

RESOLUTION NO. 2023-131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING THE FINAL SIXTH CYCLE HOUSING ELEMENT AND FORWARD IT TO STATE HCD TO BEGIN A SIXTY (60)-DAY REVIEW PERIOD AND FIND THE PROJECT EXEMPT FROM CEQA PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES.

WHEREAS, the City of Marina (City) desires to complete the Sixth Cycle Housing Element, and;

WHEREAS, completion of the Sixth Cycle Housing Element will ensure the City's Regional Housing Needs Allocation (RHNA) obligations as identified by the California Department of Housing and Community Development (State HCD) and the Association of Monterey Bay Area Governments (AMBAG) are met by December 2031, and

WHEREAS, on November 30, 2023, at a duly noticed public hearing Planning Commission recommended the City Council review the Final Housing Element document, and forward to State HCD; and

WHEREAS, the City of Marina currently has enough available sites and appropriate zoning to accommodate the RHNA without zoning or land use changes. Therefore, it would not facilitate increased development beyond what is allowed in the existing General Plan; and

WHEREAS, the Final Housing Element would not facilitate specific development projects nor require zoning or land use changes as part of its adoption or implementation, which could result in physical changes to the environment; and

WHEREAS, the Housing Element would not result in a direct or reasonably foreseeable indirect physical change in the environment, and it is not subject to CEQA, pursuant to CEQA Guidelines Section 15060(c)(2). Additionally, it can be seen with certainty that there is no possibility that the Housing Element would have a significant effect on the environment and therefore is not subject to CEQA, pursuant to CEQA Guidelines Section 15061(b)(3). As such, the proposed Housing Element meets the criteria for the commonsense exemption; and

WHEREAS, all the requirements of the Public Resources Code, the State CEQA Guidelines, and the regulations and policies of the City have been satisfied or complied with by the City in connection with the Project; and

WHEREAS, the findings and conclusions made by the City Council in this resolution are based upon the oral and written evidence presented as well as the entirety of the administrative record for the proposed Project, which is incorporated herein by this reference.

WHEREAS, the location and custodian of the documents or other materials which constitute the record of proceedings upon the City Council's decision are located in the Office of City Clerk; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY RESOLVE AS FOLLOWS:

1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.
2. Recommend staff incorporate by reference appropriate comments received from the Commission and City Council into the draft Housing Element; and
3. Recommend that the City Council review the draft Housing Element and direct staff to forward onto the California Department of Housing and Community Development to being a sixty (60) day review period.
4. Recommend that minor or non-substantive edits received from HCD after this sixty-day review period are incorporated by the City Manager or his designee by reference into the document.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5th of December 2023 by the following vote:

AYES, COUNCILMEMBERS: Visscher, McCarthy, Biala, Medina Dirksen, Delgado

NOES, COUNCILMEMBERS: None

ABSENT, COUNCILMEMBERS: None

ABSTAIN, COUNCILMEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

EXHIBIT A

FINDINGS

Staff finds that this project is:

Consistent with the General Plan

- 1) General Plan Policy 2.28 states-Under California law, each community also has the responsibility to provide housing affordable to all income groups. The California Department of Housing and Community Development assigns a share of what it projects to be the statewide housing need to each region in the state. In the Monterey Bay area, AMBAG then allocates the region's statewide share to local jurisdictions through its Regional Housing Needs Plan. These housing targets are subsequently incorporated into the jurisdictions' general plans through updates of their housing elements. Through implementation of its Housing Element policies and programs, Marina will continue to enhance the local supply of affordable housing and meet the housing needs of special-needs populations.

Evidence: By providing for units at the very low, low, moderate and above moderate-income levels the City of Marina will be implementing the Regional Housing Needs Allocation RHNA plan as provided for by the Association of Monterey Bay Area Governments (AMBAG).

- 2) General Plan Policy 2.31 (1)(a)- In order to promote the social and fiscal well-being of the community, new housing shall be phased and shall provide for the needs of all economic groups, particularly with respect to matching the needs of the City's current and future workforce.

Evidence: The draft Housing Element provides for an eight-year plan to ensure housing is provided for the current and future workforce.

- 3) General Plan Policy 2.31(2)-To ensure that housing continues to be available to households of lower income in Marina, affordable housing shall be provided pursuant to the inclusionary housing requirement of the Housing Element of this plan.

Evidence: The City is currently implementing the Inclusionary Housing Ordinance to mandate housing for households of lower income.

