

TOWN OF SAN ANSELMO
STAFF REPORT
February 5, 2008

For the meeting of February 12, 2008

TO: Town Council
FROM: Debra Stutsman, Town Manager
Subject: Ross Valley Ecumenical Housing Association

RECOMMENDATION

That Council consider approval of the request from the Ross Valley Ecumenical Housing Association (RVEHA) to waive fees for the upcoming Tam House Rehabilitation Project.

BACKGROUND

The Ross Valley Ecumenical Housing Association has two homes in San Anselmo serving the residential needs of low and very-low income seniors, Tam House and Tam House II. Tam House has been in operation at 34 Tamalpais Avenue for 26 years and the two buildings are in need of major remodeling and upgrading. The plan is to add four bathrooms to create more rooms with private baths, convert the heating to forced air, replace windows with energy efficient models, install a fire sprinkler system, insulate and generally rehabilitate the facility. The letter from the RVEHA requesting a fee waiver for the project is attached (Attachment 1).

DISCUSSION

The objectives of the Town's Housing Element include:

1. Maintain and enhance existing housing and blend well-designed new housing into existing neighborhoods.
2. Use our land efficiently to meet housing needs and to implement smart and sustainable development principles.
3. Provide housing for special needs populations that is coordinated with support services.

Included in the objectives are the following ways of meeting those objectives:

- H1.5 – Protection of existing affordable housing
- H1.6 – Maintenance and management of quality housing and neighborhoods
- H2.2 – Variety of housing choices
- H3.2 – Provision of affordable housing for special needs households
- H3.7 - Homesharing

In particular Section H1.5 provides that “The Town will strive to ensure that affordable housing provided through government subsidy programs, incentives and deed restrictions remains affordable over time, and intervene when possible to help preserve such housing.”

In the Affordable Housing Incentives, page 55, item 5 includes a discussion of reduced fees.

The sections of the Housing Element referred to here are attached as Attachment 2.

ANALYSIS

In 2004 RVEHA began work on a second Tam House, called Tam House II. At that time a request was made to waive the planning and building permit processing fees and road impact fee waivers for the project. On April 13, 2004, that request was approved by the Town Council. The result of that was the waiving of approximately \$20,000 in fees for the project. The fee waiver did not include “pass through” fees such as school fees, consultant plan checks, state seismic fees, or taxes. Resolution 3685 is attached as Attachment 3. Tam House II is now complete and tenants are moving into the facility.

FISCAL IMPACT

RVEHA estimates the cost of the Tam House Rehabilitation Project to be \$375,000, which would result in building, planning and road impact fees of approximately \$9,500, if the fees were not waived.

Respectfully submitted,



Debra Stutsman
Town Manager

Copies: Jerry Knecht, RVEHA

Attachments:

1. Letter dated January 14, 2008 from RVEHA requesting fee waiver
2. Housing Element Policies and Implementing Programs
3. Resolution No. 3685, dated April 13, 2004

Ross Valley Ecumenical Housing Association

Post Office Box 2969 • San Anselmo • CA 94979 • (415)457-5633

January 14, 2008

Members, Town Council
Town of San Anselmo
525 San Anselmo Avenue
San Anselmo, CA 94960

Re: Request for Waiver of Fees for Building Permit and Fire Dept.
Tam House 2008 Rehabilitation Project

Dear Council Members:

Our organization, through its Architect, Jeff Kroot, will shortly be filing an application for a Building Permit for our planned rehabilitation of Tam House. We are requesting a waiver by the Town of the Permit and Fire Department fees on this application.

Tam House has now been 26 years in continuous, successful operation, serving the residential needs of 12 low and very-low income seniors. The two buildings at 34 Tamalpais Avenue now need a major remodeling and upgrading so that we can continue to fulfill our mission in an effective manner. We propose to add four bathrooms to create more rooms with private baths, convert from electric baseboard heating to a forced air system on the second floor, replace the old windows with energy-efficient ones, install a fire sprinkler system, improve insulation and generally rehabilitate the whole facility including new paint outside and in. In numerous ways this is a very "green" job.

We do not propose to change the footprint of the structures or in any other way alter their exteriors, and are advised by the Planning Department that under these circumstances no planning action is required other than a Building Permit.

