

# Town of Tiburon STAFF REPORT

AGENDA ITEM \_\_\_\_\_



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TO: **PLANNING COMMISSION**

FROM: **PLANNING MANAGER WATROUS**

SUBJECT: **TEXT AMENDMENTS TO CHAPTER 16 OF THE TIBURON MUNICIPAL CODE (ZONING) ESTABLISHING REGULATIONS FOR AFFORDABLE HOUSING OVERLAY ZONES; FILE NO. Z2006-02**

MEETING DATE: **MARCH 8, 2006** \_\_\_\_\_

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## SUMMARY

The Town's recently-adopted General Plan, *Tiburon 2020*, includes a number of implementation programs which describe actions to be taken by the Town to implement the goals and policies of the General Plan. The State Department of Housing and Community Development (HCD) issued a letter on December 5, 2005 (**Exhibit 2**) finding the Tiburon Housing Element to be in compliance with state law, based on the condition that Programs H19A through H19D be implemented by April of this year.

Programs H-19A through H19D include requirements to prepare incentives for mixed use developments; create density bonus zoning and other development incentives for affordable housing; and make appropriate amendments to the zoning ordinance to implement these programs. In particular, Program H-19C calls for establishment of an Affordable Housing Overlay (AHO) zoning designation.

Two new zoning designations would be created to reflect affordable housing opportunities on properties in certain residential and commercial portions of Tiburon. An *RMP/AHO* zone would be placed on those properties currently zoned RMP (Residential Multiple Planned). An *NC/AHO* zone would be placed on those properties currently zoned NC (Neighborhood Commercial).

## BACKGROUND

The intent of the AHO zones would be to encourage the development of affordable housing within areas of Tiburon deemed to be most appropriate for such uses. The Housing Element listed four sites within the Tiburon town limits as key housing opportunity sites for future affordable housing projects. An Affordable Housing Overlay designation was placed on all of or portions of these four properties:

- 1601 Tiburon Boulevard (Marin County Assessor's Parcel No. 058-171-47; Bank of America site)
- 1535, 1555 & 1599 Tiburon Boulevard (Marin County Assessor's Parcel Nos. 058-171-43, 88 & 89; Bell Market and Washington Mutual bank sites)



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- A portion of 1199 Tiburon Boulevard (Marin County Assessor's Parcel No. 058-151-33; Reed Elementary School site)
- A portion of One Blackfield Drive (Marin County Assessor's Parcel No. 034-212-18; Cove Shopping Center site)

On March 1, 2006, the Town Council approved an amendment to the Tiburon Zoning Map that placed an AHO zone onto these properties to bring their zoning into conformance with the designations contained within the Land Use and Housing Elements for these sites. The portion of the Reed School site is now zoned RMP/AHO and the other three sites have been zoned NC/AHO.

### ANALYSIS

Housing Element Programs H19A-H19D (**Exhibit 3**) list a number of incentives that should be granted to development projects in order to encourage the development of affordable housing in Tiburon. Incentives are provided to development applications that meet certain standards, including the percentage of units affordable to various income levels and special needs populations, and long-term deed restrictions for affordable resale and rents. These incentives include the following:

- Increased densities;
- Increased building heights and flexible lot coverage and setback requirements;
- Allowances for variability in architectural design and interior amenity levels;
- Potential reduction in parking requirements;
- Waiver or reduction of certain fees and priority in application processing.

As noted above, two separate overlay zoning designations are proposed for properties with underlying RMP and NC zoning. In order to establish the RMP/AHO zoning designation, Sections 16-2.8.50 through 16-2.8.53 of the Tiburon Municipal Code (Section 2.8.50-2.8.53 of the zoning ordinance) would be added as shown in the attached **Exhibit 4**. For the NC/AHO zoning designation, Sections 16-2.11.50 through 16-2.11.53 of the Tiburon Municipal Code (Section 2.11.50-2.11.53 of the zoning ordinance) would be added as shown in the attached **Exhibit 5**.

Section 16-2.01.00 ("Zones Established," listing the various zoning designations contained in the zoning ordinance) would also be amended to include references to the new RMP/AHO and NC/AHO zones.



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### ENVIRONMENTAL REVIEW

An EIR for the *Tiburon 2020* General Plan update was certified by the Town Council on September 7, 2005. All of the proposed amendments considered herein are within the scope of the previously certified EIR, wherein no additional review is required.

### FUTURE ACTIONS REQUIRED

The Planning Commission will make a recommendation to the Town Council regarding the proposed amendments. A subsequent public hearing will be scheduled for the Town Council to consider the proposed amendments.

### RECOMMENDATION

It is recommended that the Planning Commission:

1. Hold a public hearing and discuss the proposed amendments to the Tiburon Zoning Ordinance; and
2. Adopt the attached resolution (**Exhibit 1**) recommending approval of these amendments to the Town Council.

### EXHIBITS

1. Draft resolution
2. Letter from State Department of Housing and Community Development, dated December 5, 2005
3. Housing Element Programs H19A through H19D
4. Draft Residential Multiple Planned/Affordable Housing Overlay Zone Regulations
5. Draft Neighborhood Commercial/Affordable Housing Overlay Zone Regulations