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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October 26, 2023

Guido Persicone, Director
Community Development Department
City of Marina
211 Hillcrest Avenue
Marina, CA 93933

Dear Guido Persicone:

RE: City of Marina's 6th Cycle (2023-2031) Draft Housing Element

Thank you for submitting the City of Marina's draft housing element received for review on July 31, 2023, along with revisions received on October 11, 2023. The review was facilitated by a conversation on September 14, 2023, with you, Veronica Tam, Ryan Russell, and Kimiko Lizardi. In addition, the California Department of Housing and Community Development (HCD) considered comments from David Kellogg, 350 Contra Costa, Greenbelt Alliance, CaRLA, Scott O'Neil, Watson Ladd, Marven Normal, Dara Dadachanji, George Grohwin, and LandWatch pursuant to Government Code section 65585, subdivision (c). Pursuant to Government Code section 65585, HCD is reporting the results of its review.

The draft element, with revisions, addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Gov. Code, § 65580 et seq), as follows:

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction (Gov. Code, § 65583, subd. (c)(10)(A))*

Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics ... (Gov. Code, § 65583, subd. (c)(5).)

Patterns and Trends: While the element provides current information regarding familial status, the element must also incorporate and analyze past data on familial status to fully describe the impacts of familial status on fair housing choice and opportunity.

Goals, Priorities, Metrics, and Milestones: The element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization, and displacement protection.

2. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services...(Gov. Code, § 65583, subd. (c)(1).)

Progress in Meeting the Regional Housing Need Allocation (RHNA): The element identifies the Marina Station Specific Plan as a significant strategy to meet the RHNA. Given the reliance on pending developments to accommodate the RHNA, future submittals of the housing element should include up-to-date information on the processing of building permits for Phases 1 and 2 of the Specific Plan. In addition, the element should include a program that commits to monitor the progress of projects toward completion in the planning period, including alternative actions such as rezoning or identification of additional sites if pending projects are not progressing toward completion in the planning period.

Infrastructure: While the element includes Program 8.1 (Collaboration with Water Resource Agencies) to maintain sufficient water resources, the Program should include discrete timelines for implementation throughout the planning period.

In addition, the element acknowledges, and HCD has received comments, regarding the transfer of water outside of the MCWD service district. The element should clarify any impact on identified sites and pipeline projects, and add a program, if necessary, that will commit to frequent monitoring (every other year) and completion of appropriate alternative actions by a specified date.

Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD.

Please see HCD's housing element webpage at <https://www.hcd.ca.gov/community-development/housing-element/index.shtml#element> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Zoning for a Variety of Housing Types:

- *Emergency Shelters:* While the element provides general information on emergency shelters, it must also describe how it complies with the requirements of Assembly Bill 2339 (2022). Among other changes, this amendment to Government Code section 65583, subdivision (a)(4) expands the definition of “emergency shelters”, specifies the type of zoning designations that must be identified to allow emergency shelters as a permitted use without a conditional use or discretionary permit, and demonstrate the appropriateness of sites to accommodate emergency shelters, including analyzing proximity to transportation and services. The element must add a program demonstrating compliance with these requirements.
- *Accessory Dwelling Units (ADUs):* While the element provides information on the zones where ADUs are permitted, there appear to be zones where residential uses are permitted and ADUs are not permitted. Specifically, the C-R, C-1, and C-2 zones allow for residential uses, but do not allow for ADUs; Program 2.1 (Accessory Dwelling Units) does not appear to make any zoning changes. As a result, the element must add or modify programs to amend zoning and comply with State ADU Law.

Programs: Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites, zoning available to encourage a variety of housing types, or potential lack of adequate infrastructure.

3. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels... including... local processing and permit procedures...(Gov. Code, § 65583, subd. (a)(5).)*

Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities...(Gov. Code, § 65583, subd. (c)(3).)

Processing and Permit Procedures: The element (p. 1-62) states that with the adoption of the Downtown Vitalization Specific Plan (DVSP), the conditional use

permit (CUP) process will no longer be needed in the DVSP. However, this conclusion does not fully analyze the CUP process as a potential constraint for development outside of the DVSP and for particular housing types, such as Single-Room Occupancy units (SRO). As a result, the element should still analyze the CUP process as a potential constraint, including listing and analyzing approval findings, approval authority, appeal processes and impacts on approval certainty, timing, cost, supply (number of units) and feasibility. Based on the outcomes of a complete analysis, the element should add or modify programs to address constraints, including removing, replacing, or modifying the CUP requirement.

The element will meet the statutory requirements of State Housing Element Law once it has been revised and adopted to substantially comply with the above requirements pursuant to Government Code section 65585.

Public participation in the development, adoption, and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

Guido Persicone, Director
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For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the diligent efforts and outstanding dedication your team provided in the preparation of the City's housing element. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Mao Lee, of our staff, at Mao.Lee@hcd.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul McDougall", with a stylized flourish at the end.