Under Section H1.5 of the Housing Element of the Town, in the section entitled "Affordable Housing Incentives" (Number 5) you have the discretion -- and indeed are encouraged -- to waive permit fees for affordable housing. Tam House serves only Low and Very-Low Income persons, under the current HUD guidelines for those categories. We operate under a deed restriction containing these requirements, which was placed on the property at the time of its original Community Development Block Grant Funding in 1982.

As might be expected, we are proceeding with this project on a very tight budget. We are commencing a Capital Campaign at this time to raise money in the community for the work, and have three grant applications pending for funding

from Marin Community Foundation and the federal funds sources administered by the County Community Development Agency. If our fund-raising and these grants get us to the point we need, we plan to start construction in July, 2008.

It will be of immense assistance to the cause of affordable housing in San Anselmo in general and to the work of RVEHA in particular for the Council to waive all permit fees for this project. Your having done so for Tam House II was a very significant factor in allowing us to build that project without debt.

We appreciate the solid support the Town has given us through the years, and we pledge ourselves to the continuation, and improvement, of our unique model of assisting deserving seniors.

Very Sincerely,

A handwritten signature in black ink, appearing to read "G. Knecht", written in a cursive style.

Gerald R. Knecht, President

CC: RVEHA Board; Maggi Garloff, Executive Secretary; Jeff Kroot

Housing Policies and Implementing Programs

Housing Objective 1.0

Maintain and Enhance Existing Housing and Blend Well-Designed New Housing into Existing Neighborhoods

H1.1 **Housing Design Process.** The Town will review proposed new housing to achieve excellence in development design in an efficient process.

H1.2 **Design that Fits into the Neighborhood Context.** It is the Town's intent that neighborhood identity and sense of community will be enhanced by designing all new housing to have a sensitive transition of scale and compatibility in form to the surrounding area. New development in existing residential areas shall be of a scale and character complementary to that of the neighborhood in order to protect existing neighborhoods and prevent overbuilding of the property.

H1.3 **Preservation of Residential Units.** In order to protect and conserve the housing stock, the Town will prohibit the conversion of residential units to other uses and regulate, to the extent permitted by law, conversion of rental developments to non-residential uses unless there is a clear public benefit or equivalent housing can be provided.

H1.4 **Condominium Conversions.** Except for limited equity cooperatives and other innovative housing proposals which are affordable to lower income households, the Town will conserve its existing multiple family rental housing by prohibiting conversions of rental developments to condominium ownership unless the effective vacancy rate for available rental units is more than 5%.

H1.5 **Protection of Existing Affordable Housing.** The Town will strive to ensure that affordable housing provided through government subsidy programs, incentives and deed restrictions remains affordable over time, and intervene when possible to help preserve such housing.

Housing Design Principles

The intent in the design of new housing is to provide stable, safe, and attractive neighborhoods through high quality architecture, site planning, and amenities that address the following principles:

- (1) **Reduce the Perception of Building Bulk.** In multi-unit buildings, encourage designs that break up the perceived bulk and minimize the apparent height and size of new buildings, including the use of upper story stepbacks and landscaping. Windows and doors, for example, are an important element of building design and an indicator of overall building quality.
- (2) **Recognize Existing Street Patterns.** Encourage transitions in height and setbacks from adjacent properties to ensure development character and privacy. Design new housing so that it relates to the existing street pattern and creates a sense of neighborliness with surrounding buildings.
- (3) **Minimize the Visual Impact of Parking and Garages.** Discourage home designs in which garages dominate the public façade of the home (e.g. encourage driveways and garages to be located to the side of buildings and recessed, or along rear alleyways or below the building in some higher density developments).
- (4) **Use Quality Building Materials.** Building materials should be high quality, long lasting, durable and energy efficient.


H1.6

Maintenance and Management of Quality Housing and Neighborhoods. The Town will encourage good management practices and the long-term maintenance and improvement of existing housing. The Town will encourage programs to rehabilitate viable older housing and to preserve neighborhood character and, where possible, retain the supply of very low to moderate income housing.

Implementing Programs

H1.A Monitor "At Risk" Units. Identify and monitor assisted properties at risk of conversion to market rates and work with the property owners and/or other parties to ensure that they are conserved as part of the town's affordable housing stock. Identify funding sources and timelines for action, and prepare an ordinance requiring a one-year notice to residents, the Town and the Marin Housing Authority of all proposed conversions of affordable housing units to market rents.

