



COMMUNITY DEVELOPMENT AGENCY
HOUSING AND FEDERAL GRANTS DIVISION

Sarah Bernstein Jones
DIRECTOR

Leelee Thomas
DEPUTY DIRECTOR

Marin County Civic Center
3501 Civic Center Drive
Suite 308
San Rafael, CA 94903
415 473 6269 T
415 473 7880 F
415 473 2255 TTY
www.marincounty.org/plan

M E M O R A N D U M

TO: Planning Commission

**FROM: Molly Kron, Senior Planner
Leelee Thomas, Deputy Director**

DATE: August 28, 2023

RE: 2023 Development Code Amendments

At the Planning Commission Workshop on August 14, 2023, Commissioners requested clarifying information and/or changes to a number of proposed amendments related to the inclusionary housing policies. Listed below are the requested changes. All but one have been incorporated into the updated proposed Development Code amendments provided in Attachment 2. In addition, staff received direct communication from a Commissioner with editorial changes which have been incorporated into Attachment 2.

- Add a definition of *Affordable Housing Impact Fee*.
- Move language describing the mechanism for updating each fee into the definitions (page 2 & 3).
- Clarify that while the Affordable Housing Impact Fee does not apply to projects subject to Inclusionary Housing requirements, other fees may be required, such as In-lieu fees (page 3).
- Consider reinstating “review authority” in place of “Director” in the proposed amendments (page 4).
- Add standards for approving units that are not dispersed throughout the project (page 6).
- Clarify that interior finishes should be similar, but not the same as market rate units to address Commission concern, as this could be a barrier and make housing more expensive (page 6).
- Consider eliminating the term “set aside” from the table headings (pages 8).
- Include who approves the post approval Affordable Housing plan (page 11).
- Clarify what is meant by County or its designee (page 12)
- Consider changing the term “above moderate income” for clarity (page 6 & 8).

The item not included in the update amendments is, “Clarify what is meant by County or its designee (page 12).” After review and further deliberation, staff

recommend maintaining this current language. Sustaining flexibility with this term and not naming any specific designees or contractual relationships is best, as this changes over time.

Further, at its workshop, Commissioners also requested additional information regarding the following items:

- The cost of developing homeownership compared to rental units.
- Information regarding how many units were financed with inclusionary fees.

The requested development costs from the Inclusionary Study are included in Attachment 3. Information on Inclusionary fees collected between 2018 and 2023 and the number of units funded are in Attachment 4.

The recommended amendments and clarifications are included in Attachment 2. A draft Resolution recommending that the Board of Supervisors adopt the amendments is included as Attachment 1.

Attachments:

1. Recommended Resolution
2. Exhibit A: Revised Development Code amendments
3. Development cost assumptions
4. Inclusionary fees generated and number of units invested
5. Packet from August 14, 2023