Paul McDougall
Senior Program Manager

HCD Comment	Response	Page Number
Patterns and Trends: While the element provides current information regarding familial status, the element must also incorporate and analyze past data on familial status to fully describe the impacts of familial status on fair housing choice and opportunity.	The Housing Element was revised to provide a comparison of past and present data on familial status within the region and locally.	Pg. A-25
Goals, Priorities, Metrics, and Milestones: The element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitment, metrics, and milestones as appropriate and must address housing mobility enhancement, new housing choices and affordability in high opportunity areas, place-based strategies for community preservation and revitalization, and displacement protection.	The additional analysis of trends of familial status did not result in any additional fair housing issues that required updates to meaningful actions or programs within the Housing Element	n/a
Progress in Meeting the Regional Housing Need Allocation (RHNA): The element identifies the Marina Station Specific Plan as a significant strategy to meet the RHNA. Given the reliance on pending developments to accommodate the RHNA, future submittals of the housing element should include up-to-date information on the processing of building permits for Phases 1 and 2 of the Specific Plan. In addition, the element should include a program that commits to monitor the progress of projects toward completion in the planning period, including alternative actions such as rezoning or identification of	The Housing Element was revised to include up-to-date information on the processing of building permits for Phases 1 and 2 of the Specific Plan, which are now expected by the Summer of 2024. An objective to Program 1.1 was added to the Housing Action Plan to monitor the progress of housing projects and ensure there are adequate sites throughout the planning period.	Pg. 3-3

HCD Comment	Response	Page Number
additional sites if pending projects are not progressing toward completion in the planning period.	The Housing Element was revised to include information on MCWD's service capabilities related to identified pipeline projects and identified sites. The Element clarifies that MCWD has sufficient water available for service and that no inventory sites or pipeline projects were included which would result in the need for water credit transfer.	Pg. 2-11
Infrastructure: While the element includes Program 8.1 (Collaboration with Water Resource Agencies) to maintain sufficient water resources, the Program should include discrete timelines for implementation throughout the planning period. In addition, the element acknowledges, and HCD has received comments, regarding the transfer of water outside of the MCWD service district. The element should clarify any impact on identified sites and pipeline projects, and add a program, if necessary, that will commit to frequent monitoring (every other year) and completion of appropriate alternative actions by a specified date.		
Zoning for a Variety of Housing Types: Emergency Shelters: While the element provides general information on emergency shelters, it must also describe how it complies with the requirements of Assembly Bill 2339 (2022). Among other changes, this amendment to Government Code section 65583, subdivision (a)(4) expands the definition of "emergency shelters", specifies the type of zoning designations that must be identified to allow emergency shelters as a permitted use without a conditional use or discretionary permit, and demonstrate the appropriateness of sites to accommodate emergency shelters, including analyzing proximity to transportation and services. The element must add a program demonstrating compliance with these requirements.	Emergency Shelters – The Housing Element has been revised to show that the Element's approach for emergency shelters complies with AB 2339 by clarifying that by-right emergency shelters do not require discretionary review. The Housing Element now further describes that the locations appropriate for emergency shelters are in locations where there is access to public transportation, facilities, supportive services, and amenities. Program 7.1 was revised to ensure AB 2339 compliance by specifying the zones in which emergency shelters are permitted by-right and without discretionary review, amends the Zoning Ordinance to expand the definition of an emergency shelter and ensures that emergency shelters be permitted by-right without discretionary review.	Pg. 1-46 Pg. 3-12

HCD Comment	Response	Page Number
Zoning for a Variety of Housing Types: Accessory Dwelling Units (ADUs): While the element provides information on the zones where ADUs are permitted, there appear to be zones where residential uses are permitted and ADUs are not permitted. Specifically, the C-R, C-1, and C-2 zones allow for residential uses, but do not allow for ADUs; Program 2.1 (Accessory Dwelling Units) does not appear to make any zoning changes. As a result, the element must add or modify programs to amend zoning and comply with State ADU Law.	The Housing Element's Program 3.1 was revised to include that the Zoning Ordinance be amended to ensure ADUs be permitted in all zones in which residential uses are permitted, which includes the C-R, C-1 and C-2 zones.	Pg. 3-8
Programs: Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites, zoning available to encourage a variety of housing types, or potential lack of adequate infrastructure.	Program 1.1 was revised to include an objective for the City to monitor pending projects and ensure they have adequate sites throughout the planning period.	Pg. 3-3
Processing and Permit Procedures: The element (p. 1-62) states that with the adoption of the Downtown Vitalization Specific Plan (DVSP), the conditional use permit (CUP) process will no longer be needed in the DVSP. However, this conclusion does not fully analyze the CUP process as a potential constraint for development outside of the DVSP and for particular housing types, such as Single-Room Occupancy units (SRO). As a result, the element should still analyze the CUP process as a potential constraint, including listing and analyzing approval findings, approval authority, appeal processes and impacts on approval certainty, timing, cost, supply (number of units) and feasibility. Based on the outcomes of a complete analysis, the element should add or modify programs to	The Housing Element was revised to include analysis on the CUP process in zoning districts outside of the DVSP area. The analysis determined that Program 7.1 which removes CUP requirements for certain housing types, does not address CUP requirements for Single-Room Occupancy units (SRO). In order to ensure certainty and objectivity, the Housing Element was also revised to remove this CUP restraint for SROs.	Pg. 1-62 Pg. 3-13