Responsibility: Planning Department; HAT.

Financing: Staff time.

Objectives: Protection of "at risk" housing

Timeframe: Ongoing.

H1.B Implement Rehabilitation and Energy Loan Programs. Coordinate with the Marin Housing Authority and PG&E to make available loan programs to eligible owner-and renter-occupied housing.

Responsibility: Planning Department; Marin Housing Authority; PG&E.

Financing: Staff time.

Objectives: Loans provided to rehabilitate very low and low income housing (8 loans in total, with 4 very low income and 4 low income).

Timeframe: Ongoing.

H1.C Conduct Home Presale Inspections. The Town will 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.

Responsibility: Engineering and Inspection Services Department

Financing: Staff time.

Objectives: 650 presale inspections between January, 1999 and June, 2006.

Timeframe: Ongoing (approximately 100 presale inspections per year).

H1.D Amend Zoning to Protect Existing Housing. The Town will consider amending the Zoning Ordinance to reflect the Housing Element policy of prohibiting the conversion of existing residential units to commercial or office space.

Responsibility: Planning Department; Planning Commission; Town Council

Financing: Staff time.

Objectives: Elimination of conversions of residential units to office or other non-residential uses.

Timeframe: July, 2005

Objective 2.0**Use Our Land Efficiently to Meet Housing Needs and to Implement 'Smart' and Sustainable Development Principles**

H2.1 Housing for Local Workers. The Town will strive to provide an adequate supply and variety of housing opportunities to meet the needs of San Anselmo's workforce and their families, striving to match housing types and affordability, with household income.

H2.2 Variety of Housing Choices. In response to the broad range of housing needs in San Anselmo, the Town will strive to achieve a mix of housing types, densities, affordability levels and designs. The Town will work with developers of non-traditional and innovative housing approaches in financing, design, construction and types of housing that meet local housing needs. Housing opportunities for families with children should not be limited because necessary facilities are not provided on site.

H2.3 Mixed Use Housing. Well-designed mixed use residential/non-residential developments are highly encouraged by the Town where residential use is appropriate to the setting and development impacts can be mitigated. The Town will develop incentives to encourage mixed use development in appropriate locations. In particular, the Town will encourage mixed use projects in the downtown area to provide housing.

H2.4 Redevelopment of Commercial Shopping Areas and Sites. The Town will promote the development of housing in conjunction with the redevelopment of commercial shopping areas and sites when it occurs.

H2.5 High Potential Housing Opportunity Areas. Given the diminishing availability of developable land, the Town will identify housing opportunity areas and sites where a special effort will be made to provide workforce and special needs affordable housing. The Town will take specific actions to promote the development of affordable housing units by the year 2006 on these sites (identified in the Implementing Programs).

H2.6 Retention and Expansion of Multi-Family Sites at Medium and Higher Density. The Town will protect and strive to expand the supply and availability of multi-family infill housing sites for affordable housing, will make the most efficient use of these sites in meeting local housing needs, and will strive to make sites competitive

develop the number of affordable units required within the same community or Planning area. If these options are not practical, then other alternatives of equal value such as in-lieu fees or rehabilitation of existing units may be considered.

H2.12 Payment of In-Lieu Fees. Payment of in-lieu fees will only be accepted when it is determined that transfer of land and/or dedication of units would provide fewer affordable housing units than could be obtained by the expenditure of in-lieu fees on affordable housing development within the Planning area. Fees paid in-lieu of providing units on site shall be of a value proportionally equivalent to the number of units required to be provided. The amount of the fee shall be established by a schedule that is periodically reviewed and updated by the Town Council.

H2.13 Second Dwelling Units. Enable construction of well-designed second units, consistent with parking and street capacity, as an important way to provide affordable housing. Because they provide smaller relatively more affordable housing, the Town shall continue to encourage the construction of new second units and the legalization of existing second units where they will not aggravate or create neighborhood problems.

