing Element must also provide quantification and analysis of projected housing needs for extremely low-income households. The number of units for the extremely low-income level is not assigned by HCD, but is left for quantification by the local jurisdiction. This calculation is based on the HCD approved methodology<sup>1</sup>, assuming that 50 percent of very low-income households qualify as extremely low-income households. Almost all jurisdictions in the Bay Area received a larger Regional Housing Needs Allocation (RHNA) compared to the previous cycle, primarily due to changes in state law.

For the 2023-2031 period, Belvedere must identify sites sufficient to accommodate 160 new housing units with a specific number of units designated as affordable to each income category, as shown in **Table 1-1**, Regional Housing Needs Allocation.

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<sup>1</sup> <https://www.hcd.ca.gov/planning-and-community-development/housing-elements/building-blocks/extremely-low-income-housing-needs>

**Table I-1: Belvedere Regional Housing Needs Allocation, 2023-2031**

<i>Income Group</i>	<i>Percent of Area Median Income</i>	<i>Units</i>	<i>Percent</i>
Extremely Low-Income <sup>2</sup>	<30%	24	15.0%
Very Low-Income	<50%	25	15.6%
Low-Income	51-80%	28	17.5%
Moderate-Income	81-120%	23	14.4%
Above Moderate-Income	>120%	60	37.5%
<b>Total</b>		<b>160</b>	<b>100%</b>

Source: ABAG, 2022

## **AFFIRMATIVELY FURTHERING FAIR HOUSING**

Assembly Bill 686 (AB 686), signed in 2018, established an independent state mandate to AFFH. AB 686 extends requirements for federal grantees and contractors to “affirmatively further fair housing,” including requirements in the Federal Fair Housing Act, to public agencies in California.

AFFH is defined specifically as taking meaningful actions that, when combined, address significant disparities in housing needs and in access to opportunity by replacing segregated living patterns with truly integrated and balanced living patterns; transforming racially and ethnically concentrated areas of poverty into areas of opportunity; and fostering and maintaining compliance with civil rights and fair housing laws.

AB 686 requires public agencies to:

- Administer their programs and activities relating to housing and community development in a manner to affirmatively further fair housing;
- Not take any action that is materially inconsistent with the obligation to affirmatively further fair housing;
- Ensure that the program and actions to achieve the goals and objectives of the Housing Element affirmatively further fair housing; and
- Include an assessment of fair housing in the Housing Element.

The requirement to AFFH is derived from The Fair Housing Act of 1968, which prohibited discrimination concerning the sale, rental, and financing of housing based on race, color, religion, national origin, or sex – and was later amended to include familial status and disability. The 2015

U.S. Department of Housing and Urban Development (HUD) Rule to Affirmatively Further Fair Housing and California Assembly Bill 686 (2018) mandate that each jurisdiction takes meaningful action to address significant disparities in housing needs and access to opportunity. AB 686 requires that jurisdictions incorporate AFFH into their Housing Elements, which includes inclusive

<sup>2</sup> Extremely low-income RHNA is found as a subset within the very low-income category for all other tables in this document.

community participation, an assessment of fair housing, a site inventory reflective of AFFH, and the development of goals, policies, and programs to meaningfully address local fair housing issues.

An exhaustive AFFH analysis was prepared by Root Policy Research and is included as an appendix to this housing element (see Appendix D).

## NEW STATE LAWS AFFECTING HOUSING

The State has passed a number of laws to address California's housing shortfall since the City's adoption of the 2015-23 Housing Element. The City will implement changes required by State law through amendments to the Belvedere Municipal Code and will proactively implement new policies and programs to help increase housing production citywide. The following is a summary of recent legislation and proposed City activities that will further the City's efforts to increase housing production during the 6th cycle. Please see the section above for a discussion of AB 686 (Affirmatively Furthering Fair Housing).

- **Accessory Dwelling Units.** The City has and will continue to update regulations to align with state laws designed to incentivize development of ADUs and JADUs. The City has also created a webpage that provides information on State Laws and City regulations highlighting the streamlined application processes for developing ADUs and JADUs.
- **AB 2011.** Belvedere will incorporate AB 2011 into the zoning code, to allow mixed-income housing along commercial corridors, as long as the projects meet specified affordability, labor, and environmental criteria.
- **Low-Barrier Navigation Centers.** Belvedere will incorporate AB 101 which requires jurisdictions to allow "low-barrier navigation centers" by-right in areas zoned for mixed uses and in nonresidential zones permitting duplex and multifamily uses, if the center meets specified requirements.
- **Accelerated Housing Production.** AB 2162 and SB 2 address methods and funding sources that jurisdictions may use to accelerate housing production. Program 6 is designed to align regulatory incentives and direct financial assistance to motivate development.
- **Priority Processing.** Belvedere has incorporated SB 330 objective development and design standards for qualifying projects. Additional provisions of SB 330 also require any demolished units that were occupied by lower-income households be replaced with new units affordable to households with those same income levels.
- **Housing and Public Safety.** In response to SB 379 and other recent state legislation, local jurisdictions must update their Safety Element to comprehensively address climate adaptation and resilience (SB 379) and SB 1035 (2018) and identify evacuation routes (SB 99 and AB 747). The City will coordinate updates to all three elements (land-use, housing, and safety), so that it can direct future development into areas that avoid or reduce unreasonable risks.
- **Disadvantaged Communities.** In 2011, the Governor signed SB 244 which requires local governments to make determinations regarding "disadvantaged unincorporated communities," defined as a community with an annual median income that is less than 80 percent of the statewide annual median household income. The City has determined that there are no

unincorporated islands, fringe or legacy communities that qualify as disadvantaged communities inside or near its boundaries.

## ENVIRONMENTAL REVIEW

An initial study is being prepared to identify potentially significant environmental impacts of the 2023-31 City of Belvedere Housing Element. Should significant and unavoidable impacts be identified, an Environmental Impact Report (EIR) will be prepared, consistent with the requirements of the California Environmental Quality Act (CEQA), and the initial study will be prepared and circulated with a Notice of Preparation of an EIR to invite comments from public agencies and interested community members as to the scope and content of issues and alternatives that should be considered in the EIR.

## Process for Updating Housing Element

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The 2023-31 Housing Element is a comprehensive update to the Housing Element of the 2030 General Plan designed to guide new housing development implementation to accommodate the City of Belvedere's share of the regional housing need and to address new State law. Belvedere is a small, largely built out bedroom community with very few vacant lots, limited public transportation options, steep topography, areas in flood zones, and significant areas vulnerable to wildfire and liquefaction risk. The City understands that in order to accommodate new housing it will require a thoughtful approach that integrates new units into the fabric of the existing community as well as plan and allow for new developments that utilize density allowances more efficiently.

## PUBLIC PARTICIPATION

The primary purpose of this section is to describe the effort made by the City of Belvedere to engage all economic segments of the community in the development and update of the housing element. This public participation effort also includes formal consultation, pursuant to Government Code §65352.3, with representatives from the Federated Indians of Graton Rancheria Native American tribe that are present and active in Marin County. It is also responsive to AB 686 (Affirmatively Furthering Fair Housing), which requires local jurisdictions, as they update their housing elements, to conduct public outreach to equitably include all stakeholders in the housing element public participation program.

Community involvement is an integral component of the Housing Element process. The City utilized a broad range of outreach and public engagement strategies to solicit meaningful community input that has informed the 2023-31 Housing Element. A summary of these engagement activities is described below:

- **Bang the Table.** The City of Belvedere partnered with Bang the Table as a cornerstone of its community outreach and engagement program. Using the "Bang the Table" platform, the update team developed an interactive engagement plan that allowed community members to engage on their own time.
- **Website.** The project team maintains information about the Housing Element and related engagement activities at <https://www.cityofbelvedere.org/general-plan-housing-element/>.



Prior to release of the revised draft, Blueprint for Belvedere at <https://blueprintforbelvedere.comprovided> other information on housing element basics, site surveys, an SB-9 survey, ADU interest forms, and materials from earlier community workshops. Engagement features included an interactive mapping tool, polls and surveys, a newsfeed, and an interactive document editing tool.

- **City-wide Mailers, Collateral, and E-Newsletter.** The City sent letters to every household in Belvedere at two key points in the process to help raise awareness of the project and the process and to keep the community informed of the status. A banner encouraging public participation in the Housing Element process hangs at the entrance to Belvedere at San Rafael Avenue.
- **Housing Forum.** The City has reached out to lower and moderate income members of the local workforce through an electronic survey in June of 2023 to discuss their housing needs and to gather information regarding actions the City can take to help provide greater housing opportunities locally. Additionally, the City has had discussions with the Belvedere Tiburon Housing Association, which owns Farley Place in Belvedere to better understand the market rate conversion risk associated with their affordable units, including three deed-restricted units. The City was assured that financial covenants exist that require the continuation of the facility as Elder Affordable Housing.
- **Community Meetings.** The City hosted a series of community meetings over the course of the project, structured in a few different formats in order to reach the most people and receive meaningful input. A brief summary of each event is listed below:
  - Housing Element community workshop #1, April 13, 2022. This well-attended workshop was conducted at a Special meeting of the Planning Commission. The workshop provided an overview of the housing and safety elements, discussed the importance of equity, and provided some strategies for sites and ways to provide feedback throughout this process;
  - Housing Element Open House, May 21, 2022. This outdoor event featured stations providing background information as well as a presentation on the legal requirements and the Update process. This event provided an in-person opportunity for the public to ask questions about the process and to discuss the initial site analysis and map;
  - Joint City Council and Planning Commission Housing Element Workshop, October 20, 2022. Public meeting in City Hall to discuss draft Housing Element and the 30-day public comment period;
  - Special Meeting of the Planning Commission, November 15, 2022. Public meeting in City Hall to provide an opportunity for the public to give verbal feedback and comments on the draft Housing Element.
- **Public Review Period.** The draft Housing Element was released for a 30-day public review period on November 16, 2022.
- **Decision Maker Review.** Upon close of the public review period, the draft Housing Element, including all public comments received, was presented to the City Council. Following the review of the draft by the California Department of Housing and Community

Development (HCD), an update was presented to the City Council on May 8, 2023. A public hearing will be scheduled to review responses to HCD comments.

- Additional opportunities for public engagement are forthcoming, including a November 9<sup>th</sup> community workshop, and decisionmaker study sessions and hearings in November and December.

Also, as part of this effort, the update team developed a list of organizations that were contacted to participate in the update process, and that list is attached as Appendix F.

## **PUBLIC PARTICIPATION TO AFFIRMATIVELY FURTHERING FAIR HOUSING**

The Belvedere public participation program was also responsive to AFFH, which requires local jurisdictions to conduct public outreach to equitably include all stakeholders in the housing element public participation program. Outreach to individuals who may benefit from affordable housing available in Belvedere involved interviews with people who live in the nearby affordable housing development, the Hilarita Apartments in Tiburon, which is managed by EAG Housing. The intention was to gain insight into residents' experiences, from the perspective of those who have successfully secured affordable housing, in an effort to impact policy ideas. At the Hilarita, rent is based on 30 percent of Income and tenant-based vouchers for units that vary in size from 550 to 1,300 square feet. The wait list is currently closed for this housing development. The interview report is available within Appendix F.

## **TRIBAL CONSULTATION**

This public participation effort also includes formal consultation, pursuant to Government Code §65352.3, with representatives from the Federated Indians of Graton Rancheria Native American tribe that are present and active in Marin County. A meeting took place via Zoom and discussion was led by the tribal representatives, with a primary focus on sites. There were no initial requests to change course with the initial draft. Future meetings may occur as requested prior to a final draft.

## **PUBLIC REVIEW OF DRAFT AND FINAL HOUSING ELEMENT**

During the 30-day public comment period, the City received 141 public comments. Of the comments received, 127 were submitted on the Blueprint for Belvedere Housing Element website, and 14 letters were submitted by email. Review and consideration of all public comments has been executed, and changes to the Housing Element have been completed. The 2023-31 Housing Element was adopted by the City Council on January 24, 2023 and submitted to HCD for a legally-mandated 90 day review. Subsequently, on May 1, 2023 HCD sent a letter requesting modifications for improved compliance with State law. After a mandatory 7-day minimum public review period, the Element will revise any policies or programs based on specific public comment and discussion, as necessary.

## Organization of the Housing Element

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The Housing Element is a part of the 2030 General Plan. The 2023-2031 Housing Element Update represents the City's plan to address the housing needs of the community while also meeting the State's housing goals as set forth in Article 10.6 of the California Government Code. The Housing Element consists of the following major components organized as described below:

**Chapter 1 – Introduction:** An introduction to the purpose of the document and the legal requirements for a Housing Element, together with an overview of the community and the community involvement process.

**Chapter 2 – Community Profile:** Documents population characteristics, housing characteristics, and current development trends to inform the current housing state of Belvedere and to identify community needs.

**Chapter 3 – Housing Resources:** A summary of various resources available for the preservation, improvement, and development of housing in Belvedere. The analysis includes an evaluation of the availability of land resources available to accommodate the City's share of the region's future housing needs, as well as the administrative resources available to assist in implementing the City's housing programs and policies, and the financial resources available to support housing activities.

**Chapter 4 – Housing Action Plan:** Articulates housing goals, policies, and programs to address the City's identified housing needs, including those of special needs groups and the findings of an analysis of fair housing issues in the community. This Housing Element identifies a foundational framework of overarching goals to comprehensively address the housing needs of Belvedere residents and workers.

**Appendix A – Sites Inventory:** Summarizes the City's ability to accommodate the RHNA on available land, and the selection of sites to address Affirmatively Furthering Fair Housing (AFFH) requirements. The Inventory will include additional details to demonstrate the viability of sites included on the inventory of housing sites and the projections for housing development during the 2023-31 period.

**Appendix B – Housing Needs Assessment:** Presents community demographic information, including both population and household data, to identify Belvedere's housing needs.

**Appendix C – Constraints Analysis:** Includes an analysis of constraints to housing production and maintenance in Belvedere. Constraints include potential market, governmental, and environmental limitations to meeting Belvedere's identified housing needs. In addition, an assessment of impediments to fair housing is included, with a fuller analysis of actions needed to affirmatively further fair housing included in a separate appendix.

**Appendix D – Fair Housing Assessment:** Identifies fair housing issues and solutions to meet Belvedere's AFFH mandate.

**Appendix E – Accomplishments of the 2015-2023 Belvedere Housing Element:** Summarizes the City's achievements in implementing goals, policies, and actions under the previous Housing Element.

**Appendix F – Outreach Materials:** Includes outreach materials, summaries and a description of how community and stakeholder input has been reflected in the Housing Element.

## Consistency with General Plan

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The Belvedere City Council adopted the Belvedere General Plan 2030 in 2010. All development-related decisions in the city must be consistent with the General Plan, and if a development proposal is not consistent with the plan, then 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.

This Housing Element seeks to preserve the special and unique sense of place of Belvedere while allowing changes that would enhance the community (General Plan Goal LU-1 and related policies); assist in the development of affordable housing (Policy LU-3.1); promote infill, mixed-use and higher density development on commercial properties and properties adjacent to commercial development and provide incentives to support the creation of affordable housing in higher-density areas (Policy LU-9.1, 2).

All developable land in Belvedere was considered for its potential to accommodate residential development. After analyzing the development opportunities and accounting for the Projects in Development, the Residential Sites with Existing Capacity, ADU/JADU projections, the remaining development opportunities are primarily on parcels with zoning not currently designed to best facilitate the site's development potential.

The General Plan recognizes the need for the City to amend land use policy and zoning standards to fully support the goals of the Plan, and specifically, to accommodate the RHNA. Amending the General Plan and Zoning Ordinances would allow the City to intensify use in areas best suited for additional density and would provide the opportunity to proactively take meaningful actions to overcome historical patterns of segregation, promote fair housing choice, eliminate existing disparities in opportunities, and foster inclusive communities.

Within one year of Housing Element adoption, and no later than January 31 2024, the City must amend the General Plan and zoning ordinances to establish adequate zoning to accommodate the City's RHNA of 160 units, plus a buffer for the very low, low, and moderate income categories.

Belvedere's housing element is being updated at this time in conformance with the 2023-2031 update cycle for jurisdictions in the ABAG region. Through implementation of Action Plan programs in this Housing Element, the City will review and amend the General Plan and zoning ordinances by January 2024. As portions of the general plan are amended in the future, the plan (including the housing element) will be reviewed to ensure that internal consistency is maintained.

## 2 Community Profile

The community of Belvedere is located in Marin County, approximately ten miles north of the Golden Gate Bridge. In addition to its natural beauty, mild weather complements community assets, with the marine micro-climate in Belvedere generally offering more sun and less fog than that of its neighbors. With these environmental qualities, Belvedere has become one of the most desirable and attractive residential communities of the Bay Area.

This chapter summarizes the population characteristics, housing characteristics, and current development trends in order to inform the current housing state of Belvedere and to identify community housing needs. The analysis primarily utilizes data compiled by ABAG in the Housing Needs Data Report: Belvedere (ABAG/MTC, Baird + Driskell Community Planning, April 2, 2021), which was approved by HCD. For a detailed analysis of housing needs, please see Appendix B (Housing Needs Assessment). Appendix C (Housing Constraints) describes governmental and non-governmental constraints.