HCD Comment	Response	Page Number
address constraints, including removing, replacing, or modifying the CUP requirement.		



City of Marina

2023–2031 Housing Element Update

November 2023



Manufactured Housing

State law requires local governments to permit manufactured or mobile homes meeting federal safety and construction standards on a permanent foundation in all single-family residential zoning districts (Section 65852.3 of the California Government Code). There are no constraints on the location of factory-built housing since they are permitted in any zone accommodating single-family homes. Mobile homes are located within mobile home parks and building permits are routinely issued for the installation of new mobile homes, generally replacing previous mobile homes. Mobile home parks are conditionally permitted in the R-4 zoning district.

Residential Care Facilities

The Lanterman Developmental Disabilities Services Act (Sections 5115 and 5116) of the California Welfare and Institutions Code declares that mentally and physically disabled persons are entitled to live in normal residential surroundings. The use of property for the care of six or fewer mentally disordered or otherwise handicapped persons is allowed by law. A State-authorized, certified or authorized family care home, foster home, or group home serving six or fewer persons with disabilities or dependent and neglected children on a 24-hour-a-day basis is considered a residential use to be permitted in all residential zones. No local agency can impose stricter zoning or building and safety standards on these homes (commonly referred to as “group” homes) of six or fewer persons with disabilities than are required of the other permitted residential uses in the zone. State-licensed residential care facilities for six or fewer residents, including foster care, must be permitted by right in all residential zones allowing single-family housing. Such facilities cannot be subject to more stringent development standards, fees or other standards than single-family homes in the same district. The City of Marina Zoning Ordinance contains provisions for residential care facilities for six or fewer persons. The City permits small residential care facilities (for six or fewer persons) by-right in all of the city’s residential zoning districts and in the C-R commercial zoning district, similar to any single-family use.

Large residential care facilities (for seven or more persons) are conditionally permitted in all of the city’s residential zoning districts and in the C-R zoning district. Only large residential care facilities for the elderly are conditionally permitted in the R-1 zone. Allowing only large residential care facilities for seniors but not all other household types in R-1 may be considered discriminatory and the Zoning Ordinance will be revised to ensure large residential care facilities, regardless of household type, be conditionally allowed in all zones where housing is allowed. The findings for approval are that the establishment, maintenance or operation of the use or building applied for will not under the circumstances of the particular case be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city; and in the Coastal Zone the use is consistent with all applicable local coastal land use plan recommendations and requirements. This required finding of compatibility with neighborhood character may be considered subjective and therefore constraining to the development of larger residential care facilities. This Housing Element includes a program action to establish objective findings for approval and to revise the Zoning Ordinance to conditionally allow large residential care facilities for all household types in all zones where residential uses are allowed.

In addition, the appropriate authority may designate such conditions in connection with the use permit as it deems necessary to secure the purposes of this title. Such conditions may include, but are not limited to, architectural and site approval, time limitations, street dedication, and street and

drainage improvements. The appropriate authority may also require such bonds and guarantees as it deems appropriate to assure the compliance of the conditions.

Marina's Zoning Ordinance does not refer to residential care facilities that do not require licensing and therefore does not regulate these uses which are not governed by State laws. The City will amend the Zoning Ordinance to specify that such housing is permitted by-right as a regular residential use (Program 7.1).

Emergency Shelters

An emergency shelter is a facility that provides temporary shelter and feeding of indigents or disaster victims, operated by a public or non-profit agency. State law requires jurisdictions to identify adequate sites for housing which will be made available through appropriate zoning and development standards to facilitate and encourage the development of a variety of housing types for all income levels, including emergency shelters and transitional housing (Section 65583(c)(1) of the Government Code). Adopted in 2007, SB 2 requires that local jurisdictions make provisions in the Zoning Ordinance to permit emergency shelters by right in at least one zoning district where adequate capacity is available to accommodate at least one year-round shelter. Local jurisdictions may, however, establish standards to regulate the development of emergency shelters.

