

Town of Tiburon STAFF REPORT

AGENDA ITEM _____



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TO: **PLANNING COMMISSION**

FROM: **COMMUNITY DEVELOPMENT DIRECTOR ANDERSON**

SUBJECT: **TEXT AMENDMENTS TO CHAPTER 16 OF THE TIBURON MUNICIPAL CODE (ZONING) AMENDING INCLUSIONARY HOUSING REGULATIONS; 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.

Program H-19D calls for amendments to the zoning ordinance to create incentives for development projects with high percentages of very low and low income dwelling units. In order to accomplish this, Subchapter 6 of the zoning ordinance (Inclusionary Housing) must be amended to include these incentives.

ANALYSIS

The Town's inclusionary housing requirements state that each residential development creating two or more new lots or dwelling units shall provide inclusionary units or shall contribute to the Town's in-lieu housing fund. Many of the proposed amendments to these requirements are the result of a general updating process to make these regulations conform more fully to current State law. In particular, several amendments reflect ongoing changes to State density bonus laws regarding incentives to be offered to affordable housing projects.

Other specific changes to the inclusionary housing requirements would implement specific aspects of Housing Element Programs H19A through H19D. For example, language has been added to recognize the inclusion of special needs households in affordable housing project determinations and the establishment of Affordable Housing Overlay (AHO) zoning designations. A section has also been established which would designate the Marin County Housing Authority as the agency which will administer inclusionary housing programs on behalf of the Town. The amendments would also implement Housing Element Program H-22.

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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 and H-22