

# Hoyt Housing Compliance Review (Marinwood Plaza) Affordable Housing Project Frequently Asked Questions (FAQ)

## Summary

The applicant is proposing to build four, three-story residential apartment buildings, at the site of the former Marinwood Plaza Shopping Center. There would be a total of 125 apartments in the residential buildings (124 affordable homes and one for the property manager). One of the buildings would have a ground floor commercial space, a café that will be open to the public. The existing Marinwood Market will remain.

## Project Size and Affordability

### **Is the applicant pursuing additional units under the State density bonus law?**

No, the applicant is not asking for a density bonus and has proposed 124 affordable units and 1 market-rate unit designated for the property manager which is consistent with the zoning for the site that was considered and adopted in the Housing Element.

### **Is the applicant pursuing any waivers under the State density bonus law?**

Yes, the applicant has applied for waivers to certain development standards. The waivers requested by the applicant can be found in the applicant's "[Affordable Housing Plan](#)" and include a request to waive the area requirements for public plazas (the applicant is proposing a smaller plaza than required) as well as a reduction in the width of sidewalks along Marinwood Avenue. Other waivers include window design, building setbacks, and fencing height along Miller Creek Road. All of the applicant's proposed waivers are currently under review. Because of the number and types of affordable units proposed, the project qualifies for consideration under the State Density Bonus Law for concessions, waivers, and reductions of development standards.

### **How tall is the proposed development?**

The applicant proposes to build four, three-story residential apartment buildings. The buildings would reach a maximum height of 40 feet above grade.

### **How many homes are being proposed here? Will that change?**

The project proposal is for 124 affordable units and is consistent with the County's certified Housing Element. The County cannot require the developer to reduce the number of units proposed with the project as this would be inconsistent with California Housing Law. In addition, 125 units was the total number of units prescribed to this site in the Housing Element.

**Can you provide more information about the proposed plaza and café? Will they be open to the public?**

A public plaza and retail space (a cafe space is contemplated) is proposed along Marinwood Avenue, on the north side of the existing Marinwood Market. The public plaza would contain seating, landscaping, and parking for bicycles.

**What affordability standards are planned for the housing project?**

The proposal shows 124 affordable homes including one-bedroom, two-bedroom, and three-bedroom apartments for rent. The units, constructed by Impact Residential Development and Pacific Housing, would be available to rent for households earning between 30% to 70% of the area median income, which translates to a range of \$52,890 and \$123,410 for a family of three. Examples of local jobs that fit in this income range are a para-educator at the Marin County Office of Education, a teacher at Miller Creek Middle School, and a Marin County Fire dispatcher.

**How will the project be paid for?**

While funding for the project has yet to be secured, the project applicant will use a variety of funding sources such as bonds and tax credits. In addition, the project applicant has submitted an application for funding to the Marin County Housing Trust Fund that is under review.

**Can there be any demographic preferences of who is eligible to apply to live in these homes aside from income eligibility?**

Under California and federal law, affordable housing eligibility cannot include demographic preferences that discriminate against protected classes, such as age, race, familial status, or occupation. Eligibility criteria is typically based on income, and applicants must provide annual proof of income to qualify. While rental application requirements can vary by developer and property manager, they must adhere to these non-discrimination standards. There will be a property manager who will live on-site.

**How can I apply for a unit at Marinwood?**

When construction is started, the Developer will start an interest list. Applicants will work with the property manager to ensure that they meet the eligibility requirements for the property. Eligibility can be based on factors such as income and household size. Applicants should be prepared to provide documentation verifying eligibility.

## Project Application Status

**What is the status of the project?**

The application was deemed complete by the Planning Department on October 9, 2024, and this completeness determination included review from related agencies: Public Works, Marinwood Fire Department, Las Gallinas Valley Sanitary District, and the Marin Municipal Water District. This means the application, along with its supporting technical reports and plans, includes all necessary information for agencies to evaluate the project. The next step is a

merits review to assess the project's alignment with County codes and regulations, which is currently underway.