### Summary of Housing Needs

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The primary findings from the Housing Needs Assessment for Belvedere (Appendix B) indicate the following housing needs exist. These factors are prioritized to better formulate policies and programs to address these housing challenges.

- **Housing production.** Belvedere's lack of housing production and soaring housing costs have made it difficult for new households to enter the market and live in the community;
- **Housing disparity (lack of affordable housing).** Belvedere offers a high performing and equitable educational environment. Yet access is limited for low-income students and racial and ethnic minorities due to the lack of affordable housing in the City and broader region;
- **Housing disparity (lack of housing choices).** 84 percent of homes in the City are single-family detached. A broader range of housing types at greater quantities may open up more options across incomes and tenure, from young households seeking homeownership options to seniors looking to downsize and age-in-place.
- **Housing for Special Needs.** Belvedere has an aging population that currently does not have enough housing choices by quantity, type, and levels of affordability. Senior Households require a specific program response since this group may experience barriers to accessing stable housing due to their specific housing circumstances.

The lack of housing production is the main challenge in addressing housing needs in the community. Belvedere's lack of housing production overall has resulted in limited affordable housing opportunities at all income levels and a lack of housing type choices has prevented low- and moderate-income households in the county and broader region from residing in the City.

## Location and Context

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### LOCATION AND ACCESS

Approximately seven miles north of San Francisco and at the tip of the Tiburon Peninsula, Belvedere is flanked by the Richardson Bay to the west and north, Belvedere Cove and Raccoon Straits to the south, and the Town of Tiburon to the east. In addition to being surrounded by water, Belvedere also has an interior lagoon and two land “bridges” that connect the largest portion of the City to the rest of the Tiburon Peninsula. Regional access to the Tiburon Peninsula is provided by U.S Highway 101 (U.S. 101), a major north-south freeway linking Marin County with Sonoma County (north) and San Francisco (south). There are two main gateways into the City of Belvedere: San Rafael Avenue at Tiburon Boulevard and Beach Road at Tiburon Boulevard. Bus service to the Tiburon Peninsula is provided by Golden Gate Transit, which is operated by the Golden Gate Bridge, Highway, and Transportation District. Just outside of the Planning Area, the ferry terminal in Tiburon provides Marin residents with ferry access to San Francisco. Two nearby creeks, Arroyo Corte Madera del Presidio and Corte Madera Creek, empty into the Richardson and San Francisco bays.

### EXISTING LAND USE PATTERN

Home to approximately 2,100 residents, the City of Belvedere is the smallest jurisdiction in Marin County. The City encompasses just 2.2 square miles, of which 1.75 square miles is water. This leaves only 0.45 square miles (287 acres) of developable land. Belvedere can be represented by four distinct districts. Belvedere Island has the largest land area and is the most varied in terms of topography and landforms. Belvedere Lagoon forms a second, flatter portion of the City that surrounds the interior waterway. West Shore Road borders Richardson Bay and is a third characteristically different area, with Bayfront homes along the western edge of Belvedere Island. A final area is located on Corinthian Island facing Belvedere Cove, where the island's residents share borders with the Town of Tiburon.

Belvedere is predominantly a residential community, with well over 90 percent of its land area either in residential use or zoned residential. Nearly all employment needs, and most residential service needs, are met outside Belvedere. Commercial uses within the City consist only of the portion of the Boardwalk Shopping Center area that lies within the City boundary and the office spaces found along Beach Road near the San Francisco Yacht Club. Overall, residential uses account for 231.4 acres, commercial uses occupy 25.2 acres, utilities and institutional uses occupy 5.7 acres, while parks and open spaces occupy 15.1 acres. Vacant land accounts for 9.8 acres. Utilities, roads, and right-of-way uses compose 59.3 acres of the City.

## Natural Resources and Environmental Constraints

Bordered by water on all but one side, Belvedere's unique physical setting also presents environmental constraints. Most parcels within the city are developed, and almost all the remaining vacant land is located in steeply sloped hillside areas. Significant portions of Belvedere are in areas of environmental hazard, including areas of high liquefaction risk covering the lagoon area; areas of 100-year flood risk in the lagoon and around the shorelines, and areas of landslide risk in the hills. These environmental hazards can be mitigated through design and construction techniques; however, this adds cost and complexity for new development in Belvedere.

## Population Characteristics

The following section provides an overview of demographic information, housing characteristics, and special housing needs in Belvedere. For a more complete discussion of housing needs, see Appendix B.

### POPULATION TRENDS

The Bay Area is the fifth-largest metropolitan area in the nation and has seen a steady increase in population since 1990, except for a dip during the 2008 Great Recession. Many cities in the region have experienced significant growth in jobs and population. While these trends have led to a corresponding increase in demand for housing across the region, the regional production of housing has largely not kept pace with job and population growth.

According to the California Department of Finance, the population of Belvedere was estimated to be 2,125 in 2020. The population of Belvedere makes up about 0.8 percent of Marin County.<sup>1</sup> Roughly 12.2 percent of Belvedere's population have moved during the past year, slightly lower than the regional rate of 13.4 percent. Table 2-1, Belvedere and Regional Population Growth Trends, shows population growth trends for Belvedere, Marin County, and the Bay Area as a whole.

**Table 2-1: Belvedere and Regional Population Growth Trends**

Geography	1990	1995	2000	2005	2010	2015	2020
Belvedere	2,147	2,226	2,125	2,123	2,068	2,148	2,124
Marin County	230,096	238,185	247,289	251,634	252,409	262,743	260,831
Bay Area	6,020,147	6,381,961	6,784,348	7,073,912	7,150,739	7,595,694	7,790,537

Notes: Universe: Total population; For more years of data, please refer to the Data Packet Workbook, Table POPEMP-01

Source: California Department of Finance, E-5 series

<sup>1</sup> To compare the rate of growth across various geographic scales, Figure 3-1 shows population for the jurisdiction, county, and region indexed to the population in the year 1990. This means that the data points represent the population growth (i.e., percent change) in each of these geographies relative to their populations in 1990.

## **Population by Age**

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

In Belvedere, the median age in 2000 was approximately 52 years. By 2019, the median age decreased only slightly to approximately 51 years. 30 percent of Belvedere's household population is over the age of 65. While the population of those ages 5 to 14 has increased since 2000, the population of those age 85+ has tripled, indicating need to plan for the needs of an aging population.

## **Population by Race/Ethnicity**

Understanding the racial makeup of a city and region is important for designing and implementing effective housing policies and programs. These patterns are shaped by both market factors and government actions, such as exclusionary zoning, discriminatory lending practices and displacement that have occurred over time and continue to impact communities of color.

Overall, each race except White, Non-Hispanic has increased since 2000; the Hispanic or Latinx population increased the most while the White, Non-Hispanic population decreased the most. The racial or ethnic composition of Belvedere shows similar growth trends to the County as a whole. However, Belvedere has the largest share of White, Non-Hispanic residents (92.3 percent) of all jurisdictions in Marin County.

## **Employment**

The largest employment industry for Belvedere residents is Financial & Professional Services, similar to Marin. For the Bay Area as a whole, the Health & Educational Services industry employs the most workers.

Belvedere has more housing than jobs, although this difference has decreased over time. Belvedere's jobs- to-household ratio was 0.46 in 2018, which means that it was a net exporter of workers. In the last 20 years, this imbalance has improved slightly with the jobs-to-household ratio increasing from 0.42 in 2002.

## **HOUSEHOLD CHARACTERISTICS**

### **Extremely Low-Income Households**

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



Belvedere residents are more affluent than the regional population as a whole. In Belvedere, 72.7 percent of households make more than 100 percent of the Area Median Income (AMI)<sup>2</sup>, compared to 8.5 percent making less than 30 percent of AMI, which is considered extremely low-income. Regionally, more than half of all households make more than 100 percent AMI, while 15 percent make less than 30 percent AMI. In Marin County, 30 percent AMI is the equivalent to the annual income of \$44,000 for a family of four. Many households with multiple wage earners, including food service workers, full-time students, teachers, farmworkers and healthcare professionals, can fall into lower AMI categories due to relatively stagnant wages in many industries.

Throughout the region, there are disparities between the incomes of homeowners and renters. Typically, the number of low-income renters greatly outpaces the amount of housing that is available and affordable for these households. In Belvedere, however, the largest proportion of both renters and homeowners fall into the “Greater than 100 percent” AMI category.

## Tenure

The number of residents who own their homes compared to those who rent can help identify the level of housing insecurity (i.e., ability for individuals to stay in their homes) in a city and region. Generally, renters may be displaced more quickly if prices increase. In Belvedere, there are a total of 895 households (2019 American Community Survey estimate), and the majority of households own their homes rather than rent: 76.3 percent versus 23.7 percent. By comparison, 36.3 percent of households in Marin County are renters, while 44.0 percent of Bay Area households rent their homes.

It is also important to identify the number of residents who own their homes compared to those who rent their homes by household income. Figure B-11 on page B-13 in the Housing Needs Assessment appendix identifies the division between renter and owner by Household Income.

Homeownership rates often vary considerably across race/ethnicity in the Bay Area and throughout the country. These disparities not only reflect differences in income and wealth but also stem from federal, state, and local policies that limited access to homeownership for communities of color while facilitating home buying for white residents. While many of these policies, such as redlining, have been legally prohibited for some time, the impacts of historical race-based policies are still evident across Bay Area communities. In Belvedere as of 2019, all non-White households owned their homes and 76.0 percent of White households owned their homes.<sup>3</sup> However, the relatively small proportion of existing non-White populations may be indicative of this systemic lack of opportunity for wealth building among communities of color more generally. That notably, recent changes to state law require local jurisdictions to examine these dynamics and other fair housing issues when updating their Housing Elements.

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<sup>2</sup> Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. Households making between 80 and 120 percent of the AMI are moderate-income, those making 50 to 80 percent are low-income, those making 30 to 50 percent are very low-income, and those making less than 30 percent are extremely low-income. This is then adjusted for household size.

<sup>3</sup> Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I)

In many cities, homeownership rates for households in single-family homes are substantially higher than the rates for households in multi-family housing. In Belvedere, 85.4 percent of households in detached single-family homes are homeowners, while no households in multi-family housing are homeowners.

## Displacement

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

The University of California, Berkeley (UC Berkeley) has mapped all neighborhoods in the Bay Area, identifying their risk for gentrification, a process that is related to displacement. They find that in Belvedere, there are no households that live in neighborhoods that are susceptible to or experiencing displacement or at risk of or undergoing gentrification. While displacement of lower income groups in Belvedere is not as great of a concern, UC Berkeley classifies Belvedere as a tract where “advanced exclusive” is occurring, meaning low-income households are likely to be excluded in Belvedere due to prohibitive housing costs.<sup>4</sup>

Between 2015 and 2021, five (5) housing units were issued permits in Belvedere, which represents 31 percent of the RHNA number of 16 units assigned in the 5th cycle Housing Element. None of the housing permits issued in Belvedere were for low-income housing.

## Housing Type

In recent years, most housing produced in the region and across the state consisted of single-family homes and larger multi-unit buildings. However, some households are increasingly interested in “missing middle housing,” including duplexes, triplexes, townhomes, cottage clusters and accessory dwelling units. These housing types may open up more options across incomes and tenure, from young households seeking more affordable homeownership options to seniors looking to downsize and age-in-place. Zoning districts in Belvedere, including R-2 and R-3, offer some flexibility for new construction. Some in the community have suggested that new single-family uses could be prohibited in these zones.

Availability of a variety of housing types is important in order to meet the needs of a community today and in the future. In 2020 Belvedere’s mix of housing types was as follows:

- 84.0 percent of homes were single-family detached;
- 4.8 percent were single-family attached;
- 7.7 percent were small multifamily (2-4 units);

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<sup>4</sup> More information about this gentrification and displacement data is available at the Urban Displacement Project’s webpage: <https://www.urbandisplacement.org/>. Specifically, one can learn more about the different gentrification/displacement typologies shown in Figure 18 at this link: [https://www.urbandisplacement.org/sites/default/files/typology\\_sheet\\_2018\\_0.png](https://www.urbandisplacement.org/sites/default/files/typology_sheet_2018_0.png). Additionally, one can view maps that show which typologies correspond to which parts of a jurisdiction here: <https://www.urbandisplacement.org/san-francisco/sf-bay-area-gentrification-and-displacement>

- 3.5 percent were medium or large multifamily (5+ units); and
- There were no mobile homes in Belvedere.

Between 2010 and 2020, the number of single-family units increased more than multifamily units. In Belvedere, the share of the housing stock that is detached single-family homes is above that of other jurisdictions in the region.

## Home Prices

Home prices reflect a complex mix of supply and demand factors, including an area's demographic profile, labor market, prevailing wages and job outlook, coupled with land and construction costs. Bay Area housing costs have long been among the highest in the nation. The region's home values have increased steadily since 2000, outside of a decrease during the 2008 Great Recession.

A diversity of homes at all income levels creates opportunities for all Belvedere residents to live and thrive in the community.

- Ownership – The largest proportion of homes had a value in the range of \$2M+ in 2019. Home prices increased by 139.7 percent from 2010 to 2020; and
- Rental Prices – The average contract rent for an apartment in Belvedere was \$2,610 in 2019. Rental prices increased by 30.8 percent from 2009 to 2019.

## Cost Burden

The U.S. Department of Housing and Urban Development considers housing to be affordable for a household if the household spends less than 30 percent of its income on housing costs. A household is considered “cost-burdened” if it spends more than 30 percent of its monthly income on housing costs, while those who spend more than 50 percent of their income on housing costs are considered “severely cost-burdened.” In Belvedere, 24.5 percent of households are cost burdened, spending 30 to 50 percent of their income on housing, and approximately 45.5 percent are severely cost-burdened spending over 50 percent of their income on housing. It bears noting that income and cost burden are based on Census definitions of income received on a regular basis (exclusive of certain money receipts such as capital gains or dividends); seniors or people with no regular income may still have significant assets that are not counted in this calculation.

When looking at the cost burden of renters in Belvedere:

- 8.5 percent of renters spend 30 to 50 percent of their income on housing; and
- 29.2 percent of renters spend 50 percent or more of their income on housing.

When looking at the cost burden by race in Belvedere:

- White, Non-Hispanic residents are the most severely cost burdened with 20.6 percent spending more than 50 percent of their income on housing; and
- Asian/API, Non-Hispanic are the second most severely cost burdened with 16.7 percent spending more than 50 percent of their income on housing.

## Neighborhoods

Belvedere is characterized as a “Highest Resource” or “High Resource” area by State-commissioned research. No part of Belvedere is identified by this research as “Low Resource” or “High Segregation and Poverty” areas. These neighborhood designations are based on a range of indicators covering areas such as education, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors.<sup>5</sup>

## SPECIAL HOUSING NEEDS

Certain groups have greater difficulty in finding suitable affordable housing due to special needs and circumstances. This may be a result of employment and income, family characteristics, disability, or household characteristics. Consequently, certain residents in the City of Belvedere may experience more instances of housing cost burdens, overcrowding, or other housing problems. In order of magnitude of need in Belvedere, the categories of special needs that must be addressed by law in the Housing Element include:

- **Senior households.** As people age, they often find themselves facing new or additional housing challenges. Senior households often have special housing needs related to physical disabilities/limitations, fixed incomes, and healthcare costs.
- **People with disabilities.** Many individuals with a disability live on a small, fixed income, limiting their ability to pay for housing. Individuals with mental, physical, or developmental disabilities need affordable, conveniently located housing that has been (or can be) specially adapted to address accessibility issues and that includes on- or offsite support services, including inpatient/outpatient day-treatment programs.
- **Large households.** Due to the limited supply of adequately sized units to accommodate larger households, large families often face significant difficulty in locating adequately sized, affordable housing.
- **Female-headed households.** Female-headed families, including those with children, are more likely to be supporting a household with one income, increasing the probability the household is low-income and housing cost-burdened.
- **Homeless Persons.** Homelessness in California is a continuing and growing crisis. Individuals and families experiencing homelessness are without permanent housing largely due to a lack of affordable housing.
- **Farmworkers.** Farmworkers are generally considered to have special housing needs due to their limited income and the often-unstable nature of their employment.

For a detailed analysis please refer to Appendix B, Housing Needs Assessment.

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<sup>5</sup> For more information on the “opportunity area” categories developed by HCD and the California Tax Credit Allocation Committee, see this website: <https://www.treasurer.ca.gov/ctcac/opportunity.asp>. The degree to which different jurisdictions and neighborhoods have access to opportunity will likely need to be analyzed as part of new Housing Element requirements related to affirmatively furthering fair housing. ABAG/MTC will be providing jurisdictions with technical assistance on this topic this summer, following the release of additional guidance from HCD.

## 3 Housing Resources

### Land Resources

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The *Plan Bay Area 2050 Final Blueprint*<sup>1</sup> forecasts that the nine-county Bay Area will add 1.4 million new households between 2015 and 2050. For the eight-year time frame covered by this Housing Element Update, HCD has identified the region's housing need as 441,176 units. As introduced in previous chapters, the total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from very low-income households to market rate housing. This calculation, known as the Regional Housing Needs Allocation (RHNA) is based on population projections produced by the California Department of Finance as well as adjustments that incorporate the region's existing housing need. The adjustments result from recent legislation requiring HCD to apply additional adjustment factors to the baseline growth projection from California Department of Finance, in order for the regions to get closer to healthy housing markets. To this end, adjustments focus on the region's vacancy rate, level of overcrowding and the share of cost burdened households, and seek to bring the region more in line with comparable ones. These new laws governing the methodology for how HCD calculates the RHNA resulted in a significantly higher number of housing units for which the Bay Area must plan compared to previous cycles.