H2.14 Second Dwelling Unit Development Standards and Permit Process. Utilize the following approach for second dwelling unit development standards and processing: (a) limit the size of second dwelling units to maintain affordability; (b) require

Affordable Housing Incentives

The City will consider the following possible incentives for developments containing a significant percentage of very low or low income units on-site:

- (1) **State Density Bonus Law.** Offer density bonuses of at least 25 percent and at least one other incentive consistent with the State Density Bonus Law (Government Code Section 65915), for developments that include at least: (a) 20 percent of the units for lower-income households; or (b) 10 percent of the units for very low income households; or (c) 50 percent of the units for senior citizens.
- (2) **Parking:** Sites within 0.25 mile of a transit stop may be permitted up to a 30 percent reduction in parking required by current code, and tandem parking or off-site parking alternatives will also be considered.
- (3) **Relationship of Density to Floor Area, Height and Lot Coverage:** Provide flexibility in applying development standards (e.g. parking, floor area, setback, height standards), subject to the type of housing, size and unit mix, location and overall design. Additional density, beyond the maximum permitted, may be appropriate where units are significantly smaller and would have less impacts than the market norm. *(For example in a multiple residential zone where the norm is 1,200 square foot two bedroom units, two 600 square foot units may be permitted).*
- (4) **Facilitating Affordable Housing Development Review.** Affordable housing developments shall receive the highest priority and efforts will be made by staff and decision-makers to: (1) provide technical assistance to potential affordable housing developers in processing requirements, including community involvement; (2) consider project funding and timing needs in the processing and review of the application; and (3) provide prompt turnaround time in determining application completeness.
- (5) **Reduced Fees.** Waive or reduce fees on a sliding scale related to the levels of affordability, such as a rebate of all Planning and Building fees for affordable units based on the proportion of such units in the project. The Town will also work with other agencies, such as MMWD, to reduce fees for affordable housing.
- (6) **Coordination with Other Agencies.** Coordinate with service providers and other agencies as necessary to create opportunities for the development to be built.
- (7) **Potential Housing Trust Funds.** If developed, use Housing Trust Funds as appropriate to achieve greater affordability.

- a. Implementing a density bonus program.
- b. Possible financially equivalent incentives, such as use of trust fund resources, expedited processing, and waived or reduced fees.
- c. Update fee schedules to reduce and/or defer fees to the extent possible for affordable housing, and encourage other agencies to also do so.
- d. Establish "fast track" processing procedures, CEQA processing incentives, and other mechanisms to fit with funding requirements and to facilitate desirable affordable housing projects that have a significant portion of their total floor area committed to housing.

Responsibility: Planning Department; Planning Commission; Town Council.

Financing: Staff time.

Objectives: Create flexibility for well-designed affordable housing development.

Timeframe: Ongoing.

Objective 3.0

Provide Housing for Special Needs Populations that is Coordinated with Support Services

H3.1 Special Needs Groups. The Town will actively promote the development and rehabilitation of housing to meet the needs of special needs groups, including the needs of seniors, people living with disabilities, farmworkers, homeless, people with HIV/AIDS and other illnesses, people in need of mental health care, single parent families, large families, and other persons identified as having special housing needs.

H3.2 Provision of Affordable Housing for Special Needs Households. The Town will work with groups to provide opportunities through affordable housing programs for a variety of affordable housing to be constructed or acquired for special needs groups, including assisted housing and licensed board and care facilities.

H3.3 Density Bonuses for Special Needs Housing. The Town will use density bonuses to assist in meeting special housing needs, housing for lower income elderly and disabled, consistent with roadway capacity and considering parking needs and neighborhood scale. Senior care facilities, including residential care facilities serving more than six people, shall be treated as residential uses subject to inclusionary housing requirements.

H3.4 Housing for the Homeless. Recognizing the lack of resources to set up completely separate systems of care for different groups of people, including homeless-specific services for the homeless or people "at risk" of becoming homeless, the Town will work with other jurisdictions, as appropriate, to develop a fully integrated approach for the broader low-income population. The Town will support countywide programs to provide for a continuum of care for the homeless including emergency shelter, transitional housing, supportive housing and permanent housing.