If the project is consistent with County requirements, a Housing Compliance Review permit for the project will be issued by the Planning Department within 60 days from October 9, when the application was deemed complete. Once a Housing Compliance Review permit has been issued for the project, the applicant can apply for building permits. The applicant is still seeking financing for the project and the site remains under a San Francisco Water Quality Control Board (Regional Water Board) remediation order, at this time, the applicant's acquisition of the property from the current owner is contingent on the remediation being deemed complete by the Regional Water Board.

#### **When was the project application received?**

On April 15, 2024, the applicant submitted a Housing Compliance Review application to the County's Planning Department. Since the April submittal, the County has been reviewing the application and subsequent submittals from the applicant to determine if the application is "complete" for processing. This completeness determination was made on October 9, 2024.

#### **What is the County's ability to deny or downsize this housing project?**

State law limits the County's ability to deny or downsize any housing proposal. Further, in the case of this project, the site was identified as a location that should accommodate 125 units that could be developed as affordable rental housing during the countywide process of planning for housing; zoning was approved that could accommodate that development under the Housing Element in January 2023. Housing sites in the housing plan were carefully considered, and the Marinwood and Lucas Valley communities weighed in extensively on the selection of sites. If a project is included in the housing plan and a Housing Compliance Review process finds the project to be consistent with County policies and regulations, then it will be approved by Community Development Agency.

### **Environmental Aspects**

#### **Did this specific site undergo an Environmental Impact Report (EIR)?**

While the site did not undergo a site-specific EIR, the site was part of the [EIR for the Housing Element](#) and additional environmental review is not required. Any work on this site must follow California environmental regulations and must meet codified standards for health and safety.

#### **How can this development occur while there are still toxic materials in the soil?**

This site is under an existing [San Francisco Water Quality Control Board \(Regional Water Board\) remediation order](#) due to soil and groundwater contamination from a former dry-cleaning business at this location. The Regional Water Board has ongoing regulatory authority over the remediation of this site and monitors the ongoing mitigation work being done by the property owner. At this time, the applicant's acquisition of the property from the current owner is contingent on the remediation being deemed complete, by the Regional Water Board. The latest estimate given by the Regional Water Board for the completion of remediation activities

is early 2027. Housing development cannot occur at the site until the Regional Water Board says that their requirements have been satisfied.

**How will the new development affect water availability?** The local water provider, Marin Municipal Water District (Marin Water) will review the project to make sure there is adequate water to serve the project. According to Marin Water, the daily water use is less in a home within a multi-unit development compared to a single-family home.

**What are the open spaces for residents?**

Two open spaces for residents are proposed, one to the north (towards Miller Creek Road) of proposed Building D, as well as another area between Buildings C and A. Both open space areas would contain picnic tables and seating areas. Additionally, the project is surrounded by the parks and open space.

**Is the project in a high-fire hazard area?**

No, the project site is not in a high fire hazard severity zone area.

**What is the County's plan for evacuation and fire protection efforts in the area?**

The local fire agency having jurisdiction (Marinwood Fire) will evaluate the project prior to Building Permit approval to ensure access/egress is adequate as well as water supply. Any new structure will be built to contemporary California Building Code requirements. The proximity of this project to HWY 101 and wide feeder roads provides easy access in multiple directions in the event of an evacuation.

## School Impacts

**How can new housing be added when the Miller Creek Elementary School District and San Rafael City Schools District have funding challenges now?**

The Marin County Community Development Agency has a communications agreement with the Miller Creek School District and the San Rafael City Schools District to share information about any applications for 10+ units of housing in the Districts, to allow the Districts time to plan for new students. School districts forecast enrollment, which is why we've established concrete steps to coordinate with the schools.

When taking the average student generation rate for the Miller Creek School District, 125 units equals about 27 new students across all grade levels for the Miller Creek School District, TK-8<sup>th</sup> grade. The current district boundaries indicate these new students would likely attend Mary E. Silveira Elementary and Miller Creek Middle. When taking the average student generation rate for San Rafael City Schools, 125 units equals about 11 new students across all high school grade level. San Rafael City Schools has two high school options, Terra Linda High and San Rafael High.