Section 17.04.292 of the Zoning Ordinance defines "emergency shelters" as: "housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person." Emergency Shelters are a permitted use in the R-4 (Multiple-Family) and C-R Mixed Commercial-Residential Use zones. As part of the 5th Cycle Housing Element, the City removed the CUP requirement for Emergency Shelters. The Marina Municipal Code contains no specific development standards that apply only to emergency shelters and therefore, the Code does not constrain their development.

AB 2339, passed in 2022, expands the definition of emergency shelters to include interim housing options such as low barrier navigation centers and bridge housing, and respite and recuperative housing. AB 2339 also requires that the zone(s) permitting emergency shelters by right, without discretionary review, be zones that also are suitable for residential uses. Both R-4 and C-R zones permit residential and mixed use residential uses, respectively.

According to the 2022 Monterey County point-in-time homeless count, there were 356 homeless individuals in Marina, with 81 of these homeless persons being unsheltered. AB 2339 provides a general guidance or estimate of 200 square feet per person. For an unsheltered homeless population of 81 persons, a site area of approximately 16,200 square feet (0.37 acre) would be required. Overall, about 600 parcels in the City are zoned for R-4 and C-R uses. As later shown in the Housing Resources section of this Housing Element, vacant and underutilized R-4 and C-R sites in Downtown and Central Marina total more than 10 acres. These locations provide access to public transportation, amenities, public facilities, and supportive services. Specifically, 11 parcels totaling 3.5 acres (1 C-R and 10 R-4 parcels) are vacant, small parcels of less than one acre in size that would be appropriate for small to medium size shelter facilities and adequate to accommodate the City's unsheltered homeless residents.

Furthermore, new shelters are often installed through adaptive reuse of existing buildings rather than through new construction due to costs and funding limitations. The C-R zone contains older commercial uses that may be renovated for other purposes such as emergency shelters. The R-4 and C-R properties are centrally located along major transportation routes, and therefore have access to public transportation and services in the community, including faith-based organizations that offer

Single-Room Occupancy

Single room occupancy (SRO) facilities are small studio-type units and are conditionally permitted in Marina's R-4 and C-R districts. [See discussions on CUP requirements later in this section.](#)

Farmworker and Employee Housing

The California Employee Housing Act requires that housing for six or fewer employees be treated as a regular residential use. The Employee Housing Act further defines housing for agricultural workers consisting of 36 beds or 12 units be treated as an agricultural use and permitted where agricultural uses are permitted.

Currently, the City's Zoning Ordinance does not comply with the Employee Housing Act. In the city's "K" agricultural-residential district, the Marina Zoning Ordinance permits by-right single-family dwellings, accessory buildings and accessory uses quarters for farm labor and/or servants employed on the premises. The Zoning Ordinance makes no provisions for farmworker housing in its "A" (Limited Agricultural Uses Combining District) agricultural zone, and employee housing for six or fewer is not addressed in the Zoning Ordinance. The Zoning Ordinance will be amended to address farmworker housing in K and A zones, as well as employee housing for six or fewer persons as a residential use.

Short-Term Rentals

Short-term rentals can present an issue to the local housing market by removing homes from the housing inventory for permanent residents, exacerbating the shortage of housing in the community. In 2019, the City amended the Zoning Ordinance to include 17.42.170 entitled "Short-Term Rentals", which establishes a permitting process and appropriate standards for the short-term rental of whole dwelling units or portions of the same for a period of 29 consecutive days or less.

Density Bonus Ordinance

California Government Code Section 65915-65918 requires local governments to grant a density bonus to projects providing a specified percentage of affordable units, senior housing, or childcare facilities.

Jurisdictions also may not enforce any development standard that would preclude the construction of a project with the density bonus and the incentives or concessions to which the developer is entitled. To ensure compliance with the State density bonus law, jurisdictions must reevaluate their development standards in relation to the maximum achievable densities for multiple-family housing.

In accordance with Chapter 4.3 Section 65915 *et. seq.* of the California Government Code, the City of Marina adopted a Density Bonus Ordinance (City of Marina Zoning Ordinance Section 17.48.040) and last updated it on December 2020 to comply with updates to State requirements. Since then, the State has passed additional Density Bonus laws:

- AB 1763 (2019) – Density bonus and increased incentives for 100 percent affordable housing projects for lower income households.
- AB 1227 (2022) – Density bonus for student housing development for students enrolled at a full-time college, and to establish prioritization for students experiencing homelessness.
- AB 2345 (2020): (Increase Maximum Allowable Density) – Revised the requirements for receiving concessions and incentives, and the maximum density bonus provided.