#### REGIONAL HOUSING NEEDS ALLOCATION

In January 2021, ABAG adopted a Draft RHNA Methodology,<sup>2</sup> approved by HCD in January 2022. Belvedere's share of the regional housing need for the eight-year period from 2023 to 2031 is 160 units, which is a 1,000 percent increase over the 16 units required by the 2015 to 2023 RHNA. Table 3-1, Belvedere's Regional Housing Needs Allocation – 2023–2031, shows Belvedere's RHNA for the planning period 2023 – 2031 divided into five income categories of housing affordability.

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<sup>1</sup> Plan Bay Area 2050 is a long-range plan charting the course for the future of the nine-county San Francisco Bay Area. It covers four key issues: the economy, the environment, housing and transportation.

<sup>2</sup> Please note that the previously stated figures are merely illustrative, as ABAG has yet to issue Final RHNA allocations. The Final RHNA allocations that local jurisdictions will use for their Housing Elements will be released at the end of 2021.

**Table 3-1: Belvedere's Regional Housing Needs Allocation – 2023–2031**

<i>Income Group</i>	<i>Belvedere</i>		<i>Marin County</i>		<i>Bay Area Units</i>	
	<i>Units</i>	<i>Percent</i>	<i>Units</i>	<i>Percent</i>	<i>Units</i>	<i>Percent</i>
Extremely Low Income (<30% of AMI)	24	15.3%	2,086	14.5%	57,221	12.9%
Very Low Income (30% - 50% of AMI)	25	15.3%	2,084	14.5%	57,221	12.9%
Low-Income (50%-80% of AMI)	28	17.5%	2,400	16.7%	65,892	14.9%
Moderate-Income (80%-120% of AMI)	23	14.4%	2,182	15.1%	72,712	16.5%
Above Moderate-Income (>120% of AMI)	60	37.5%	5,652	39.2%	188,130	42.6%
<b>Total</b>	<b>160</b>	<b>100.0%</b>	<b>14,405</b>	<b>100.0%</b>	<b>441,176</b>	<b>100.0%</b>

Source: ABAG, 2021

State law requires that a community identify an adequate number of sites to accommodate and facilitate production of the City's regional share of housing. To determine whether the City has sufficient land to accommodate its share of regional housing needs for all income groups, the City must provide an inventory of "adequate sites". The purpose of the Sites Inventory is to identify and analyze specific sites that are available and suitable for residential development from 2023-2031 in order to accommodate Belvedere's assigned 160 housing units.

## RHNA STRATEGY

The vast increase in RHNA is challenging because Belvedere remains a community that faces significant constraints to housing development. As indicated in Chapter 2, just 0.45 square miles (287 acres) of Belvedere is developable, with only 2.5 percent constituting vacant land. Lots are also small-- the average size of a parcel is 0.25 acres. In addition to being surrounded by water (and with many areas within the 100-year floodplain and at risk of impact from rising sea levels), portions of the city are very steeply sloped, which add to the already high construction costs of development in Marin County. These constraints are shown in Figure 3-1. Belvedere is also primarily a bedroom community, with just 25 acres of commercial land clustered in an area that is also bifurcated by Tiburon's city boundary.

To most accurately identify specific viable sites and to best present the factors that support development within the 6th Cycle, Belvedere's approach to successfully deliver new unit development to achieve RHNA focuses on the following two strategies:

**1. Sites with Existing Capacity** include known and realistic new unit development sites with additional capacity opportunity within the City of Belvedere's current zoning. This includes pipeline and proposed projects that have applications submitted, have been issued building permits, or are currently under construction; vacant residentially zoned land with additional capacity; Accessory Dwelling Unit (ADU) projections, based on historical and recent development trends; and

additional units that may be accommodated on parcels in the R-2 zones. These sites with existing capacity meet 50 percent of Belvedere's total RHNA, and 35 percent of its lower income RHNA.

**2. Sites Requiring Rezoning Action.** Without revisions to the City's land use policies and zoning standards, accommodating the RHNA becomes a significant challenge. Modifying the General Plan and Zoning Ordinance for potential new developments enables the City to intensify land use in suitable areas, proactively address historical segregation patterns, promote fair housing choices, reduce disparities, and foster inclusive communities. Belvedere's strategy for addressing lower-income housing needs primarily involves rezoning to substantially increase residential densities. Specific rezoning actions described in the Housing Element's Programs 2-D, 3-E, 2-F, and 2-G incentivize housing development in key areas, including the Mixed Use Redevelopment opportunity near the Boardwalk Shopping Center, contiguous parcels under the Planned Unit Development (PUD) overlay in existing multifamily areas, and sites meeting specific criteria under Senate Bill (SB) 10. The City commits to amending the General Plan and Zoning Ordinance within one year of Housing Element adoption, no later than January 31, 2024, to establish zoning that can accommodate the City's RHNA of 160 units, along with a buffer for very low, low, and moderate-income categories.

In addition to primary approaches, other strategies seek to support housing mobility and affirmatively further fair housing in Belvedere, including programs that encourage ADU production and deed restrictions, as well as SB 10 application on certain Belvedere Island lots. Actions to increase workforce housing and address Belvedere's special needs populations include programs to review and revise reasonable accommodation procedures as necessary, engage in Countywide efforts to address homelessness, adopt a Universal Design standards ordinance, improve utilization of rental assistance and housing choice vouchers, assist extremely low income households and special needs groups, and others that aim to increase the affordable housing supply, diversify housing types, and promote housing mobility.

Figure 3-2a, Sites Inventory Map, shows an overview of the potential sites inventory that has been developed for Belvedere's 6th Cycle Housing Element Update. Figure 3-2b shows these sites by income category. Table 3-2, provides details and capacity estimates for each of the parcels identified in the Sites Inventory.

Table 3-2: Sites Inventory

Site Group (if applicable)	Address	APN	Existing Use	Zoning	Density (units/acre)	Acreage (Gross)	Acreage (Net)	Existing Units	LI	MI	AMI	Total New Capacity
PIPELINE (TO BE SUBTRACTED FROM RHNA)								0	0	0	2	2
SITES WITH EXISTING CAPACITY												
Project in Development												
1A Subtotal	9 Mallard Rd 1 Mallard Rd 17 Mallard Rd	060-072-28 060-072-27 060-072-18	Duplex	R-2	5-20	2.84	2.4	22	2	7	9	18
Vacant Land												
12 Crest Rd		060-163-07	Vacant	R-15	1-3	0.72	0.72	0	0	0	1	1
401 Belvedere Avenue		060-221-45	Vacant	R-15	1-3	0.57	0.57	0	0	0	1	1
n/a		060-221-47	Vacant	R-15	1-3	0.92	0.92	0	0	0	1	1
415 Belvedere Ave		060-221-14	Vacant	R-15	1-3	0.54	0.54	0	0	0	1	1
419 Belvedere Ave		060-221-19	Vacant	R-15	1-3	0.7	0.7	0	0	0	1	1
111 Belvedere Ave		060-181-34	Vacant	R-15	1-3	0.64	0.64	0	0	0	1	1
117 Belvedere Ave		060-181-25	Vacant	R-15	1-3	0.45	0.45	0	0	0	1	1
333 Belvedere Ave		060-221-43	Vacant	R-15	1-3	0.56	0.56	0	0	0	1	1
14 Edgewater Road		060-031-07	Vacant	R-1L	1-3	0.21	0.21	0	0	0	1	1
Vacant Land subtotal									0	0	9	9
Redevelopment Sites with Existing Zoning												
500 San Rafael Ave		060-092-10	Multifamily	R-2	5-20	0.99	0.81	8	1	0	7	8
6 Community Road		060-072-25	Multifamily	R-2	5-20	0.52	0.48	6	0	0	3	3
Redevelopment sites with Existing Zoning Subtotal									1	0	10	11
ADU Projections									24	12	4	40
Subtotal: Sites with Existing Zoning									27	19	34	80
RHNA Shortfall									-50	-4	-26	-80
SITES REQUIRING REZONING ACTION												
PUD Overlay												
2A	95 Beach Rd	060-092-21	Multifamily/Mixed Use	R-3	5-20*	0.28	0.28	11				
2A	61 Beach Rd	060-092-18	Multifamily	R-3	5-20*	0.33	0.33	5				
2A	83 Beach Rd (81 Beach Rd)	060-092-20	Duplex	R-3	5-20*	0.67	0.67	8				
2A	7 Teal	060-092-19	Duplex	R-3	5-20*	0.16	0.16	2				



Table 3-2: Sites Inventory

Site Group (if applicable)	Address	APN	Existing Use	Zoning	Density (units/acre)	Acreage (Gross)	Acreage (Net)	Existing Units	LI	MI	AMI	Total New Capacity
2A	27 Teal Rd	060-092-13	Duplex	R-2	5-20*	0.28	0.26	2				
2A	15 Teal	060-092-14	Duplex	R-2	5-20*	0.77	0.50	6				
2A	I Peninsula A	060-092-17	Duplex	R-2	5-20*	0.24	0.20	2				
2A	11 Teal	060-092-15	Duplex	R-2	5-20*	0.45	0.20	2				
2A	I Peninsula B (3 Peninsula)	060-092-16	Duplex	R-2	5-20*	0.24	0.20	2				
2A subtotal*						3.42	2.80	40	6	1	25	32
2B	45 Beach Rd	060-093-08	Multifamily	R-3	5-20*	0.40	0.40	6				
2B	2 Cove Rd	060-093-07	Multifamily	R-3	5-20*	0.24	0.24	4				
2B	6A Peninsula Rd	060-093-04	Duplex	R-2	5-20*	0.22	0.20	2				
2B	7 Barn Rd	060-093-05	Duplex	R-2	5-20*	0.31	0.25	2				
2B	3 Barn Rd	060-093-06	Duplex	R-2	5-20*	0.24	0.21	2				
2B subtotal*						1.41	1.30	16	4	1	13	18
PUD Overlay subtotal						4.83	4.10	56	10	2	38	50
Mixed Use Redevelopment												
3A.1	1515 Tiburon Blvd	060-082-59	Retail/General Commercial	C-1 (to be rezoned)	30-35*	0.11	0.11	-	19	-	46	65
3A.1	1520 Tiburon Blvd	060-082-60	Retail/General Commercial	C-1 (to be rezoned)	30-35*	1.96	1.96	-				
3A.2	1530 Tiburon Blvd	060-082-32	Retail/General Commercial	C-1 (to be rezoned)	30-35*	0.13	0.13	-	2	1	1	4
3A.2	7 Beach Rd	060-082-41	Multi Family Residential	R-3 (to be rezoned)	30-35*	0.26	0.26	5	2	1	1	4

Table 3-2: Sites Inventory

Site Group (if applicable)	Address	APN	Existing Use	Zoning	Density (units/acre)	Acreage (Gross)	Acreage (Net)	Existing Units	LI	MI	AMI	Total New Capacity
3A.2	15 Cove Rd Pl	060-082-48	School/Educational Facility	R-3 (to be rezoned)	30-35*	0.25	0.25	-	4	2	2	8
Mixed Use Redevelopment Subtotal						2.72	2.72	5	27	4	50	81
SB 10 Sites-Institutionally-Owned Land												
501 San Rafael Ave		060-091-13	Church	R-3	5-20	0.28	0.28	-	10	-	-	10
n/a		060-113-17	Parking Lot	R-15	1-3*	0.35	0.35	-	10	-	-	10
Subtotal: Sites Needing Rezoning									57	6	88	151
GRAND TOTAL									84	25	122	231
RHNA Allocation									77	23	60	160
Surplus/Deficit									7	2	62	79
Percentage of RHNA									109%	109%	203%	144%

\*Density allowed as result of rezoning action

## SITES WITH EXISTING CAPACITY

### Pipeline and Proposed Projects

According to HCD Guidance, projects that have been approved, permitted, or received a Certificate of Occupancy during the projection period (June 30, 2022 – January 15, 2031) can be counted toward the 2023-31 cycle RHNA. Two projects, 46 Cliff Road, and 218 Bayview Avenue, have received building permits/certificates of occupancy for single family development. **Table 3-3** includes details of these two projects, both of which will provide two above moderate income units.

**Table 3-3: Pipeline Projects**

Address	APN	Parcel Size	Zoning	Number of Units (AMI)
46 Cliff Road	060-132-18	0.39	R-15	1
218 Bayview Avenue	060-173-43	0.13	R-15	1

AMI= Above Moderate Income

Source: City of Belvedere, 2023

An additional project in development includes Mallard Pointe, which, as submitted, would contain sixteen (16) single-family and duplex units, one (1) ADU, and twenty-three (23) apartments. Based on its SB 330 application, the project will include 36 market rate and 2 very low- and 2 moderate-income (deed-restricted) units. Five units will be one-bedroom/studios and assumed to be affordable to moderate-income households. In accounting for existing units, the project represents a total net gain of eighteen (18) units. Though this project is not currently approved, the application is complete. Additional details are provided for the Mallard Pointe project in Appendix A.

### Vacant Land

Belvedere has a limited supply of vacant parcels on residentially zoned land. Currently, there are nine units proposed on nine vacant parcels, the details of which are shown in Table A-3, and in Figure A-3 in Appendix A.

### Sites with Existing Residential Zoning

The property owner of 500 San Rafael Ave and 6 Community Road has expressed interest in redeveloping/adding housing to existing structures. Zoning for these areas permits a capacity of 11 additional units on these sites, with one of these units presumed affordable to lower incomes.

### Accessory Dwelling Unit (ADU) Projections

Accessory Dwelling Units (ADUs) are a vital component of Belvedere's strategy to address the need for new units in a largely built-out community and promote diverse housing options. Not only does the city's physical development pattern allow for significant ADU development, but the growing population of older adults in Belvedere signals an expanding need for this housing type. ADUs

create opportunities for older adults to "age in place" with the support of live-in caregivers, including family members or professional health aides. ADUs also provide valuable housing resources for nannies, live-in housekeepers, or other support staff that may be employed by Belvedere's sizable population of families. In this way, ADUs represent a strategy to promote housing mobility, defined as strategies that help lower- or moderate-income individuals and families move to neighborhoods with improved housing quality, reduced poverty concentrations, and better access to opportunities.

Belvedere's February 2023 ADU Ordinance, which simplified the approval process for ADUs that meet specific standards, resulted in a significant increase in ADU applications and building permits. Belvedere has six (6) units that have been completed since 2018, nine (9) more actively under construction, and an additional two (2) are permitted and preparing for construction. In addition, three (3) units have been approved and entitled since June of 2022 and Belvedere is currently reviewing eleven (11) active applications for new units. In recent years Belvedere has implemented programs (such as fee waivers, public education, etc.) and adopted regulations to streamline ADU production to comply with State law, and 15 projects were in the pipeline as of 2023. Added to the 17 building permits issued, this rate increases to about 5.3 ADUs per year. Along with an increase per year in the number of building permits issued, these pipeline trends indicate that it can reasonably be expected that 5 ADUs per year will be completed in the future. Over the course of the 8-year cycle, this represents 40 units. The details of these projects are included in Table A-4, and locations of these projects are shown in Figure A-3.

The Belvedere community has shown strong interest in contributing to Regional Housing Needs Allocation (RHNA) goals, with 41 letters of intention submitted by property owners who have expressed interest to build ADUs within the next eight years (described in Table A-5; properties are shown in Figure A-4). This commitment is supported by a resident survey, reinforcing the city's projection of 40 additional ADUs during the planning period.

## **SITES REQUIRING REZONING ACTION**

Given current development conditions, adjustments to the City's land use policy and zoning standards are necessary to fully accommodate the RHNA. Amendments to the General Plan and Zoning Ordinance will expand the development potential of underutilized parcels and allow the property owners to intensify use in areas best suited for this additional density. These changes will also provide the City with an opportunity to proactively address historical patterns of segregation, promote fair housing choice, eliminate existing disparities in opportunities, and foster inclusive communities.

Belvedere plans to address lower-income housing needs by implementing rezoning incentives to stimulate higher residential densities. This approach will allow for mixed-use sites and densification of existing multifamily developments. To incentivize additional development, there are also a number of programs that target support for units for lower and moderate incomes. The Action Plan outlines rezoning measures, including increasing density in commercial mixed-use areas, offering affordability incentives for redevelopment in the Planned Unit Development Overlay, and adopting SB 10 strategies to promote housing mobility and affirmatively further fair housing. The following information provides an overview of the sites selected for inclusion in the inventory of Opportunity Sites that require zoning amendments detailed in Appendix A.

**Mixed use redevelopment sites** at 1530 Tiburon Boulevard, 1515 Tiburon Boulevard, 1520 Tiburon Boulevard, 7 Beach Road, 15 Cove Road Place offer a holistic opportunity to transform an underutilized area into a mixed use, mixed income project to more effectively address community needs. Property owners of each of these sites have indicated interest in mixed-use housing development, and parcels are also located in an area that is already more intensely developed and less likely to be seen as problematic by those concerned about neighborhood compatibility.