## Parking and Roadway

**Will a traffic study be conducted?**

The applicant has prepared a transportation study to assess traffic delays and queues that is currently under review with the County's Department of Public Works Land Development and Traffic Divisions.

**Will a parking study be conducted? How will parking be enforced?**

The applicant provided a "Parking Needs Assessment" that was reviewed by the Department of Public Works. The applicant is proposing 125 parking spaces (1 space per residential unit) which leaves 64 onsite parking spaces to be shared with the market. The parking proposed complies with the County's Form Based Code requirements. Additional street parking is also available to be shared among all. On public streets in unincorporated Marin, the parking regulations require that vehicles be moved every 72 hours and at least 500 feet. This is enforced by the Marin County Sheriff's Office Traffic Division.

**Are improvements to Marinwood Avenue being considered?**

The project applicant is proposing a Class II bike lane on Marinwood Avenue. Separate from the project, the County is evaluating Marinwood Avenue and surrounding roadways. The County is looking at what multi-modal improvements throughout Marinwood may be possible in the County right-of-way to improve pedestrian and cyclist safety, meet our County Bike and Pedestrian Plan goals, and reduce traffic congestion in the area.

**Are there transit services in Marinwood?**

[Marin Transit Route 57](#) has a stop on the corner of Miller Creek Road and Marinwood Avenue that goes to Novato and San Rafael. [Golden Gate Transit](#) has a stop at the Marinwood Bus Pad along Highway 101.

## Construction

**How will neighbors of the project know when the developer begins work or undertakes construction activities?**

The applicant has provided a preliminary construction management plan that provides information on the project schedule and construction phasing. A more detailed construction management plan will be required once the applicant applies for project building permits, and the more detailed plan will include information on construction notification to neighboring properties such as the Casa Marinwood HOA. The County will ensure there is an opportunity for neighbors to view the constructions management plan.

**Once this plan is approved by the Community Development Agency, when will the developer begin work on the Marinwood site?**

Prior to starting construction of the project, the applicant must obtain approval of all necessary building permits from the County as well as clearance from the Regional Water Board that contamination at the site has been sufficiently remediated. The most recent estimate given by the Regional Water Board for the completion of remediation is early 2027.

## Community Engagement

### **Can community input change the project?**

Community feedback will help inform the developer and the County in considering further aspects of the project and can help the County understand where to focus efforts and resources to best accommodate new housing and support community needs. If the project complies with the County's policies and regulations, it must be approved by the Community Development Agency. The Housing Accountability Act and State density bonus law has guardrails for the County's ability to deny, downsize, or slow down the project. Community members are welcome to review the project plans and provide feedback, this [project planning page](#) includes contact information for the Community Development Agency and the project applicant.

### **What was the purpose of the [October 15 open house](#) planned by the Community Development Agency?**

The open house was an opportunity for the community to learn more about the details of the project, and for staff and the developer to hear from the community. County staff, the project applicant, and related agencies were available to answer questions, and the community could provide comments and inform the developer of any concerns. This FAQ is informed in part by the comments received at the open house.

### **How can I participate, get more information, and stay informed?**

You can view the latest updates and subscribe to the County's project webpage: [www.marincounty.org/depts/cd/divisions/planning/projects/san-rafael-lucas-valley/hoyt\\_hcr\\_p4478\\_lv](http://www.marincounty.org/depts/cd/divisions/planning/projects/san-rafael-lucas-valley/hoyt_hcr_p4478_lv)

This webpage will be updated regularly as new information is available. If you have questions about the project, please get in touch with Michelle Levenson, the planner who is processing the Housing Compliance Review application, at (415) 473-3615 or via email at [Michelle.Levenson@MarinCounty.gov](mailto:Michelle.Levenson@MarinCounty.gov).