- H3.5 Rental Assistance Programs.** The Town will continue to publicize and create opportunities for using available rental assistance programs, such as the project-based and tenant-based Section 8 certificates programs, in coordination with the Marin Housing Authority (MHA). The Town will also continue to support the use of Marin Community Foundation funds for affordable housing and continue to participate in the Rebate for Marin Renters program administered through MHA.
- H3.6 Health and Human Services Programs Linkages.** As appropriate to its role, the Town will seek ways to link together all services serving lower income people to provide the most effective response to homeless or at risk individuals by providing a highly responsive set of programs corresponding to the unique needs of all subpopulations which make up the County's homeless population, including adults, families, youth, seniors, and those with mental disabilities, substance abuse problems, HIV/AIDS, physical and developmental disabilities, multiple diagnoses, veterans, victims of domestic violence, farmworkers, and other economically challenged or underemployed workers.
- H3.7 Homesharing.** Encourage shared housing at locations in accord with standards established by the Town for low and moderate income residents without significantly impacting the neighborhood (parking and access).
- H3.8 Emergency Housing Assistance.** Participate and allocate funds for County and non-profit programs providing emergency shelter and related counseling services.

Implementing Programs

H3.A Assure Good Neighborhood Relations Involving Emergency Shelters and Residential Care Facilities. Encourage positive relations between neighborhoods and providers of emergency shelters and residential care facilities. Providers or sponsors of emergency shelters, transitional housing programs and community care facilities will be encouraged to establish outreach programs with their neighborhoods.

Responsibility: Planning Department.

Financing: Staff time.

Objectives: Well-managed facilities.

Timeframe: Ongoing.

H3.B Adaptable Units for the Disabled. The Town will ensure that new housing developments include units that can be adapted for use by disabled residents.

Responsibility: Planning Department; Planning Commission; Town Council.

Financing: Staff time.

Objectives: 3% of the units built by July, 2006 (10 units).

Timeframe: Ongoing.

H3.C Assist in the Effective Use of Available Rental Assistance Programs. Develop and implement measures to make full use of available rental programs.

TOWN OF SAN ANSELMO 3685
TOWN COUNCIL RESOLUTION NO. _____

**A RESOLUTION OF THE SAN ANSELMO TOWN COUNCIL APPROVING
A FEE WAIVER FOR THE PROCESSING OF AN AFFORDABLE HOUSING
PROJECT FOR THE ROSS VALLEY ECUMENICAL HOUSING ASSOCIATION**

WHEREAS, the State of California requires each jurisdiction to prepare, and update from time to time, a local housing element which addresses housing needs of the community; and

WHEREAS, the San Anselmo draft Housing Element provides for incentive programs such as fee reductions and waivers to encourage affordable housing; and

WHEREAS, the Ross Valley Ecumenical Housing Association has applied for various permits for the purpose of constructing affordable senior citizen housing at 61 Woodland Avenue within San Anselmo; and

WHEREAS, the Ross Valley Ecumenical Housing Association has requested fee waivers for required Use, Variance, and Building Permits.

NOW, THEREFORE, BE IT RESOLVED THAT THE SAN ANSELMO TOWN COUNCIL HEREBY:

- a) Determines that an affordable housing project for seniors by the Ross Valley Ecumenical Housing Association represents a public need and benefit to the Town of San Anselmo.
- b) Approves the requested Town planning and building permit processing fee, and street impact fee waivers for an affordable housing project proposed at 61 Woodland Avenue. The fee waiver herein does not include "pass through" fees such as school fees, consultant plan checks, state seismic fees, or taxes.

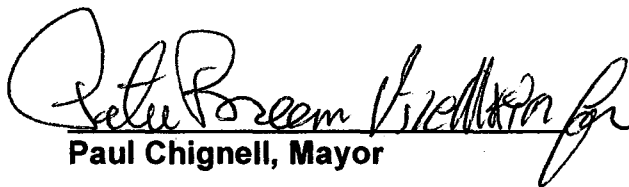
The foregoing resolution was adopted at a regular meeting of the Town Council of the Town of San Anselmo held on the 13th day of April, 2004, by the following vote:

AYES: Breen, Kilkus, and Thornton

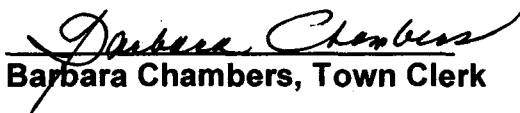
NOES: (none)

ABSTAIN: Kroot

ABSENT: Chignell


Paul Chignell, Mayor

ATTEST:


Barbara Chambers, Town Clerk