Table 1-45 Marina Development Impact Fees

Impact Fees	Fee Amounts (per Dwelling Unit)			
	Single-Family	Multi-family	Senior Homes	Assisted Living – Senior
Public Buildings	\$4,622	\$4,281	\$3,082	\$1,713
Public Safety	\$996	\$922	\$622	\$368
Roadways	\$8,717	\$ 6,088	3,370	2,418
Intersections	\$2,111	1,477	817	587
Parks	\$ 10,011	\$ 9,269	\$ 6,675	\$ 3,707
Water and Sewer ²	\$7,929	\$7,929	\$7,929	\$7,929
School ³	\$4.79 per square foot	\$4.79 per square foot	\$4.79 per square foot	\$0.78 per square foot (Office/Industrial rate)

¹ City of Marina Development Impact Fee Report, 2022.

² Marina Coast Water District, FY 2021-2022, per EDU. <https://www.mcwd.org/docs/financials/Marina%202021-2022%20Rates.pdf> ; Fort Ord Water and Sewer: \$11,699 per EDU (water) and \$3,012 per EDU (sewer). The per unit charge for single-family residential connection is 1 EDU. The per unit charge for multiple dwelling, condominium, trailer space, or mobile home is 0.8 EDU School fees established by Monterey Peninsula Unified School District – October 2021. https://drive.google.com/file/d/1XBXMRW4maaXmG5uclC6x_IKfL-59S7I/view

³ May apply to affordable/below market-rate housing. Special formulas for fees for residential housing that includes below market-rate housing. Figures as of July 1, 2019. https://www.mpsd.net/apps/pages/index.jsp?uREC_ID=1014183&type=d&pREC_ID=1757719#:~:text=Current%20Residential%20Rate%20is%20%244.79%20and%20Commercial%20is%20%240.78%20per%20square%20foot.

According to the records from recently approved projects, the total development impact fees and permit processing fees range from about \$14,000 to \$24,000 per multiple-family unit. Fees for a single-family unit total around \$30,000 (Table 1-46). Marina's fees for multi-family units (\$14,000-\$24,000) are similar to fees in Pacific Grove (\$21,000), but higher than Seaside (\$12,000).

In Marina and neighboring cities, fees for single-family units are higher than those for multi-family units. Marina's total fee estimate per single-family unit (\$30,000) are slightly higher than those reported in Seaside (\$23,000), but lower than Pacific Grove (\$69,000) as shown in Table 1-47. Despite the seemingly high fees in Pacific Grove, the City of Pacific Grove reported that their fees for single-family units account for less than 10 percent of the total construction costs. Marina, Seaside, Pacific Grove, and Del Rey Oaks all reported that the total fees for single family units accounted for less than 10 percent of total construction costs.

Table 1-46 Examples of Permits and Fees – Marina

Address	Construction Valuation	Permit Fees	Impact Fees	Permit and Impact Fees
Sea Haven Homes- SFH				
3005 Shasta Way	\$223,655.04	\$3,922.13	\$26,457.00	\$30,379.13
3001 Shasta Way	\$328,406.40	\$5,270.63	\$26,457.00	\$31,727.63
3003 Arroyo Drive	\$287,642.88	\$4,744.04	\$26,457.00	\$31,201.04
481 Marina Heights Drive	\$249,298.56	\$4,255.77	\$26,457.00	\$30,712.77
479 Marina Heights Drive	\$318,003.84	\$5,100.28	\$26,457.00	\$31,557.28
Dunes Homes- SFH				
2711 4th Avenue	\$291,894.00	\$4,795.27	\$23,397.94	\$28,193.21
248 Bungalow Court	\$275,517.00	\$4,590.49	\$23,397.94	\$27,988.43
246 Bungalow Court	\$257,831.00	\$4,359.20	\$23,397.94	\$27,757.14

Address	Construction Valuation	Permit Fees	Impact Fees	Permit and Impact Fees
242 Bungalow Court	\$291,894.00	\$4,795.27	\$23,397.94	\$28,193.21
250 Bungalow Court	\$291,894.00	\$4,795.27	\$23,397.94	\$28,193.21
Veteran's Transition Center- MF (71 units)				
229 Hayes	\$31,000,000.00	\$2,834.68	\$22,037.00	\$24,871.68
Chispa AKA Junsay Oaks- Senior Apartments (47 units)				
3098 DeForest	\$8,360,215.00	\$1,622.91	\$12,059.00	\$13,681.91
ADUs				
154 Lakewood Drive	\$50,000.00	\$1,749.10	\$0.00	\$1,749.10
3007 King Circle	\$62,620.00	\$1,990.10	\$0.00	\$1,990.10
3068 Redwood Drive	\$60,000.00	\$1,958.98	\$0.00	\$1,958.98

Notes: Construction valuation represents entire SFH or entire project for MFH development (Veterans Transition Center and Junsay Oaks). Permit fees, impact fees, and combined permit and impact fees represent cost per unit. Veteran's transition center and Junsay Oak Impact fees include additional Transportation Agency of Monterey County (TAMC) Fees (\$2,834 and \$1,622 per unit, respectively).