As indicated in Program 1-A and 2-D, due to the complexity of this site, this area will be exempt from Belvedere's inclusionary program, and inclusionary standards that match Tiburon's will apply. To incentivize lot consolidation and density, projects over 2.3 acres that provide additional housing for lower and moderate incomes will be entitled to bonus density (up to 40 du/ac) and reduced parking requirements (Program 2-E). Coupled with incentives, the Sites Inventory estimates a total of 84 units across this area.

**Planned Unit Development (PUD) Sites** include the redevelopment of two clusters of contiguous parcels owned by the Belvedere Land Company (BLC), which has indicated interest in redevelopment and/or adding units to these parcels if additional density and height are made available. To help the City meet its lower and moderate-income RHNA obligations, Program 2-F offers increased development capacity incentives to the property owner in exchange for below market-rate units. To qualify for these incentives, projects over 3 units in size must provide 20 percent of units affordable to lower incomes, and 5 percent of units affordable to moderate incomes. As noted in Appendix A, the property owner indicated initial interest in 45 additional units. However, with development capacity incentives, a total capacity of 52 additional units (on top of the existing 56 units) could result over the 4.1 acres, with 10 lower and 2 moderate income units. The inventory counts a realistic capacity of 50 additional units across these two clusters.

**Senate Bill (SB) 10 Sites** offer a streamlined path to upzone vacant and underutilized parcels in Belvedere and can improve housing mobility and affirmatively further housing opportunities in predominantly single-family neighborhoods. Program 2-G specifies that SB 10 would provide the option to property owners to redevelop up to 10 units per site, provided that the sites are vacant or underutilized (where the land value is more than the value of the structure) and larger than 0.25 acres. Sites that would provisionally meet these criteria are shown in Table A-6 and Figure A-8 of Appendix A. As indicated, there is currently a capacity for 200 units, including 50 lower income units and 10 units of moderate income housing with a 25 percent affordability requirement. While total capacity of these sites is not included in the sites inventory, SB-10 sites represent a potential strategy for the City to address No Net Loss Law, which requires that jurisdictions ensure that any reduction in affordable housing units is offset by the creation of an equivalent or greater number of such units within their boundaries to meet their RHNA allocation and prevent a net decrease in affordable housing capacity.

Two church owned sites, the St. Stephens parking lot and the Church of Christ, are also candidates for SB 10. Though these sites are less than 0.5 acres in size, the SB10 allowance of up to 10 units per site would provide increased density to help with the financial feasibility of housing development. Coupled with other incentives mentioned in the Congregational Overlay Program (2-H), the resulting density for both sites would be at a level deemed affordable for lower income households, and therefore, all units could be counted toward lower income RHNA.

## **OTHER SITES CONSIDERED**

During the Inventory Assessment, three City-owned open space sites were considered but ultimately excluded due to significant constraints. One, a 0.48-acre site at Beach Road and Main Street, requires construction over water and faces regulatory challenges. The other, a 1.5-acre site on West Shore Road, has a steep slope, making larger-scale development challenging.

The City-owned Corp Yard currently has a building with existing City offices and parking for City-owned vehicles. The Corp Yard offices and City vehicle parking uses are not compatible with development of residential units and the City has no other location for them. Accordingly, the City cannot currently find these properties to be unnecessary for City use as is required to dispose of them under the Surplus Lands Act.

## **AFFIRMATIVELY FURTHERING FAIR HOUSING**

ABAG's regional housing allocation methodology for the 6th housing element cycle encourages housing growth in high resource areas, including Belvedere. Compared to the previous cycle, Belvedere has a significantly higher RHNA (10 times higher versus 2.4 for the regional allocation) which will help create more balanced and integrated communities in the Bay Area.

The housing element also includes programs to enhance housing mobility and introduce new housing options, including an inclusionary program. Through actions incorporated in each program Belvedere will identify new housing opportunities, promote accessory dwelling units (ADUs) and SB 9 units in single-family neighborhoods, ensure fair housing practices, offer rental assistance, and expand affordable housing through home match programs.

Despite Belvedere's significant environmental constraints, the inventory includes a balanced mix of sites to accommodate lower-income housing needs throughout the city. Lower-income sites are strategically located near commercial areas, multifamily zones, and transit, ensuring access to amenities and services. Additionally, SB 10 designations on Belvedere Island leverage congregation-owned land and to affirmatively further fair housing, consistent with State law. Considerations for site selection included proximity to transit, access to amenities, grocery stores, and potential development incentives.

## **Administrative and Financial Resources**

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This section describes the public agencies involved in housing activities and the funding sources potentially available to support development in Belvedere.

### **CITY OF BELVEDERE**

As a small jurisdiction, Belvedere has a relatively limited number of housing resources and programs. Furthermore, due to its population size, the City does not receive direct federal or State funding allocations. The Planning and Building Department is responsible for coordinating the review and approval of new housing and for administering housing-related grants and programs.

## **MARIN COUNTY**

Although Belvedere is one of the two most dense cities in Marin, due to its population size, the City does not receive direct federal funding allocations; instead, Community Block Development Grants (CBDG) and other federal funds are provided to Marin County by the U.S. Department of Housing and Urban Development (HUD) on an annual formula basis for use within constituent jurisdictions. The County acts as the administrative jurisdiction for these funds that are available to support various services and activities, including housing related activities, that would benefit residents of urbanized areas.

### **HUD Community Planning and Development Grants**

The County is the lead agency for purposes of receiving HUD Community Planning and Development entitlement grants on behalf of all jurisdictions within Marin County, including Belvedere. The County receives approximately \$1.6 million in Community Development Block Grants (CDBG) and \$800,000 in HOME Investment Partnership (HOME) funds for a variety of housing and community development activities annually. The CDBG program provides funds for a range of community development projects that benefit low- to moderate-income people. The program can fund a variety of activities such as: acquisition and/or disposition of real estate or property, public facilities and improvements, public services, relocation, rehabilitation of housing, and home-ownership assistance. HOME funds can be used for activities that provide affordable housing opportunities for low to moderate income households, such as development of new affordable units, owner-occupied housing rehabilitation, homebuyer assistance, and tenant-based rental assistance. The County uses HOME funds to gap-finance affordable housing projects throughout the County. The County's Priority Setting Committee makes recommendations to the Board of Supervisors as to allocation of CDBG and HOME funds each year.

### **Permanent Local Housing Allocation (PLHA)**

In 2017, Governor Brown signed a 15-bill housing package aimed at addressing the State's housing shortage and high housing costs. Specifically, it included the Building Homes and Jobs Act (SB 2, 2017), which establishes a \$75 recording fee on real estate documents to increase the supply of affordable homes in California. As the number of real estate transactions recorded varies from year to year, the revenues collected will fluctuate. The first year of SB 2 funds are available as planning grants to local jurisdictions. For the second year and onward, 70 percent of the funding will be allocated to local governments for affordable housing purposes. A large portion of year two allocations will be distributed using the same formula used to allocate federal Community Development Block Grants (CDBG). SB2 PLHA funds can be used to:

- Increase the supply of housing for households at or below 60 percent of AMI
- Increase assistance to affordable owner-occupied workforce housing
- Assist persons experiencing or at risk of homelessness
- Facilitate housing affordability, particularly for lower and moderate income households

- Promote projects and programs to meet the local government's unmet share of regional housing needs allocation

The County anticipates receiving between \$750,000 to \$1,500,000 in PLHA annually and has committed funds to projects for allocations received to date, although no funds have been committed in Belvedere. As above, the PSC makes recommendations to the BOS as to allocations for PHLA funds.

### **Affordable Housing Trust Fund**

The County's Affordable Housing Trust Fund was established in 1980 by Resolution 88-53. Projects throughout Marin County, which serve low, very low and extremely low income households, are eligible for funding, but priority is given to rental projects located in the unincorporated County that serve the lowest income levels. Funding is to be used for land and property acquisition, development, construction, or preservation of affordable units. Applications are submitted to the Community Development Agency, and staff makes funding recommendations to the Board of Supervisors as grant requests are received. The Affordable Housing Trust Fund is primarily funded through residential in-lieu fees, commercial linkage fees, and, since 2009, the County's Affordable Housing Impact Fee. In recent years, the Board of Supervisors has allocated \$250,000 annually from the general fund to the Affordable Housing Trust Fund. In the last twenty years, the Housing Trust has been a major funder of every affordable housing development in the unincorporated County. During the Fifth Cycle Housing Element period (2013-2021), \$13,545,980 from the Housing Trust Fund was dispersed and helped develop 120 units and rehabilitate 83 units. As of April 30, 2022, the Fund's balance is \$10,822,352.60.

Emerging projects as of 2023 are utilizing \$6,600,000 in grant funding that included the Affordable Housing Trust Fund as a source in addition to federal and state sources for a project called Oak Hill near San Quentin to develop 115 units of affordable housing, the conversion of a former U.S. Coast Guard housing facility in Point Reyes Station, a Habitat for Humanity development in northern Novato, a new southern Novato housing for military veterans, and a Project Homekey location in San Rafael's Canal neighborhood.

## **STATE OF CALIFORNIA**

The State of California has several active funding programs for the planning and construction of new affordable housing development, including several new or recently expanded sources. These funding sources have different criteria and goals, and Fairfax's competitiveness is therefore likely to vary by program.

- Affordable Housing and Sustainable Communities (AHSC) is a competitive state grant program that promotes infill development and the reduction of greenhouse gas emissions. AHSC favors combined investments in affordable housing, transit, and active transportation infrastructure.
- Multifamily Housing Program (MHP) provides deferred long-term loans for the construction and acquisition-rehabilitation of permanent and transitional affordable rental housing.



- No Place Like Home Program (NPLH) provides funding for the development of permanent supportive housing to assist persons with mental illness and/or experiencing homelessness. This program includes both competitive and noncompetitive allocations to counties.
- SB 2 (Building Homes and Jobs Act) imposed a new real estate recording fee of \$75 on selected real estate transactions. In the first year, SB 2 Planning Grants were made available to local governments for planning and technical assistance to streamline housing development. Subsequent phases of the program will include funds for the development or preservation of affordable housing.
- Infill Infrastructure Grant (IIG) Program and Transit Oriented Development (TOD) Housing Program. These are recently expanded programs that primarily target the construction of new affordable housing and related infrastructure near transit.
- Local Early Action Planning (LEAP) is a one-time planning grant program to support cities and counties as they plan for the upcoming 6th RHNA cycle.

## **FEDERAL**

Several funding sources are available at the federal level for affordable housing development and preservation.

### **Low Income Housing Tax Credits**

The LIHTC program is a federal tax subsidy that gives investors a roughly dollar-for-dollar credit on their tax liability in exchange for equity contributions to subsidize affordable housing development projects. LIHTC equity is often the largest source of subsidy for affordable housing production and may also be used for affordable housing preservation. The California Tax Credit Allocation Committee administers and allocates tax credits throughout the State of California.

### **Other Federal Sources**

Other federal programs include Emergency Solutions Grants (ESG) and the Affordable Housing Program (AHP). Marin County is responsible for administering federal programs including HOME, Community Development Block Grants (CDBG), and Housing Opportunities for People with AIDS (HOPWA).

## **Resources for Energy Efficiency**

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Housing Elements are required to identify opportunities for conserving energy in residential development. These elements require a thorough examination and documentation of options that encourage the incorporation of energy-saving features, eco-friendly materials, and efficient systems and designs in residential construction. In the case of new development projects, including expansions and renovations, compliance with the California Building Standards Code is mandatory. This code includes provisions to ensure that building designs and construction practices are energy-efficient and environmentally friendly. The code is updated every three years, and the 2022 version emphasizes the use of efficient electric heat pumps, mandates readiness for electric systems in new

homes, expands standards for solar energy and battery storage, and strengthens ventilation requirements.

Belvedere's City Council updated its CAP in 2022 (adopted in 2011), which provides a roadmap to actions the City will take to reduce energy consumption and lower greenhouse gas (GHG) emissions and support the State's goals to reduce statewide emissions 40 percent below 1990 levels by 2030 (as codified in Senate Bill 32) and achieve carbon neutrality by 2045 (as expressed in Executive Order B-55-18). In addition to energy efficiency programs such as working with partners like Marin Climate and Energy Partnership, expanding existing programs like Smart Lights, conducting energy audits, and adopting green building codes, the CAP identifies programs for seven other categories of action that when taken together, will achieve Belvedere's GHG reduction goals. All the categories are as listed:

- Low Carbon Transportation;
- Renewable Energy and Electrification;
- Energy Efficiency;
- Water Reduction;
- Water Conservation;
- Sequestration and Adaptation;
- Community Engagement; and
- Implementation and Monitoring.

## **MARIN CLEAN ENERGY**

Marin Clean Energy (MCE) is a not-for-profit public agency that has been setting the standard for clean energy in our communities since 2010. The agency offers renewable power at stable rates, significantly reducing energy-related greenhouse emissions, and reinvests millions of dollars in local energy programs. MCE provides electricity service and cutting-edge energy programs to more than one million residents and businesses in 37 member communities across four Bay Area counties: Contra Costa, Marin (including Belvedere), Napa, and Solano.

MCE and Pacific Gas & Electric both provide somewhat overlapping energy efficiency programming for Belvedere. These services include commercial, industrial, and residential programs that address:

- Lighting;
- Appliances;
- HVAC;
- Plug load;
- Refrigeration;
- Lighting controls;

- Water heaters; and
- Others.

As part of this Housing Element Update, the City of Belvedere includes a program that continues to implement energy-efficient standards for new construction and rehabilitation projects, including the California Green Building Standards Code, as well as its Climate Action Plan.

## Summary and Conclusions

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The vacant, partially vacant, and underutilized sites identified in this report are sufficient to accommodate approximately 143 percent of the Belvedere's Regional Housing Needs Allocation for the 6th Cycle planning period. Belvedere is including an additional 79 units as a proactive consideration of the State's No Net Loss law, which precludes jurisdictions from approving development that results in an overall housing site deficit. This buffer essentially provides a degree of flexibility for policy makers as they make development decisions.

For cities like Belvedere that are largely built out and surrounded on all sides by other communities and the Bay, redevelopment, densification and ADU infill are the only practical solutions to providing a fair share of housing for the San Francisco Bay Area. By its nature, such redevelopment is more costly and more time consuming than building new units on vacant land.

Belvedere is opening up policy, zoning, design standards, and their back yards to enable a variety of housing types reflective of near-future community needs, and to welcome a diversity of new residents.

## 4 Housing Action Plan

The City of Belvedere's Housing Element update is driven by the two guiding principles of facilitating the development of new housing and affirmatively furthering fair housing. The following specific Action Plan goals are derived from these principles and from the Needs Assessment, Constraints, and Fair Housing Assessment, further described in appendices B, C, and D, respectively:

**Goal 1:** Construct New Housing, Support Housing Diversity, Opportunity, and Assistance;

**Goal 2:** Reduce Constraints to Housing Development, Rehabilitation, and Preservation of Existing Housing;

**Goal 3:** Affirmatively Further Fair and Equal Housing Access and Opportunity.

The programs contained in this chapter reflect Belvedere's housing needs, land availability and constraints, and experience gained during the past eight years (as summarized in the Appendix E) and sets forth the goals, policies, and programs to address the identified housing needs and issues for the 2023-2031 planning period. Quantified objectives for new construction, rehabilitation and conservation are also identified for this planning period. Belvedere is committed to prioritizing the adoption of the following proposed programs and policies, which have been developed for maximum effectiveness in view of available staff and resources. Each program identifies the objectives and the program, timeframe for implementation, and the City department that is primarily responsible for implementation.

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### **Goal 1            Construct New Housing, Support Housing Diversity, Opportunity, and Assistance**

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Plan for the creation of new housing units incorporating a range of housing opportunities including diverse housing types, special needs populations, and affordability levels, throughout the community and use collaborative partnerships and incentives to ensure all segments of the community have access to safe and decent housing that meet their special needs.

**Policy 1.1    Adequate Inventory of Sites: Realistic Capacity.** Provide programs to enable the construction of a minimum of 160 new housing units during the 2023-2031 planning period, including 100 units affordable to lower income households, to address the City's regional housing needs.

**Policy 1.2    Potential Capacity.** Provide programs to motivate and incentivize property owners to develop to the property's potential capacity. Encourage diversity in the type, density,

size, affordability, and tenure of residential development in Belvedere, through developing partnerships with affordable, special needs, and workforce housing providers, while maintaining quality of life goals for the community.

- Policy 1.3 Inclusionary Housing.** Require all new multi-unit housing development to dedicate at least 20 percent of its units to be affordable to lower-income households. Additionally, an ADU/JADU or an option to pay an in-lieu fee for affordable housing to be constructed in Belvedere would be required for any new single-family home.
- Policy 1.4 Partnerships.** Take a proactive role in working with community groups, other jurisdictions and agencies, non-profit housing sponsors, and the building industry in following through on identified Housing Element implementation actions in a timely manner.
- Policy 1.5 Creation of New Accessory Dwelling Units.** Enable and support the construction, creation, and legalization of new accessory dwelling units to increase the supply of affordable housing, provide affordable opportunities in high resource areas, and address a portion of Belvedere's regional housing needs. Ensure accessory dwelling units are designed to be compatible with the surrounding neighborhood.
- Policy 1.6 Emergency Housing Assistance.** Participate and allocate funds, as appropriate, for regional, local, and non-profit programs providing emergency shelter and related support services.
- Policy 1.7 Reasonable Accommodation.** Provide individuals with disabilities reasonable accommodations in rules, policies, practices and procedures that may be necessary to ensure equal access to housing.
- Policy 1.8 Organizational Effectiveness.** Seek ways to organize and allocate staffing and other resources effectively and efficiently to implement the programs of the housing element.
- Policy 1.9 Rental Assistance Programs.** Continue to publicize and create opportunities for using the Housing Choice Voucher rental assistance program 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 Housing Stability program administered through MHA.
- Policy 1.10 Housing Element Update, Monitoring, Evaluation and Revisions.** Provide an annual report to HCD on Housing Element implementation and regularly assess current housing needs and necessary policies, programs and resource allocations to address those needs.