# Incomes & Affordable Housing in Marin (2024)

The Marinwood development will provide affordable housing to families and individuals who are considered low income. In Marin, this equates to a household of three making between \$52,890 and \$123,410 annually. To be considered affordable, housing costs should generally not exceed 30% of a household's gross income.

The following tables provide examples of local jobs and earnings across various income levels that will be included in the project, including extremely low-income (30% of area median income), very low-income (50% of area median income) and low-income (70% area median income). The units will include 1 bedroom/1 bathroom, 2 bedroom/2 bathroom and 3 bedroom/3 bathroom and will be available to all members of the public.

## 70% AMI (Low-Income)

Unit Size	Household Size	AMI at Household Size	Rent	Job Example and Annual Gross Income
1 bed/ 1 bath	1 (adult)	\$95,970	\$2,570	<b>\$94,907</b> County Public Defense Investigator I
2 bed/ 2 bath	2 (adults)	\$109,690	\$3,085	<b>\$109,482</b> Pet Food Express Assistant Manager, \$51,480; and Kaiser Medical Assistant, \$58,000
	3 (2 adults, 1 child)	\$123,410	\$3,085	<b>\$120,928</b> Miller Creek School District Transportation Supervisor, \$69,628; and Mental Health Counselor, \$51,300
3 bed/ 2 bath	3 (2 adults, 1 child)	\$123,410	\$3,563	<b>\$123,220</b> City of San Rafael Admin Assistant I, \$62,220; and Kaiser Pharmacy Technician, \$61,000
	4 (2 adults, 2 children)	\$137,060	\$3,563	<b>\$136,234</b> County Fire Dispatcher, \$74,017; and City of San Rafael Admin Assistant I, \$62,220

### 50% AMI (Very Low-Income)

Unit Size	Household Size	AMI at Household Size	Rent	Job Example and Annual Gross Income
1 bed/ 1 bath	1 (adult)	\$68,550	\$1,836	<b>\$67,983</b> Miller Creek School District Executive Assistant to the Superintendent
2 bed/ 2 bath	2 (adults)	\$78,350	\$2,203	<b>\$78,000</b> Sprouts Market Grocery Clerk (part-time) \$28,080; and Personal Caregiver \$49,920
	3 (2 adults, 1 child)	\$88,150	\$2,203	<b>\$87,360</b> AC Hotel Front Desk \$43,680; and Trader Joe's Crew, \$43,680
3 bed/ 2 bath	3 (2 adults, 1 child)	\$88,150	\$2,545	<b>\$87,750</b> San Rafael City Elementary Teacher Step 1, \$60,840; and Peet's Barista (part-time), \$26,910
	4 (2 adults, 2 children)	\$97,900	\$2,545	<b>\$95,638</b> County Library Aide, \$39,010; and County Behavioral Health Care Assistant, \$56,628

### 30% AMI (Extremely Low-Income)

Unit Size	Household Size	Income at Household Size	Rent	Job Example and Annual Gross Income
1 bed/ 1 bath	1 (adult)	\$41,130	\$1,101	<b>\$39,520</b> Whole Foods Grocery Stocker
2 bed/ 2 bath	2 (adults)	\$47,010	\$1,322	<b>\$46,978</b> Cinemark Theatre Maintenance (part-time) \$28,174; and City of San Rafael Childcare Recreation Leader (part-time) \$18,804
	3 (2 adults, 1 child)	\$52,890	\$1,322	<b>\$51,220</b> Circle K Customer Service Rep \$33,280; and Daycare Preschool Teacher (part-time), \$17,940
3 bed/ 2 bath	3 (2 adults, 1 child)	\$52,890	\$1,527	<b>\$52,780</b> Marin County Mart Retail Sales Associate (part-time), \$24,700; and United Market Cashier (part-time), \$28,080
	4 (2 adults, 2 children)	\$58,740	\$1,527	<b>\$55,286</b> Cinemark Theatre Team Member (part-time) \$24,086; and Chipotle Crew Member (part-time) \$31,200