Table 1-47 Total Fee Comparisons with Neighboring Jurisdictions

City	Multi-Family	Single-Family
Marina	\$14,000-\$24,000	\$30,000 (~10%†)
Seaside	\$11,791	\$23,433 (<10%†)
Pacific Grove	21,235 (3%†)	\$68,928 (7%†)
Del Rey Oaks	<10%†	<10%†
Monterey City	Did not provide total fee estimate	Did not provide total fee estimate
Sand City	Did not provide total fee estimate	Did not provide total fee estimate

† % of total construction costs

Note: Amounts refer to per unit cost.

Source: Seaside 2023-2031 Draft Housing Element Technical Appendix (July 2023); Pacific Grove 2023-2031 Draft Housing Element Update (September 2023); Del Rey Oaks 2023-2031 Draft Housing Element (May 2023); City of Monterey 2023-2031 Draft Housing Element Appendix C (September 2023), Sand City 2023-2031 Draft Housing Element (May 2023)

Local Processing and Permit Procedures

The development review process can affect housing costs. Because of interest rates and inflation in the price of materials, the longer it takes for a development proposal to be approved, the higher the development costs. Development application processing has basic time requirements as a result of the City's obligation to evaluate projects adequately, as well as the requirements of state law. These include consistency with the General Plan and Zoning Ordinance, requirements of the Subdivision Map Act, and compliance with the California Environmental Quality Act (CEQA).

Residential Permit Processing

In the city of Marina, ministerial projects include the construction of single-family residences and accessory dwellings on existing lots, and the construction of multi-family residential housing at densities not exceeding 25 units per acre, and condominium/planned development projects in the MHR zone. Also, Chapter 16.18 of the Zoning Ordinance describes the procedures for tentative parcel maps for minor subdivisions (four lots or fewer). They are reviewed and approved administratively by the Community Development Director and do not require a public hearing or

approval by either the Planning Commission or City Council. The City has amended its Zoning Ordinance to permit emergency shelters housing by right in the R-4 and C-R zones and transitional and supportive housing in all residential zones and C-R zone.

Discretionary projects requiring a Conditional Use Permit (CUP) and approval from the Planning Commission include major subdivisions of land (into typically 5 or more parcels), condominium/planned development projects in the C-R zone, the development of multi-family residential housing at densities exceeding 25 units per acre in the C-R Zone, single-room occupancy and a change in the use of a property including the civilian reuse of former military lands. The findings are not specifically identified in the Zoning Ordinance. However, the Zoning Ordinance states that findings required for the approval of a CUP are that “the establishment, maintenance or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city; and in the Coastal Zone the use is consistent with all applicable local coastal land use plan recommendations and requirements.” The Zoning Ordinance does not provide clarity in the findings required and criteria for evaluating compliance, especially relating to impacts on the neighborhood.

However, with the adoption of the Downtown Vitalization Specific Plan, approval of residential development in the downtown would no longer require a CUP. Furthermore, the Affordable Housing Overlay (AHO) provides by-right approval of projects if 15 percent of the units are set aside for lower income housing. Since much of the future residential development is expected to occur within the Downtown, the CUP process is not anticipated to serve as a constraint to residential development.

On November 2022, the City passed an ordinance removing CUP requirements for Supportive Housing in commercial and mixed use zones where multi-family and mixed-use development is permitted and in the Planned Commercial zoning district. In addition, Section 17.12.020 and 17.12.030 were amended to remove CUPs for multi-family housing development in the R-4 zoning district. However, this ordinance does not address the CUP requirements for SRO housing. This Housing Element includes a program action to either remove the CUP requirements for SRO housing or to review and revise the required findings to ensure that they are objective and provide certainty in outcomes.

The review and entitlement process is initiated by the submission of an application. If the environmental review of the project can be accomplished without the processing of an EIR, public hearing(s) are scheduled and held by the Planning Commission and, if an EIR is required, by the City Council. Additionally, City Council review and approval is necessary for: (a) proposed amendments to the General Plan or Zoning Ordinance which may be associated with a project proposal, (b) projects subject to an appeal to the City Council, and (c) major subdivisions. The entire process is about 90 days if turn-around time by the applicant is reasonable (2 to 3 weeks). The need for City Council action on a project or related to a project will add 1 to 2 months to the process. The need to contract with environmental consultants for necessary environmental studies will typically add 2 or 3 months to the process. The determination of the need for an EIR will add 6 months to a year of processing time. The City’s development review process is designed to accommodate housing development applications of various levels of complexity and requiring different entitlements. Table 1-48 summarizes the reviewing authority and requirements for the City’s most common permit applications.