## **Goal 2      Reduce Constraints to Housing Development, Rehabilitation, and Preservation of Existing Housing**

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Reduce constraints, particularly governmental constraints under the City's control, on the maintenance, improvement and development of housing while maintaining community character.

- Policy 2.1   Objective Design and Development Standards.** Ensure development standards are based on objective requirements. Review proposed housing projects for compliance with the City's objective design standards to achieve excellence in development design through sensitive transition of scale and building bulk.
- Policy 2.2   Incentives for Affordable Housing.** Support the use of various incentives, including regulatory incentives, streamlined approvals, and financial assistance, to offset the costs of affordable housing and encourage a variety of housing types and affordability levels throughout the community while ensuring that potential impacts are addressed.
- Policy 2.3   Density Bonuses and Other Incentives for Affordable Housing Developments.** Encourage and support development proposals which provide new housing for low- and moderate-income households. Process applications for low- and moderate-income housing in an efficient manner, avoiding unnecessary time delays and granting density bonuses to make maximum use of available sites in accordance with State laws.
- Policy 2.4   Development Review.** Explore continued improvements to the entitlement process to reduce constraints through ensuring objective and achievable design and development standards and streamlining and coordinating the processing of development permits, design review, and environmental clearance.
- Policy 2.5   Zoning for Special Needs.** Provide for transitional and supportive housing, emergency shelters, low barrier navigation centers, employee housing, residential care facilities, and single room occupancy uses, consistent with State law.
- Policy 2.6   Minimize Displacement.** Partner with property owners to encourage local-preference relocation with any residential displacement resulting from redevelopment and require replacement units to be constructed for all units affordable to the same or lower income level as a condition of any residential redevelopment for all sites described in Appendix A.
- Policy 2.7   Establish By Right Zoning.** Establish 'By Right' zoning for multi-unit projects with 20 percent extremely low- or low-income units on sites that have been used in one or more Housing Elements to meet its lower income RHNA. For such projects, discretionary review is eliminated and qualifying projects are exempt from CEQA review.
- Policy 2.8   Rental Housing Conversion.** Continue to conserve the existing rental housing stock by limiting the conversion of rental units to ownership or non-residential uses and limiting the conversion of ownership units to non-residential uses.

**Policy 2.9 Protection of Existing Rental Housing.** Strive to ensure that the existing rental housing is maintained and consider all opportunities to help preserve such housing.

**Policy 2.10 Protection of Existing Affordable Housing.** Ensure the continued affordability of income-restricted housing for lower and moderate income households and support partnerships of nonprofit organizations, affordable housing developers, major employers, and for-profit developers to conserve affordable housing.

**Policy 2.11 Housing Rehabilitation.** Promote, enable and facilitate the participation of lower income households in housing rehabilitation programs offered through Marin County, utility providers, and others.

**Policy 2.12 Maintenance and Management of Quality Housing.** Maintain the quality and design of housing through enforcing compliance with housing and property maintenance codes and standards and supporting housing rehabilitation programs and good property management practices.

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**Goal 3 Affirmatively Further Fair and Equal Housing Access and Opportunity**

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Promote equal housing opportunities for all residents, including Belvedere's special needs populations, so that safe and decent housing is available to all persons and all income levels throughout the community regardless of race, religion, sex, marital or familial status, ancestry, national origin, disability, income source, and other protected traits and ensure housing opportunities and policies address historical exclusionary practices.

**Policy 3.1 Affirmatively Furthering Fair Housing.** Ensure that individuals and families at all income levels pursuing housing in Belvedere have access to safe and decent housing and do not experience discrimination on the basis of any arbitrary factors, including those identified in the Fair Housing Act.

**Policy 3.2 Fair Housing Education and Assistance.** Assist in affirmatively furthering and enforcing fair housing laws by providing support to organizations that provide outreach and education regarding fair housing rights, receive and investigate fair housing allegations, monitor compliance with fair housing laws, and refer possible violations to enforcing agencies.

**Policy 3.3 Access to Affordable Housing.** Ensure that units produced for lower- and moderate-income households are made available to those groups and maintained as affordable units.

**Policy 3.4 Senior Housing.** Support development and maintenance of affordable senior rental and ownership housing and supportive services to facilitate maximum independence and the ability of seniors to remain in their homes and/or in the community.

**Policy 3.5 Homeless Housing and Services.** Work cooperatively with Marin County and other applicable agencies to provide a continuum of care for the homeless, including emergency shelter, transitional housing, supportive housing and permanent affordable housing.



## Programs

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The following programs are the implementing actions the City will take to address its housing goals. Each program identifies the objectives of the program, timeframe for implementation, and the City department that is primarily responsible for implementation.

### **Goal I            Construct New Housing, Support Housing Diversity, Opportunity, and Assistance**

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#### **Program 1-A      Inclusionary Housing Regulations (AFFH)**

Several jurisdictions in Marin County have adopted inclusionary housing programs as a means of increasing the local supply of below market rate housing. Inclusionary programs require that a percentage of the total housing units in a proposed project be made available to moderate and/or lower income households through long term affordability agreements. Inclusionary programs typically seek to offset the cost of providing affordable units by offering developers one or more incentives such as tax abatements, parking reductions, or the right to build at higher densities. Inclusionary housing programs may allow for payment of a fee in lieu of construction of the units. Before levying an impact fee, jurisdictions are required by state law to complete a nexus study that shows the linkage between the new development and the increased demand for the facilities. The results of the nexus study establish the maximum legal fee that may be charged.

Through this program, the City will adopt an inclusionary housing requirement and linkage fee tailored to the City's needs and reflecting local development economics and land values and seek to develop an inclusionary housing ordinance that requires all new multi-unit housing development to dedicate at least 20 percent of its units to be affordable to lower-income households for projects 3 units or greater.

*Because of the unique circumstances of this site and cross-jurisdictional boundaries, Belvedere's citywide inclusionary requirement will not apply to development of parcels in the contiguous Mixed Use Area sites (APNS 060-082-32, -41, -48, -59, and -60) described in Programs 2-D and 2-E.*

#### **Program Requirements and Timeframe:**

- By December 2024, adopt inclusionary requirements that address all new multi-unit housing developments.
- In 2024, prepare an Inclusionary Housing Fee Nexus Study to document the relationship between residential development and demand for affordable housing, and to determine both the maximum supportable and recommended in-lieu fee amount.
- By December 2024, adopt an in-lieu fee that can be applied to residential projects and be an option for developments that have demonstrated it is not financially feasible to produce some or all of the inclusionary units on-site.
- In-lieu fees generated from the program will be placed in an Affordable Housing Development Fund (see Program 11) to support affordable housing activities.

**Quantified Objective:** Support creation of 77 lower income units by 2031

**Primary Responsible Department:** Planning Department

**Funding Source:** General Fund

### **Program 1-B      Accessory Dwelling Units and Junior Accessory Dwelling Units Trends (AFFH)**

The objective of this program is to facilitate and encourage the development and/or conversion of accessory dwelling units (ADUs) to achieve the new unit development to meet the City's 6th Cycle RHNA. An ADU is a self-contained living unit with cooking, eating, sleeping, and full sanitation facilities, either attached to or detached from the primary residential unit on a single lot. A junior accessory dwelling unit (JADU) is a unit that is no more than 500 square feet in size and contained entirely within a single-family residence with separate or shared sanitation facilities. ADUs and JADUs offer several benefits. First, they often are affordable to very low and low income households and can provide options for seniors, single persons, and even small families. Second, the primary homeowner receives supplementary income by renting out the ADU, which can help many modest income and elderly homeowners afford to remain in their homes. ADUs offer an important opportunity to help Belvedere address its regional housing needs while maintaining the community's small-town character.

Through this program, the City will proactively monitor progress toward production targets.

#### **Program Requirements and Timeframe:**

- The City will monitor ADU and JADU permitting/construction trends and affordability in Belvedere, reporting performance in its Housing Element Annual Progress Reports. If actual performance is not in line with projections in December 2027, the City will review and take action as needed to ensure compliance with "no-net loss" provisions of State law. As appropriate, corrective actions will include:
  - Identifying additional regulatory, process, or financial incentives, based on property owner feedback and updating the municipal code to implement them; or
  - If actual production and affordability of ADUs is far from anticipated trends, amending the housing element, identifying additional sites as needed to accommodate RHNA, rezoning within 1 year of the corrective action evaluation.

**Quantified Objective:** Facilitate the development of 40 secondary units during the period.

**Primary Responsible Department:** Planning Department, Planning Commission

**Funding Source:** General Fund, Affordable Housing Development Fund (available after Nexus study)

### **Program 1-C      ADU Awareness and Technical Assistance.**

The City already offers homeowners interested in ADUs an array of information and tools through ADU Napa/Sonoma/Marin, a partnership between various county jurisdictions formed to facilitate ADU construction. This includes a step-by-step workbook and interactive website with sample floor plans, a calculator to estimate construction costs, and inspirational stories from Marin residents who have already built an ADU. To complement these resources and promote construction of ADUs and JADUs in Belvedere, the City will offer technical assistance to interested homeowners, which may include information on cost-saving building materials and construction techniques; a referrals list of pre-qualified architects with experience in Belvedere, landscape architects, and civil engineers; and consultation with design and permitting professionals. City staff will advertise and be available for "drop in" consultation during defined times at City Hall.

The City will initiate a robust program to inform the public about benefits and incentives offered, with the objective of promoting the development of ADUs and JADUs in Belvedere. The program will include the following elements:

- Citywide email blasts and newsletter articles advertising incentives and resources available to interested homeowners;
- Pop up presence at events around the city to raise awareness and answer questions;
- Community "how to" seminars providing advice and information to interested homeowners
- Hosting panel discussions with architects and design professionals to provide insights on best practices and lessons learned for interested homeowners.

#### **Program Requirements and Timeframe:**

- By December 2024, provide technical resources to assist with ADU/ JADU development online, including a summary of requirements, fees required and waived for second units, and link to the ADU Marin website which provides comprehensive information about building an ADU in Marin County, including a guide to the process, and a calculator of development costs and income for typical ADUs with the objective of a minimum of 5 ADUs permitted per year.

**Quantified Objective:** Assist in the development of 40 secondary units during the period

**Primary Responsible Department:** Planning Department

**Funding Source:** General Fund, Affordable Housing Development Fund

### **Program 1-D      Deed Restricted ADU Financial Assistance Program (AFFH)**

ADU/JADU design and construction involves a significant up-front investment from the homeowner. The City will create a program offering additional assistance to help homeowners that commit to making an ADU/JADU available to Lower Income households identify and access funding

and grants. Through this program, the City will connect homeowners to grant opportunities, such as the California Housing Finance Agency ADU Grant Program which provides up to \$40,000 towards pre-development and non-recurring closing costs associated with ADU/JADU construction. The City will also identify local mortgage companies, credit unions, and other institutions that can offer low-interest loans and connect interested homeowners with those institutions. This program of additional assistance will be available to Belvedere homeowners who commit to making the units available to households with incomes less than 80 percent of the Marin County annual median through a recorded deed restrictions for a minimum term of 55 years.

**Program Requirements and Timeframe:**

- By December 2024, develop list of resources for homeowners
- Conduct outreach campaign to Belvedere community

**Quantified Objective:** Provide assistance to at least 5 homeowners

**Primary Responsible Department:** Planning Department

**Funding Source:** Grant programs, General Fund, Affordable Housing Development Fund

### **Program 1-E      Impact Fee Relief for Deed Restricted ADUs/JADUs (AFFH)**

Belvedere's Municipal Code requires that JADUs must be attached to a "living area", defined as an interior habitable area of a dwelling unit that excludes garages or an accessory structure. However, State law allows JADUs to be constructed within the walls of a proposed or existing single-family residence and includes attached garages as part of the residence (Government Code 65852.22 (4)). The Municipal Code will be amended to reflect this provision, with the intent of facilitating more JADU development.

Additionally, new ADU and JADU construction is subject to facility fees related to the provision of public services, including fire, police, and school-related development. Given that ADUs/JADUs provide a potential source of housing for public service employees who work in Belvedere and surrounding Marin County jurisdictions, the City will work with the Reed Union and Tamalpais Union High School Districts, Tiburon Fire Protection District, Marin County, and other agencies that collect fees in Belvedere to explore development of a program of fee incentives for homeowners who commit to making an ADU available to households earning less than 80 percent of the Marin County annual median income through a long term affordability agreement.

**Program Requirements and Timeframe:**

- Coordinate with public service employees by June 2024
- Develop program of fee incentives by December 2024

**Quantified Objective:** Assist in the development of total of 40 secondary units during the period

**Primary Responsible Department:** Planning Department

**Funding Source:** General Fund, Affordable Housing Development Fund

#### **Program 1-F      Zoning Incentives for Deed Restricted ADUs/JADUs (AFFH)**

ADUs and JADUs are an important source of housing that is "affordable by design" for live-in care-givers, housekeepers, teachers, and others who work in Belvedere. The City will also amend the Zoning Code to further incentivize the development of affordable ADUs and JADUs for owners who make an ADU or JADU available to households earning less than 80 percent of the Marin County annual median income through a binding commitment to rent-restrict. Incentives for owners could include:

- Increasing the maximum allowable size of ADUs permitted by right;
- Allowing more than one detached or attached ADU on larger lots; and
- Offering a transferrable FAR bonus to permit greater maximum ADU floor area.

**Program Requirements and Timeframe:**

- By end of 2025

**Quantified Objective:** Assist in the development of 40 secondary units during the period

**Primary Responsible Department:** Planning Department

**Funding Source:** General Fund, Affordable Housing Development Fund

#### **Program 1-G      SB 9 Units (AFFH)**

SB 9 conversion as defined by Government Code Section 65852.21 is a new regulation that allows property owners in single family zoning districts to build additional units on their properties, subject to exclusions identified in the statute. To date, the City has received two SB 9 applications and has approved one. This program describes how the City will facilitate the SB 9 process by developing an informational resource online to help property owners determine if their properties may be eligible to utilize SB 9 to add new units.

**Program Requirements and Timeframe:**

- By December 2024, publish a section within the newly developed City website that will assist property owners in identifying whether their property is eligible for a maximum of 2 units or if the parcel is eligible for a lot split, where each resultant parcel can accommodate up to two units under SB 9.

- The online resource will also provide a link to a SB 9 handbook that will identify the City's process for permitting SB 9 units under Government Code Section 65852.21.

**Quantified Objective:** Create 4 new units through SB 9 utilization.

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time, General Fund.

### **Program 1-H      Affordable Housing Development Fund (AFFH)**

With limited access to state and federal housing resources, Belvedere faces practical and financial constraints in its ability to facilitate the construction of affordable housing. To create a more viable funding source, the City will establish an Affordable Housing Development Fund that will be used to construct or help leverage construction of affordable housing. Potential Fund resources include in-lieu fees from the Inclusionary Housing Requirement (Program 1-A), and public and private grant and funding programs.

#### **Program Requirements and Timeframe:**

- By December 2024 establish an Affordable Housing Development Fund.
- Annually pursue affordable housing funds available at the California Department of Housing and Community Development (HCD) for new construction and acquisition/rehabilitation of affordable housing.
- Regulations will be established to manage the Affordable Housing Development Fund and establish parameters for allocation of funds towards projects.
- Review grant and other funding opportunities from State, federal, non-profit, and other sources annually. All feasible funding sources shall be pursued.
- Consult with Marin County in developing regulations to govern fund oversight and expenditures.

**Quantified Objective:** Develop an Affordable Housing Fund, with the aim of supporting 77 units of housing affordable to lower incomes

**Primary Responsible Department:** City Manager, Financial Director

**Funding Source:** Inclusionary Housing Requirement and public and private funding programs.

### **Program 1-I Assistance for Extremely Low Income Households and Special Needs Groups (AFFH)**

Belvedere understands the important role it can take in facilitating the development of quality, affordable housing in the community. Through provision of regulatory incentives and direct financial assistance the City can motivate development, and help to address the housing needs of its extremely low, very low, low, and moderate income households, as well as the specific needs of special needs groups. The following are among the types of incentives the City will offer for these categories of housing:

- Reduced development standards, including setbacks, floor area ratios, and parking, where necessary to accommodate maximum permitted densities.
- Density bonuses.
- Expedited review / no cost pre-application submittal meetings for extremely low, very low, low and moderate income housing.
- Financial assistance and/or land write-downs.
- The overall objective of this program is development of 77 lower income units during the planning period, including units for special needs households, including seniors and persons with a disability.

#### **Program Requirements and Timeframe:**

- By December 2024, establish financial and regulatory incentives to private and non-profit developers, specifically for the development of affordable housing for families, seniors, and other special needs populations. Financial and regulatory incentives will include:
  - Expedited processing of projects with 20% or more of units affordable to very low or low income households or for special needs households.
  - Reduction in development fees, including waiving application processing fees for projects with a minimum of 15% extremely low income units, a minimum of 40% lower income units, or a minimum of 50% of the units restricted to occupancy by special needs groups (seniors, persons with a disability, large families, farmworkers, single heads of household with children present, and unhoused persons and families).
  - Defer payment of City development impact fees until certificate of occupancy for projects with at least 49% of units affordable to very low or low income households consistent with AB 641 or with at least 50% of the units restricted to occupancy by special needs groups (seniors, persons with a disability, large families, farmworkers, single heads of household with children present, and unhoused persons and families).
  - Reduced development standards, including setbacks, floor area ratios, and parking, where necessary to accommodate maximum permitted densities

- City support in affordable housing funding applications.
- Financial assistance through regional resources and Affordable Housing Development Fund, as available.
- Hold an annual workshop for property owners of sites identified to accommodate the very low and low income RHNA and affordable housing, special needs housing, and workforce housing developers to assist property owners in understanding the steps through the development process, to connect the development community with property owners, and to ensure there is understanding of the City's incentives for affordable housing, development standards, and development process.

**Quantified Objective:** Provide resources and assistance for affordable housing development.

**Primary Responsible Department:** City Manager, Planning Director,

**Funding Source:** Staff time, General Fund

### **Program 1-J Collaborate Throughout the County to Plan for and Provide More Housing Choices**

Continue to work inter-jurisdictionally, share responsibilities and common regulations to efficiently and effectively respond to housing needs within a countywide framework. Create Home Sharing and Tenant Matching Opportunities.

**Program Requirements and Timeframe:**

- The City's Planning Department will continue to foster the city's relationship with the Marin Housing Authority to implement a home sharing program to serve extremely low- and very low-income populations. Ongoing.
- Advertise program availability on its website and make materials available at City Hall. June 2024.
- Continue participation in the Marin County Affordable Housing Fund/Permanent Local Housing Allocation (PLHA) process.
- In 2024, create a timeline for regional planning efforts identifying the number of years for regional approach to increase housing.

**Quantified Objective:** Develop and maintain a regional plan to encourage housing developments that will promote affordable units

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time



**Program 1-K      Rental Assistance, Housing Choice Voucher (AFFH)**

The Section 8 Housing Choice Voucher Program provides affordable rental housing for very low-income families throughout Marin County. Housing is made affordable by assisting the family with a portion of the rent. A family pays approximately 30 percent of their monthly income for rent and Marin Housing pays the remainder of the rent directly to the owner. The Housing Choice Voucher program plays a critical role in allowing such households to live affordably in a community, and is a key program to address the needs of extremely low and very low income households.

**Program Requirements and Timeframe:**

- Cooperate with Marin Housing Authority to continue to make Housing Choice Vouchers available in Belvedere on an on-going basis.
- Make information regarding the Housing Choice Voucher program on the City website and in City Newsletters by June 2024, and in an annual direct mailing identifying available housing resources to all residents and property owners.
- Provide referrals to Marin Housing to households seeking rental assistance.
- To increase housing mobility and opportunities in the City, provide annual outreach to Belvedere rental property owners encouraging them to register with Marin Housing to increase housing stock accessible to very low and extremely low income households.
- The City will offer tenants information regarding Section 8 rental subsidies and referrals to Marin Housing for assistance
- In 2023 and 2024, coordinate with Marin Housing and other Marin County jurisdictions to determine the capacity to develop a Countywide registry of rental units that accept Section 8 vouchers. If capacity and funding for such a program is identified, implement the registry by 2026.

**Quantified Objective:** Provide direct assistance to help Belvedere's population of lower income renters apply to Marin Housing's Section 8 Housing Choice Voucher Program.

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time

**Program 1-L      Ensure Inventory of Sites Realistically Accommodates RHNA throughout Planning Period (AFFH)**

The objective of this program is to ensure that Belvedere maintains an inventory of land with realistic capacity to achieve the new unit development consistent with the City's RHNA at all income levels.

Belvedere received an allocation of 160 units for the 2023-2031 planning period. In addition to sites with existing capacity (including pipeline projects, vacant land, and ADU projections), the City must also further identify adequate sites with appropriate density and development standards to accommodate both RHNA as well as a buffer to meet requirements of the No Net Loss Requirements Law (Government Code § 65863). Without adjustments to the City's land use policy and zoning standards, the City would not be able to fully accommodate the RHNA. With very limited vacant land in Belvedere, the remaining development opportunities are primarily on underutilized parcels where zoning changes are necessary.

Coupled with annual performance reports, The City will also conduct a mid-cycle evaluation to assess Housing Element performance in delivering housing units by affordability and diversity of housing types, and fine tune programs or densities and ensure there is adequate capacity available citywide to meet the City's RHNA targets and no net loss requirements.

**Program Requirements and Timeframe:**

- As part of the Annual Performance Report, the City will monitor and report on progress made toward meeting the 2023-2031 RHNA allocation at all income levels.
- Continue to maintain an inventory of sites suitable for residential development affordable at all income levels and provide that information online and to interested developers and update the inventory annually as part of the Annual Performance Report.
- As part of this annual review, the City will update and survey the sites in the inventory to accurately identify the factors supporting development as well as any existing constraints.
- As part of this annual review, the City will update notes and descriptions of property owner interest and intent to develop.
- As part of the mid-cycle review, the City will make adjustments to programs intended to promote affordable housing as needed.

**Quantified Objective:** Identify and monitor adequate sites available for development to support, at minimum, 160 units

**Primary Responsible Department:** Planning Department

**Funding Source:** General Fund

**Goal 2      Reduce Constraints to Housing Development, Rehabilitation, and Preservation**

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**Program 2-A      Provide Adequate Sites for Lower Income Households on Nonvacant and Vacant Sites Previously Identified**

The City of Belvedere will rezone the to allow developments by right pursuant to Government Code section 65583.2(i) when 20 percent or more of the units are affordable to lower income households on sites identified in the Sites Inventory to accommodate the lower income RHNA that was previously identified in past housing elements. Specifically, the City will rezone the nonvacant 7 Beach site previously identified in the 5th Cycle Housing Element.

**Program Requirements and Timeframe:**

- Rezone site by January 31, 2024

**Quantified Objective:** Create opportunity for at least 2 units of housing for lower income households

**Responsible Agency:** Planning Department

**Funding Source(s):** General Fund

**Program 2-B      Evaluate and Revise Objective Design and Development Standards (AFFH)**

The purpose of Title 22, Objective Design and Development Standards (ODDS) is to establish objective design and development standards and regulations to govern qualified Housing Accountability Act, Senate Bill 330, and Senate Bill 35 projects within the City of Belvedere. These standards reflect the community's vision for implementing the intent of the Belvedere General Plan to facilitate housing production through development that reinforces the highly valued character and scale of the City's walkable centers, neighborhoods, and corridors. The City adopted Objective Design and Development Standards in 2022.

This program outlines the steps the City will take to review ODDS to ensure that the specific sites in this housing plan and their development potential can be reasonably achieved within the objective development standards.

**Program Requirements and Timeframe:**

- By June 2024 conduct a thorough analysis of the constraints to achieving the housing development identified in this housing plan that ODDS presents.
- This will include a specific Site Feasibility Analysis based on the 6th Cycle site inventory. Allowable and required building type, form, placement, and parking will be examined.

- Conduct community outreach and education on the benefits of potential changes to Title 22, as well as relationship to Title 19, and conduct the required public meetings prior to review and adoption.

**Quantified Objective:** Review and amend Title 22, ODDS, as necessary to establish adequate zoning to accommodate the City's RHNA.

**Primary Responsible Department:** City Manager, Housing Element Sub Committee, Planning Director, City Attorney.

**Funding Source:** Staff time, General Fund

### **Program 2-C      Zoning Ordinance Amendments (AFFH)**

Amendments to the Zoning Ordinance are needed to address various recent changes to State Law and create consistency with the Housing Element.

#### **Program Requirements and Timeframe:**

- Update the City's zoning ordinances to address the following:

*Low Barrier Navigation Centers:* The zoning ordinances shall be updated to define and permit low-barrier navigation centers consistent with the requirements of Government Code Sections 65660 through 65668, including treating low-barrier navigation centers as a by-right use in areas zoned for mixed use and in nonresidential zones permitting multi-family uses.

*Transitional and Supportive Housing:* The zoning ordinances shall be revised to ensure that transitional and supportive housing definitions are in accordance with State law, including to require that supportive housing that meets the criteria in Government Code Section 65651 is allowed by right in multi-family and mixed use zones with a streamlined and ministerial review.

*Employee Housing:* The zoning ordinances will be updated to be consistent with State laws addressing employee housing, including Sections 17021.5 and 17021.6, and will be revised to ensure that employee housing serving six or fewer employees shall be deemed a single-family structure and shall be treated subject to the standards for a single-family dwelling in the same zone.

*Emergency Shelters and Parking:* The zoning ordinance will be updated to include the current provisions for emergency shelters, including objective standards that comply with State law and allow approval of compliant facilities by right in the R (Recreation) or C-1 (Commercial) district. The zoning ordinances will be updated to require sufficient parking to accommodate all staff working in an emergency shelter, provided that the standards will not require more parking for emergency shelters than other residential or commercial uses within the same zone, in compliance with AB 139.

*Mobile Homes and Manufactured Homes:* Review and amend the zoning ordinances to remove restrictions on mobile homes and manufactured homes that conflict with the provisions of Government Code Section 65852.3 by requiring that mobile homes and manufactured homes are allowed on lots zoned for single-family residential dwellings and shall only be subject to the same development standards applicable to a single-family residential dwelling on the same lot.

*Parking.* Update the City's parking standards for consistency with AB 2097.

*Household Definition.* The City will amend the definition for "household" to allow for a barrier-free definition that does not distinguish between related and unrelated persons and does not impose limitations on the number of people that may constitute a household.

*Residential Care Facilities.* The City will examine and revise the zoning ordinances accordingly to include a definition of residential care facilities consistent with State law and objective standards for facilities with seven or more persons. The regulations tables will be revised to permit residential care facilities serving seven or more clients within additional zones allowing residential uses, including the R-2, R-3, and C-1, and these will be subject only to the requirements applicable to the residential development of the same development intensity

*Single Room Occupancies.* The City will revise Title 22 to identify SROs as a residential facility rather than type of transitional housing.

- Complete amendments to the zoning ordinances no later than December 2025.

**Quantified Objective:** Update zoning ordinances.

**Primary Responsible Department:** Planning Director, City Attorney.

**Funding Source:** Staff time

## **Program 2-D      Mixed Use Zoning (AFFH)**

The Boardwalk Shopping Center straddles the border with Tiburon. The BLC has indicated its interest in constructing up to 180 new housing units across the whole of the site in a mixed use format, with at least 65 of those units on the Belvedere side. The City will develop and adopt new mixed use (MU) zoning and objective development standards mirroring what Tiburon has proposed for the adjacent portion of the site outside Belvedere. The mixed use zoning will permit a maximum density of 35 du/ac with standards to facilitate integration of multifamily housing on the site in either a mixed use or standalone format.

*Because of the unique circumstances of this site and cross-jurisdictional boundaries, Belvedere's citywide inclusionary requirement will not apply to development of parcels in the contiguous Mixed*

*Use Area sites (APNS 060-082-32, -41, -48, -59, and -60). Instead, Belvedere will match Tiburon's Inclusionary program requirements.*

**Program Requirements and Timeframe:**

- Meet regularly with the property owner to help advance site planning, product types, and development applications;
- Work with the property owner to identify actions (such as lot line adjustments) to facilitate provision of affordable housing units onsite;
- By January 31, 2024, amend zoning on sites 060-082-59 (1515 Tiburon Blvd) and 060-082-60 (1520 Tiburon Blvd) to allow a density of 30-35 du/ac
- Work closely with the Town of Tiburon to streamline, facilitate, and expedite planning and building permit applications, review, and approval. Work with the Town of Tiburon to appoint a joint project manager and conduct joint design review board, planning commission and city/town council meetings, as applicable, when reviewing and approving development plans
- By mid-2028, evaluate progress toward completion, including affordability, within the planning period and if necessary take action to identify alternative sites within 1 year.

**Quantified Objective:** Target development of approximately 19 units of lower income housing capacity.

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time

**Program 2-E      Lot Consolidation Incentives (AFFH)**

Adjacent to the BLC-owned properties at The Boardwalk, there are three underutilized commercial parcels that could be consolidated with the BLC properties to create a wider mixed use center with better connectivity to Belvedere. In total, these five parcels that comprise/are adjacent to the Belvedere Shopping Center (approximately 2.73 acres in total) in Belvedere represent an opportunity to transform the area into a mixed use, mixed income development. This approach will help remove existing constraints to Boardwalk redevelopment, increase project development feasibility and capacity, and integrate the project into the surrounding community.

Through this program, the City will rezone these three parcels mixed use to match the zoning proposed for The Boardwalk and offer incentives to encourage consolidation. When 2.3 contiguous acres or more is developed together in the MU Zone, incentives offered may include: additional bonus density of 5 units/acre; reduced or shared parking provisions; and reduced fees.

**Program Requirements and Timeframe:**

- Meet regularly with the property owner to help advance site planning, product types, and development applications;
- By [date], work with the property owners to identify incentives (such as reduced common open space requirements in view of parking adjacency and shared parking provisions) that can be offered to facilitate provision of affordable housing units onsite
- By January 31, 2024, amend zoning on APNs 060-082-32, -41, and -48 (1530 Tiburon, 7 Beach Rd, and 15 Cove Road Pl) to allow a density of 30-35 du/ac. Allow up to 40 du/ac when lots are consolidated so that at least 2.3 acres of the contiguous Mixed Use Area sites develop (APNS 060-082-32, -41, -48, -59, and -60)
- Ensure provisions are made for replacement housing onsite in the event any existing units would be demolished, consistent with State law; and
- By mid-2028, evaluate progress toward completion, including affordability, within the planning period and if necessary take action to identify alternative sites within 1 year.
- Meet biannually with the property owners to help advance site planning
- **Quantified Objective:** Target development of approximately 8 additional units of lower income and 3 units of moderate income housing capacity at the mixed use site.

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time

**Program 2-F PUD Overlay Incentives (AFFH)**

The purpose of Belvedere's planned unit development (PUD) overlay zone is to designate land for the creation of unique development or design solutions that vary from the City's development standards in exchange for public benefits or amenities not otherwise required, such as open space, scenic views, senior and special needs housing, and undergrounding of utilities. Belvedere Land Company and HBA properties own most of the multifamily development in Belvedere in the PUD zone, and these are on parcels of appropriate sizes to accommodate lower income units. There are two clusters of BLC parcels around the Lagoon area, as shown in Appendix D, with base zoning of R-2 and R-3.

BLC has expressed interest in adding at least 45 new multifamily housing to properties in the PUD overlay. To facilitate the addition of these units on the sites identified in Appendix A, the City will amend the PUD Overlay standards (Title 19.42.050) to offer the following zoning incentives in return for an affordability commitment:

- Permit density (i.e., minimum lot area/unit) to be calculated over the total combined area of contiguous parcels under common ownership within the PUD overlay;

- Reduce required parking to 1 dedicated space per unit and 150 sq ft of common space per unit;
- Reduce required public open space to 150 feet per unit if within 1,000 linear feet of an existing park;
- Increase maximum lot coverage from 40 percent to 45 percent; and
- Increase the permitted height of buildings with frontage on Beach Road by 2 feet to a maximum of 38 feet.

To qualify for the incentives above, projects or additions over 3 units in size must meet the following affordability criteria: 20 percent of the new units must be affordable to households making less than 80 percent of the area median income, and 5 percent of the new units must be affordable to households making between 80 and 120 percent of the area median income.

**Program Requirements and Timeframe:**

- By January 31, 2024, revise PUD Overlay standards to reflect zoning incentives described above

**Quantified Objective:** Facilitate development of 10 affordable to lower and 2 moderate income units in the PUD Overlay

**Primary Responsible Department:** Planning Director, City Attorney

**Funding Source:** General Fund, Staff time

## **Program 2-G SB 10 Ordinance (AFFH)**

Senate Bill 10 (SB 10), enacted into law in 2021, allows local governments a streamlined path to zone infill neighborhoods for light touch, missing middle density at up to ten units per parcel — if they choose. This authorization will require that a legislative body pass a resolution and exempt the zoning action from being considered a project under the California Environmental Quality Act. To be eligible for this local action, an area must be urban infill<sup>1</sup>, consistent with the definition used in Senate Bill 35 (2017).

Through this program, the City will adopt an SB10 overlay with objective standards incorporated to permit property owners the option of developing up to 10 units per parcel if it meets the following criteria:

- Is underutilized (the ratio of assessed land value to improvements is less than 1);
- Is greater than 0.25 acres in size;
- Of the up to 10 units per lot, provides 25 percent of units affordable to lower incomes, and 5 percent of units affordable to moderate incomes.

As indicated in Table A-6 and Figure A-8, there is capacity for approximately 200 units. This strategy serves to increase housing mobility and increase capacity for lower and moderate income units.



**Program Requirements and Timeframe:**

- By January 31, 2024, develop SB 10 Ordinance for public hearing

**Quantified Objective:** Facilitate development of at least 10 affordable units

**Primary Responsible Department:** Planning Director, City Attorney

**Funding Source:** General Fund

**Program 2-H Religious Institutions and Affordable Housing.**

Religious institutions can be valuable partners in providing affordable housing due to their strong community ties, moral commitment to social welfare, and access to resources. These organizations often possess land and facilities that can be repurposed for housing projects and are motivated by their faith-based principles to address the housing needs of vulnerable individuals and families.

Two church sites, the St. Stephens parking lot and the Church of Christ (currently closed), represent possible candidates for higher density housing development to help the City meet its RHNA obligations. Property owners of these sites have also indicated interest in redevelopment with housing. The rationale for this program would be to leverage institutionally owned land for affordable housing and to increase housing mobility/ affirmatively further fair housing, consistent with State law. The resulting density for sites would be at a level deemed affordable for lower income households and therefore all units could be counted toward lower income RHNA.

**Program Requirements and Timeframe:**

- In addition to Program 3-G, which involves adoption of an SB10 overlay, through this program the City will work with the churches to facilitate production of affordable housing projects including by:
  - Providing technical assistance and development support, which may include the preparation of factsheets; introductions to qualified design professionals, construction contractors, property management firms, and affordable housing operators; consultations on navigating the development application process. Provide this program within a year of rezoning action.

**Quantified Objective:** Support congregations in developing at least 5 affordable housing units

**Primary Responsible Department:** Planning Department

**Funding Source:** Staff time, General Fund

**Program 2-I Co-Housing Overlay (AFFH)**

Co-housing is an intentional community of private homes clustered around shared common spaces, such as a communal kitchen, game rooms, laundry facilities, gardens, or recreational spaces. Households have independent incomes and private lives, but neighbors collaboratively plan and manage community activities and share resources like tools and lawnmowers. The legal structure is typically an HOA, Condo Association, or Housing Cooperative. Such communities can help groups of older adults age in place or provide opportunities for intergenerational living. As part of a "housing mobility" strategy to expand the range of housing types in Belvedere, the City will prepare a co-housing zoning overlay and related objective standards to permit the development of co-housing communities on lots of 0.5-acres or more.

**Program Requirements and Timeframe:**

- By 2026, amend Zoning Ordinance to permit co-housing on lots larger than 0.5 acres or more.

**Quantified Objective:** Support development of more diverse housing types and improve housing mobility.

**Primary Responsible Department:** Planning Department

**Funding Source:** Staff time, General Fund

**Program 2-J Implement State Density Bonus Law (AFFH)**

Government Code Section 65915-65918 requires density bonuses for a range of housing projects, including mandating bonuses of up to 80% based on the percentage of affordable units for projects affordable to very low, low, and moderate income households. The City is also required to establish procedures for waiving or modifying development and zoning standards that would otherwise inhibit the utilization of the density bonus on specific sites.

**Program Requirements and Timeframe:**

- Promote and implement the density bonus provisions of State law as an incentive for affordable housing development as part of Program 1-A.

**Quantified Objective:** Update zoning ordinances by June 2024.

**Primary Responsible Department:** Planning Director, City Attorney.

**Funding Source:** Staff time

**Program 2-K      Energy Conservation**

The City will continue to implement energy-efficient standards for new construction and rehabilitation projects, including the California Green Building Standards Code. Information regarding the City's energy-efficiency standards and available programs to assist homeowners and property owners will be made available on the City's website and at the permit counter.

As part of the City's 2022 General Plan Update, the City adopted and committed to implementing its Climate Action Plan, which identify opportunities to reduce greenhouse gas emissions, including energy-efficient measures, through a variety of programs and projects. This effort is consistent with the City's commitment to promoting energy conservation Citywide.

This program outlines the implementation of its Climate Action Plan and the specific actions Belvedere will take towards becoming a sustainable city in the near future.

**Program Requirements and Timeframe:**

- Continue to explore ways to promote energy conservation and sustainability, with a focus on reducing energy usage and energy-related costs in new and existing residential development throughout the community.
- Promoting increased recycling, continued disposal reduction, and support of the green waste recycling program operated through the City's refuse service provider.
- Promoting increased energy efficiency in public and private building as well as increased fuel-efficacy of publicly-owned vehicles.
- Promoting ride sharing and providing support for transit and alternatives to single-occupancy car trips.
- Locating new development near workplaces, existing transit, and community services.
- Provision of educational information to residents on how to improve home energy efficiency and sustainability.
- Continuing to require the installation of solar energy systems in the design of new homes and considering the allowance of minor zoning variations to promote sustainable energy or other environmental goals.
- Promotion of available green rebates and financial incentives for single-family homes, multi-family structures, and commercial properties.

**Quantified Objective:** Continue implementation of the Climate Action Plan. Promotion of energy conservation and development of renewable energy resources

**Primary Responsible Department:** City Manager, Planning Director, Public Works Director, City Council

**Funding Source:** Staff time

**Program 2-L      Development Review and Streamlining Procedures**

To facilitate residential development and to comply with State law, the Municipal Code will be updated to ensure that eligible multi-family projects with an affordable housing component are provided streamlined review and are subject only to objective design standards consistent with relevant provisions of SB 35 and SB 330, as provided for by applicable sections of the Government Code, including but not limited to Sections 65905.5, 65913.4, 65940, 65941.1, 65950, and 66300.

The intent of the revised developmental review and the streamlined approval process is not to eliminate the public's opportunity to comment on projects, rather, it is to establish consistent standards that will help the public frame comments in the context of objective requirements that can be consistently applied to projects and to reduce subjective comments on projects.

**Program Requirements and Timeframe:**

- Within one year of Housing Element adoption, and no later than January 2025, ensure procedures address the streamlining requirements of SB 35 and objective design requirements of SB 330.
- Continue to further develop the City's permit tracking database that includes each project under consideration, the application submittal date, the application completeness date, the application, technical studies and plans submitted, the project status, each hearing date before a decision-making body, the final decision date, and the final decision.
- Within one year of Housing Element adoption, complete a review of the decision timelines of all discretionary applications for a new residential unit or remodel of a residential unit processed since 2020. If the decisions do not conform to the Permit Streamlining Act, the City shall revise its permit processing procedures within three months to ensure compliance with State law.

**Quantified Objective:** Improve development review and streamlining procedures.

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time

**Program 2-M      Water and Sewer Availability**

Water and sewer service are necessary to accommodate residential development. While Marin Municipal Water District (Marin Water) is anticipated to have adequate supply to serve new growth, based on its 2020 Urban Water Management Plan, it is anticipated that its treatment and supply infrastructure will need to be evaluated to identify if improvements are necessary to serve Belvedere's RHNA, as well as the RHNAs of other communities served by Marin Water.

Sanitary District #5 owns and operates wastewater collection infrastructure as well as the wastewater treatment plant which serves Belvedere and a large part of Tiburon. Sanitary District #5 has adequate

capacity to treat the wastewater anticipated with growth accommodated by the RHNA, but site-specific improvements may be necessary to ensure the collection pipes serving the site have adequate capacity to collect and convey wastewater from each site. The City of Belvedere is committed to proactively do what it can to ensure adequate water and sewer capacity are available.

**Program Requirements and Timeframe:**

- In 2024, review Belvedere’s wastewater collection infrastructure Sanitary District #5 and identify any locations that may require improvements to accommodate the RHNA, based on the inventory of residential sites (Appendix A).
- In 2024, coordinate with Marin Water, Marin County, Tiburon, and other agencies served by Marin Water to ensure Marin Water has accurate information regarding the RHNA for each jurisdiction as well as long-term growth plans to ensure that the upcoming Urban Water Management Plan and Water System Master Plan updates address comprehensive and cumulative growth in the region and prioritize accommodating lower income RHNA units and encourage expedited updates to Marin Water’s plans.
- Support Marin Water’s ability to expand its treatment and supply infrastructure capacity, where necessary.
- Coordinate with Sanitary District #5 and Tiburon to ensure the Sanitary District has accurate information regarding the RHNA for each jurisdiction as well as long-term growth plans to ensure that District’s Strategic Plan is updated to address comprehensive and cumulative growth in the region and prioritize accommodating lower income RHNA units.
- Support the Sanitary District’s ability to expand its treatment and supply infrastructure capacity, where necessary.

**Quantified Objective:** Ensure water and sewer service is adequate to serve RHNA development needs.

**Primary Responsible Department:** Planning Director, Public Works Director

**Funding Source:** Staff time

**Program 2-N      Conduct Home Pre Sale Inspections**

Continue to inspect all residential units prior to resale. The inspections indicate zoning violations and point out safety related matters to assure that the units are safe and conform to the Building Code. This code enforcement Program is operated through the City’s Building Enforcement Department and is designed to maintain and improve the quality of the existing housing stock. Issues relating to municipal or state code violations, substandard housing, property maintenance, overgrown vegetations, and improper occupancy are documented and a report is delivered to the appropriate escrow agency prior to property sale.

**Program Requirements and Timeframe:**

- This is a continuation of an effective program from previous Housing Plans.
- Inspect residential units prior to resale to point out safety related matters and conform to the Building Code.
- Documented and delivered a report to the property owner as well as the appropriate escrow agency prior to property sale.

**Quantified Objective:** Maintain health and safety standards before property changes ownership.

**Primary Responsible Department:** Building Enforcement Department

**Funding Source:** Staff time

### **Goal 3      Affirmatively Further Fair and Equal Housing Access and Opportunity**

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#### **Program 3-A      Affirmatively Further Fair Housing (AFFH)**

This program is designed to facilitate equal and fair housing opportunities by outlining specific and meaningful actions to affirmatively further fair housing and to address impediments identified in the Belvedere's Fair Housing Assessment analysis located in Appendix A. In summary, the City of Belvedere offers high opportunity areas but faces challenges providing:

1. Housing Disparity – An inadequate range of housing types and prices suitable for lower income households.
2. Housing Production – A lack of new unit production overall.
3. Land Use Policy – Some zoning and land use regulations that limit the development of diverse and more affordable housing.
4. Displacement Protection – Education and awareness to protect special needs communities.

Providing a greater range of affordable housing can help foster more inclusive communities and increase access to opportunities for persons of color, persons with disabilities, and other protected classes.

Table 4-2 summarizes Belvedere's actions which have been developed to cumulatively address the disparities and issues that were identified in the Belvedere's Fair Housing Assessment analysis. The timeframes and priority levels are added to ensure the implementation of these actions in a timely manner. The priority levels for these actions are defined as follows:

**High Priority.** The contributing factors are those that have a direct and substantial impact on fair housing, and are core municipal functions that the City can control.

**Medium Priority.** The factors are those that have a direct and substantial impact on fair housing, but the City has limited capacity to control their implementation.

**Low Priority.** The factors may have a direct and substantial impact on fair housing choice, but the City lacks capacity to address it, or the factor may have only a slight or indirect impact on fair housing choice.

Belvedere is committed to the necessary actions described in Table 4-2 to meet the State AFFH requirements. This program is specific and detailed to ensure that these actions are implemented in a timely manner to better serve the Belvedere community. These actions are intended to alleviate the main issues identified in Belvedere's Fair Housing Assessment and the City intends to implement these and all the programs during the 2023-2031 planning period. In addition, the City intends to monitor the AFFH actions on an annual basis in conjunction with the preparation of the Annual Progress Report (APR) to ensure the goals are being met. If any action items are not being achieved, the City will adjust its metrics, timeframes, and commitments as necessary to ensure it meets its AFFH goals.

Table 4-2: Fair Housing Issues and Contributing Factors

Priority Level	Fair Housing Issue	Description	Contributing Factor(s)	Meaningful Actions	Geographic Targeting	2023-2031 Metrics and Timing
High	Housing Disparity	The whole of Belvedere meets the definition of RCAA and is designated a high resource area. As such, fair housing access can be improved by providing more opportunities for a wider range of socio-economic diversity in the community, thereby allowing a broader range of people to enjoy greater access to opportunity.	<ul style="list-style-type: none"><li>• Zoning and land use practices resulting in single-family residential neighborhoods that are predominately occupied by White non-Hispanic homeowners with higher median household incomes</li></ul>	<p>Increase supply of affordable housing supply, diversify housing types, and promote housing mobility in Belvedere:</p> <ul style="list-style-type: none"><li>• Create inclusionary housing regulations (Goal 1, Program 1-A)</li><li>• Facilitate the development of ADUs to achieve the 6th Cycle RHNA (Goal 1, Program 1-B)</li><li>• Increase ADU awareness and technical assistance (Goal 1, Program 1-C)</li><li>• Offer deed restricted ADU financial assistance program (Goal 1, Program 1-D)</li><li>• Offer impact fee relief for deed restricted ADUs/JADUs (Goal 1, Program 1-E)</li><li>• Create zoning incentives for deed restricted ADUs/JADUs (Goal 1, Program 1-F)</li><li>• Facilitate SB 9 conversion that allows property owners to build additional units on their residential properties (Goal 1, Program 1-G)</li><li>• Establish Affordable Housing Fund (Goal 1, Program 1-H)</li><li>• Collaborate throughout the County to plan for and provide more housing choices (Goal 1, Program 1-J)</li><li>• Ensure inventory of sites realistically accommodates RHNA throughout planning period (Goal 1, Program 1-L)</li><li>• Conduct home pre sale inspections (Goal 2, Program 2-N)</li><li>• Provide adequate sites for lower income households on nonvacant and vacant sites previously identified (Goal 2, Program 2-A)</li><li>• Evaluate and revise objective design and development standards (Goal 2, Program 2-B)</li><li>• Make zoning ordinance amendments (Goal 2, Program 2-C)</li><li>• Adopt mixed use zoning (Goal 2, Program 2-D)</li><li>• Rezone three parcels to match zoning proposed for The Boardwalk (Goal 2, Program 2-E)</li><li>• Amend PUD Overlay standards to offer zoning incentives in return for an affordability commitment (Goal 2, Program 2-F)</li><li>• Adopt an SB10 overlay with objective standards incorporated to permit up to ten units per parcel (Goal 2, Program 2-G)</li><li>• Partner with religious institutions to leverage institutionally owned land for affordable housing (Goal 2, Program 2-H)</li></ul>	Citywide for all	<ul style="list-style-type: none"><li>• Develop inclusionary requirements that address all new multi-unit housing developments by December 2024 (Goal 1, Program 1-A) that supports creation of 77 lower income units by 2031</li><li>• Develop inclusionary requirements that address secondary residential unit inclusion in any significant remodel or new single-family home by December 2024 (Goal 1, Program 1-A)</li><li>• Initiate an inclusionary housing fee nexus study to document the relationship between residential development and demand for affordable housing, and to determine both the maximum supportable and recommended in-lieu fee amount by 2024 end (Goal 1, Program 1-A)</li><li>• Facilitate the development of 40 secondary units during the period (Goal 1, Program 1-B)</li><li>• Provide technical assistance online by June 2024 (Goal 1, Program 1-B)</li><li>• Conduct outreach campaign and develop list of resources for homeowners by December 2024 (Goal 1, Program 1-C, 1-D)</li><li>• Coordinate with public service employees by June 2024 (Goal 1, Program 1-E)</li><li>• Develop program of fee incentives by December (Goal 1, Program 1-E)</li><li>• Amend zoning code by end of 2024 (Goal 1, Program 1-F)</li><li>• Publish a section within City website regarding property eligibility and a handbook by December 2024 (Goal 1, Program 1-G)</li><li>• Create four new units through SB 9 utilization by 2031 (Goal 1, Program 1-G)</li><li>• Establish an Affordable Housing Development Fund by June 2024, with the goal of supporting development of 77 lower income units (Goal 1, Program 1-H)</li><li>• The City's Planning Department will continue to foster the city's relationship with the Marin Housing Authority to implement a home sharing program to serve extremely low- and very low-income populations. By June 2024. (Goal 1, Program 1-J)</li><li>• Advertise program availability on its website and make materials available at City Hall. June 2024. (Goal 1, Program 1-J)</li><li>• Continue participation in the Marin County Affordable Housing Fund/Permanent Local Housing Allocation (PLHA) process (Goal 1, Program 1-J)</li><li>• In 2024, create a timeline for regional planning efforts identifying the number of years for regional approach to increase housing (Goal 1, Program 1-J)</li><li>• Annually monitor and report on progress made towards RHNA goal of 160 units by 2031 (Goal 1, Program 1-L)</li><li>• Maintain health and safety standards before property changes ownership by inspecting all units prior to resale (Goal 2, Program 2-N).</li><li>• Rezone site by January 31, 2024 (Goal 2, Program 2-A)</li><li>• Conduct analysis of constraints to achieve housing development by June 2024 (Goal 2, Program 2-B)</li></ul>



Table 4-2: Fair Housing Issues and Contributing Factors

Priority Level	Fair Housing Issue	Description	Contributing Factor(s)	Meaningful Actions	Geographic Targeting	2023-2031 Metrics and Timing
				<ul style="list-style-type: none"><li>Implement co-housing overlay (Goal 2, 2-I)</li><li>Implement State Density Bonus Law (Goal 2, Program 2-J)</li><li>Implement energy conservation (Goal 2, Program 2-K)</li><li>Implement development review and streamlining procedures (Goal 2, Program 2-L)</li><li>Ensure water and sewer availability (Goal 2, Program 3-2)</li></ul>		<ul style="list-style-type: none"><li>Complete amendments to the zoning ordinances no later than December 2025 (Goal 2, Program 2-C)</li><li>Amend zoning by January 31, 2024 with the goal of facilitating 19 units of lower income housing capacity within planning period (Goal 2, Program 2-F)</li><li>Amend zoning by January 31, 2024 with the goal of adding 8 units of lower income and 3 units of moderate income housing capacity (Goal 2, Program 2-E)</li><li>Amend PUD Overlay standards by Jan 31, 2024 with the goal of facilitating 10 affordable to lower and 2 moderate income units in the PUD Overlay (Goal 2, Program 2-F)</li><li>Develop SB10 overlay with objective standards for public hearing by Jan 31, 2024 (Goal 2, Program 2-G)</li><li>Support congregations in developing at least five affordable units by 2031 (Goal 2, Program 2-H)</li><li>By 2026, amend Zoning Ordinance to permit co-housing on lots larger than 0.5 acres or more and Support development of more diverse housing types and improve housing mobility 9 (Goal 2, Program 2-I)</li><li>Update zoning ordinances by June 2024 (Goal 2, Program 2-J)</li><li>Continue implementation of Climate Action Plan (Goal 2, Program 2-K)</li><li>Ensure procedures address streamlining requirements of SB 35 and objective design requirements of SB 330 by January 2025 (Goal 2, Program 2-L)</li><li>Ensure water and sewer service is adequate by end of 2024 (Goal 2, Program 2-M)</li></ul>
High	Segregation and In-tegration	Belvedere remains over-whelmingly White.	<ul style="list-style-type: none"><li>Income is the single-most significant barrier to integration, particularly as Non-Whites may have less access to capital and financing.</li><li>Few options for lower income residents in Belvedere and surrounding communities</li></ul>	Support affordable and special needs housing projects: <ul style="list-style-type: none"><li>Offer assistance for extremely low income households and special needs groups (Goal 1, Program 1-I)</li><li>Raise awareness of assistance programs:</li><li>Improve utilization of rental assistance and housing choice vouchers (Goal 1, Program 1-K)</li><li>Increase supply of affordable housing supply, diversify housing types, and promote housing mobility:</li><li>Offer deed restricted ADU financial assistance program (Goal 1, Program 1-D)</li><li>Offer impact fee relief for deed restricted ADUs/JADUs (Goal 1, Program 1-E)</li></ul>	Citywide for all	<ul style="list-style-type: none"><li>Establish financial and regulatory incentives to private and nonprofit developers, specifically for the development of affordable housing for families, seniors, and other special needs populations by December 2024 (Goal 1, Program 1-I).</li><li>Make information regarding the Housing Choice Voucher program on the City website and in City Newsletters by January 2024, and in an annual direct mailing identifying available housing resources to all residents and property owners (Goal 1, Program 1-K).</li><li>In 2024, coordinate with Marin Housing and other Marin County jurisdictions to determine the capacity to develop a Countywide registry of rental units that accept Section 8 vouchers. If capacity and funding for such a program is identified, implement the registry by 2026 (Goal 1, Program 1-K).</li><li>Develop program of fee incentives by December 2024 (Goal 1, Program 1-E)</li><li>Amend zoning code by end of 2024 (Goal 1, Program 1-F)</li></ul>
High	Disproportionate Housing Needs	Cost burden is a major issue for senior renters and low-in-come households in Belve-dere.	<ul style="list-style-type: none"><li>Widening income gap</li><li>Steeply increasing rents and sales prices</li></ul>	Implement anti-displacement measures: <ul style="list-style-type: none"><li>Review and revise reasonable accommodation pro-cedures ordinance as necessary to comply with fair housing law (Goal 3, Program 3-G)</li></ul>	Citywide for all	<ul style="list-style-type: none"><li>Update the City’s reasonable accommodations ordinance by October 2024 (Goal 3, Program 3-G)</li></ul>

Table 4-2: Fair Housing Issues and Contributing Factors

Priority Level	Fair Housing Issue	Description	Contributing Factor(s)	Meaningful Actions	Geographic Targeting	2023-2031 Metrics and Timing
			in Belvedere and the wider Bay Area	<ul style="list-style-type: none"><li>Engage in Countywide efforts to address homeless needs (Goal 3, Program 3-H)</li><li>Adopt a Universal Design standards ordinance (Goal 3, Program 3-I)</li><li>Improve utilization of rental assistance and housing choice vouchers (Goal 1, Program I-K)</li><li>Offer assistance for extremely low income households and special needs groups (Goal 1, Program I-I)</li></ul> Increase supply of affordable housing supply, diversify housing types, and promote housing mobility : <ul style="list-style-type: none"><li>Offer deed restricted ADU financial assistance program (Goal 1, Program I-D)</li><li>Offer impact fee relief for deed restricted ADUs/JADUs (Goal 1, Program I-F)</li></ul>		<ul style="list-style-type: none"><li>Amend the zoning ordinances to address emergency shelters and low barrier navigation systems by January 2024 (Goal 3, Program 3-H)</li><li>Coordinate homelessness at the regional level on ongoing basis (Goal 3, Program 3-H)</li><li>Review and report on potential universal design requirements for housing projects with the City Council considering the report and recommendation by December 2024 (Goal 3, Program 3-I)</li><li>Make information regarding the Housing Choice Voucher program on the City website and in City Newsletters by January 2024, and in an annual direct mailing identifying available housing resources to all residents and property owners (Goal 1, Program I-K).</li><li>In 2023 and 2024, coordinate with Marin Housing and other Marin County jurisdictions to determine the capacity to develop a Countywide registry of rental units that accept Section 8 vouchers. If capacity and funding for such a program is identified, implement the registry by 2026 (Goal 1, Program I-K).</li><li>Develop program of fee incentives by December 2024 (Goal 1, Program I-D)</li><li>Amend zoning code by end of 2024 (Goal 1, Program I-F)</li></ul>
Medium	Enforcement	Although FHANC reports no complaints of discrimination in Belvedere, complaints of discrimination on the basis of disability, national origin, and race are filed annually in Marin County.	<ul style="list-style-type: none"><li>Property manager knowledge/compliance levels</li><li>Access to funding for ADA retrofits</li></ul>	Raise awareness of fair housing rights and connect residents with available resources: <ul style="list-style-type: none"><li>Affirmatively further fair housing (Goal 3, Program 3-A)</li><li>Affirmatively market affordable housing opportunities (Goal 3, Program 3-B)</li><li>Prepare information and conduct outreach on housing issues (Goal 3, Program 3-C)</li><li>Expand workforce housing service area (Goal 3, Program 3-D)</li><li>Provide fair housing services (Goal 3, Program 3-E)</li><li>Implement development and replacement unit requirements (Goal 3, Program 3-F)</li></ul>	Citywide for all	<ul style="list-style-type: none"><li>Conduct outreach, prepare information on available sites, provide technical assistance to housing developers, and annually explore various sources for funding opportunities (Goal 3, Program 3-B)</li><li>Publicize information on various programs, including local, regional, state, and federal housing programs designed to assist low-and-moderate income households and elderly households by January 2025 (Goal 3, Program 3-C)</li><li>Conduct outreach in the community and throughout Tiburon Peninsula and southern Marin by June 2025 (Goal 3, Program 3-C)</li><li>Starting June 2024, annually develop and share fair housing services on City website, through local brochures, and local periodicals (Goal 3, Program 3-E)</li><li>Develop a private-public approach, ongoing (Goal 3, Program 3-F)</li></ul>

### **Program 3-B      Affirmative Marketing of Affordable Housing Opportunities (AFFH)**

All of Belvedere is designated as an area of High or Highest Resource by the California Tax Credit Allocation Committee (CTCAC), which facilitates the investment of private capital into the development of affordable rental housing for low-income Californians. In order to increase access to High/Highest Resource areas for Low, Very Low, and Extremely Low income households and special needs populations (including older adults, the disabled (including developmentally disabled), large households, female-headed households, people experiencing homelessness, and farmworkers), the City will encourage and facilitate affordable housing development in Belvedere.

#### **Program Requirements and Timeframe:**

- Prepare information on available sites and potential opportunities for affordable housing in Belvedere, updating and distributing it annually to affordable housing developers;
- Conduct targeted outreach to housing developers with experience in development projects that include units affordable to extremely low income households and households with special needs;
- Continue to provide technical assistance to housing developers to assist with the development application process;
- Annually explore various sources (e.g., HCD and HUD) for funding opportunities, including those available for housing for extremely low income and special needs households; and
- Support applications for affordable housing funds for projects or programs that are consistent with the goals and objectives of the Housing Element.

**Quantified Objective:** 77 lower income units by 2031

**Primary Responsible Department:** Planning Department

**Funding Source:** General Fund

### **Program 3-C      Prepare Information and Conduct Outreach on Housing Issues (AFFH)**

This program outlines the steps the city will take to coordinate with local businesses, housing advocacy groups, and neighborhood groups in building public understanding and support for workforce and special needs housing.

#### **Program Requirements and Timeframe:**

- Coordinate with local businesses, housing advocacy groups, and neighborhood groups in building public understanding and support for workforce and special needs housing and other issues related to housing.
- By January 2025, publicize information on various programs, including local, regional, state, and federal housing programs designed to assist low- and moderate-income households and elderly households.
- By June 2025 conduct outreach in the community and throughout the Tiburon Peninsula and southern Marin.

**Quantified Objective:** Dissemination of information to and support for lower-income households.

**Primary Responsible Department:** City Manager, Planning Director

**Funding Source:** Staff time

### **Program 3-D Workforce Housing Fund (AFFH)**

Workers providing first responder services, education, health care, and city services ensure community safety and access to essential goods and services. Recently, there has been property owner interest in ways to support affordability agreements for Belvedere and Tiburon peninsula workers making between 80 and 120 percent of the area median income. The City will work to develop a workforce housing fund in partnership with foundations, nonprofits, or other groups and connect interested property owners to this resource.

#### **Program Requirements and Timeframe:**

- By year end 2024, investigate and confirm legality of workforce assisted housing.
- By 2025, connect with regional housing organizations and foundations.
- Contingent upon findings of prior program requirements, develop a workforce housing fund by 2027.
- Prioritize City-assisted or other housing to persons living or working in the Belvedere and Tiburon peninsula area or working for Belvedere service providers (Tiburon Fire District, Reed Union School District, Sanitary #5, etc.).
- As workforce and affordable housing opportunities are developed in Belvedere, provide information regarding housing availability throughout the peninsula. This information shall be provided on an annual basis.

**Quantified Objective:** Should fund for workforce assisted housing be established, prioritize development of 2 units of workforce housing.

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time

### **Program 3-E Fair Housing Services**

This program is designed to ensure that the City provide fair housing services to Belvedere residents. Fair Housing Advocates of Northern California (FHANC) is the designated provider of fair housing and tenant-landlord information in Marin County. FHANC provides fair housing investigation and coordinates referral services to assist individuals who may have been the victims of discrimination.

**Program Requirements and Timeframe:**

- On an annual basis, ensure that the City continues to contract with a qualified provider to provide fair housing services to City residents.
- Refer fair housing complaints to the designated housing provider on an ongoing basis.
- Beginning no later than June 2024, advertise fair housing services on the City's website, and in local periodicals, and place posters and brochures promoting fair housing practices and advertising fair housing services at prominent locations in the City, including City Hall, Belvedere Tiburon Library, a, and review information annually to ensure the information is current.

**Quantified Objective:** Prioritize workforce and affordable housing.

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time

### **Program 3-F Development and Replacement Unit Requirements (AFFH)**

When redevelopment occurs, on sites that currently have residential uses, or within the past five years have had residential uses that have been vacated or demolished, that are or were subject to a recorded covenant, ordinance, or occupied by low or very low income households, replacement units are required to be constructed for all units affordable to the same or lower income level as a condition of any development on all sites described in Appendix A. Replacement requirements shall be consistent with those set forth in paragraph (3) of subdivision (c) of Section 65915.

**Program Requirements and Timeframe:**

- Work with applicants on a specific replacement housing program for the affordable rental units they are proposing to replace. Ongoing.
- Refer fair housing complaints to the designated housing provider on an ongoing basis.

**Quantified Objective:** Public-Private approach to minimize displacement

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time

### **Program 3-G Reasonable Accommodation Procedures (AFFH)**

Belvedere has adopted an ordinance which establishes a process for the City to grant reasonable modifications to the requirements of the zoning and development regulations where necessary to avoid discrimination on the basis of disability, and to ensure persons with disabilities have the same opportunity to enjoy the rights and privileges available to residents or property owners in the same zoning district. The City will review and revise the ordinance as necessary to ensure compliance with fair housing law.

#### **Program Requirements and Timeframe:**

- By October 2024, update the City's reasonable accommodations ordinance to remove constraints to reasonable accommodation by ensuring the City's process is consistent with Federal and State fair housing laws and HCD/Department of Justice guidance, including removal of subjective requirements, findings, and conditions of approval, requiring that any alternative provide the applicant with the opportunity to use the subject dwelling in a manner similar to that afforded under the request, requiring that the applicant be willing to accept any alternative accommodation prior to a decision on the application by the City and providing the applicant with 30 days to appeal the request..
- Promote the City's reasonable accommodation procedures on an ongoing basis through information on the City's website, and at City Hall. Review information and locations annually to make sure information is readily available and update as necessary.

**Quantified Objective:** Confirm compliance of reasonable accommodation ordinance.

**Primary Responsible Department:** Planning Director, City Attorney

**Funding Source:** Staff time

### **Program 3-H Engage in Countywide Efforts to Address Homeless Needs (AFFH)**

The City of Belvedere actively addresses the needs of the unhoused community with local resources and participates in Countywide programs to provide resources to address the needs of the homeless and persons at risk of homelessness, including emergency shelter, transitional housing, supportive housing and permanent housing.

This program outlines how the City will seek to assist with funding for the construction of new shelter facilities or the expansion of existing shelter facilities that are near social services and in geographical areas that can adequately meet the needs of families and individuals experiencing homelessness. Participate and allocate funds, as appropriate, for County and non-profit programs providing emergency shelter and related counseling services.

**Program Requirements and Timeframe:**

- Coordinate and address homelessness at the regional level.
- Continue to provide information on the City’s website about the emergency 211 toll-free call system for information and referral.
- Support implementation of the Homeless Countywide Continuum of Care.
- Amend the zoning ordinances to address emergency shelters and low barrier navigation centers as specified in **Program 3-C**.

**Quantified Objective:** Development of regional facilities that provide emergency shelter.

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time

**Program 3-I Universal Design, “Visitability” (AFFH)**

As much of the City’s housing supply was built before disabled access codes, it is estimated that relatively few units are designed to be accessible residences for the disabled or “visitable” for the disabled. Additionally, as the community’s population continues to age, providing housing that is accessible to people of all abilities becomes increasingly important.

The City requires development projects to comply with accessibility requirements in the California Building Code, as adopted and implemented by Municipal Code Chapter 16.04. The City has not adopted Universal Design standards or a Universal Design ordinance (a set of regulations established by a local government or municipality to promote and ensure the incorporation of universal design principles in the construction and renovation of buildings), including establishing the percentage of units required to be accessible and visitable by a person with a disability, to implement State law.

The goal of universal design program is to accommodate a wide range of abilities including children, aging populations, and persons with disabilities by providing features in residential construction that enhance accessibility. Housing that is “visitable” is accessible at a basic level, enabling persons with disabilities to visit the homes of their friends, relatives, and neighbors.

**Program Requirements and Timeframe:**

- Evaluate and consider adoption of universal design requirements, including a universal design ordinance, for housing development projects.
- Review and report on potential universal design requirements for housing projects, with the City Council considering the report and recommendation no later than December 2024.

**Quantified Objective:** Update existing units or construct new units that are accessible and meet the universal design guidelines.

**Primary Responsible Department:** Planning Director

**Funding Source:** Staff time

## Program Overview and Quantified Objectives

State law requires the Housing Element to include quantified objectives for the maximum number of units that can be constructed, rehabilitated, or conserved. Policies and programs in the Housing Element establish the strategies to achieve these objectives. The City's quantified objectives are described under each program and represent the City's best effort in implementing each of the programs. Assumptions are based on past program performance and funding availability, construction trends, land availability, and future programs that will enhance program effectiveness and achieve full implementation of the City's housing goals.

The new construction objectives shown in Table 4-3 are based on the City's RHNA for the 2023-2031 planning period for lower income, moderate-income, and above moderate-income housing, historic trends, and expectations for new units. Rehabilitation and conservation objectives are based on housing needs identified in Belvedere.

**Table 4-3: Quantified Objectives Summary**

<i>Income Category</i>	<i>New Construction<sup>1</sup></i>	<i>Rehabilitation<sup>2</sup></i>	<i>Conservation/Preservation<sup>3</sup></i>
Extremely Low	24	0	0
Very Low	25	0	0
Low	28	1	0
Moderate	23	2	0
Above Moderate	60	3	56
<b>TOTAL</b>	<b>160</b>	<b>6</b>	<b>0</b>

1. The new construction objective is equal to Belvedere's RHNA allocation.
2. The rehabilitation objective represents the need identified in Appendix B, Needs Assessment.
3. Conservation/Preservation reflects conservation of 56 existing units of rental housing within the PUD overlay

*Source: City of Belvedere*