Accessory Dwelling Units

ADUs and junior accessory dwelling units (JADU) anticipated to be built between 2023 and 2031 are also credited towards the City's RHNA pursuant to Government Code Section 65583.1. The City of Marina Building Division permitted 16 ADUs in 2018, 11 ADUs in 2019, 6 ADUs in 2020, 11 ADUs in 2021, and 8 ADUs in 2022 for an average of 11 ADUs per year. Assuming that 11 building permits will be issued per year, the City has assumed a total of 88 ADUs will be permitted between June of 2023 and December of 2031.

The Association of Bay Area Governments (ABAG) conducted an analysis of ADU affordability and concluded approximately 30 percent of ADUs are affordable to very low-income households, 30 percent affordable to low-income households, 30 percent affordable to moderate-income households, and 10 percent affordable to above-moderate income households.¹ Due to the proximity of Marina to the ABAG region, these affordability assumptions are suitable to use for Marina's ADU projects in the Site Inventory. The Sites Inventory assumes Marina will produce 26 very low, 26 low, 26 moderate, and 10 above-moderate ADUs.

Units Planned or Approved

Residential developments approved and permitted but not yet built ("pipeline projects") can be credited towards the City's RHNA for the 6th Cycle Housing Element provided the City can demonstrate that the units can be built by the end of the 6th Cycle's planning period. Similarly, units within completed projects that have received a certificate of occupancy as of June 30, 2023, can also be credited towards the RHNA. Affordability (the income category in which the units are counted) is based on the actual or projected sale prices, rent levels, or other mechanisms establishing affordability of the units within the project. Single-family homes are usually sold at market-rate prices, with no affordability covenants attached to the land. Multifamily or single-family developments that use density bonuses, public subsidies, or other mechanisms that restrict rents or sales prices would be restricted to specified below-market rate prices affordable to households in the various income categories described above. Local, state, or federal regulations would establish rules for which income categories must be served by each development.

The City currently has six active projects, many of which are associated with the buildout of previously approved specific plans. Four of the six projects in the development pipeline are on schedule to construct their associated units in the 6th Cycle planning period. All projects with affordability components have restricted rents or sales price resulting from the City's Inclusionary Housing Ordinance (IHO). The project at 3298 Del Monte also has been approved for a density bonus. Table 2-2 identifies the approved or pending projects that are credited towards meeting the City's RHNA and includes a total of 2,263 housing units (113 very low-, 110 low-, 157 moderate-, and 1,883 above moderate-income housing units). Details on the projects and associated timelines are detailed below. The locations of these projects are symbolized with the corresponding Map ID numbers on Figure 2-1.

¹ ABAG. Using ADUs to satisfy RHNA Technical Memo. <https://abag.ca.gov/sites/default/files/documents/2022-03/ADUs-Projections-Memo-final.pdf>

Approximately 525 units of the 1,237 have been built and are not counted as housing credits as part of the Housing Element Site Inventory. Of the remaining 712 units, two sites, Below Market Rate (BMR) Site 1 and BMR Site 2, are currently under construction. Building permits for the sites were issued on June 3, 2022, and construction is anticipated to be completed in June 2024. BMR Site 1 consists of 92 low- and very low-income rental units, a manager's unit, clubhouse, off-street parking, and open space and recreational amenities. BMR Site 2 consists of 48 low- and very low-income rental units, a manager's unit, clubhouse, and open space and recreational amenities. In total, the two sites include 140 low- and very low-income rental units. The remaining 572 above-moderate units are under building permit review and construction is estimated to be complete within the 6th Cycle planning period.

Sea Haven Master Plan

The Sea Haven Master Plan, formerly referred to as the Marina Heights Master Plan, removed 828 existing, abandoned housing units and plans for the construction of 1,050 new townhouses, cottages, and single-family residential housing units with 35 acres of parks, greenbelts, and open spaces. Of the 1,050 housing units, 210 are affordable. The Master Plan was approved by the City Council on March 3, 2004. To date, 439 housing units have been built and 37 below market-rate units are currently under construction. A development agreement established in 2022 indicated buildout would occur over 5 phases. Current construction is in phase 3, with phase 5 anticipated to be completed by 2030. The development agreement also established a schedule to construct the below market rate units in a manner proportionate to the market rate units through each of the phases.

Marina Station Specific Plan

The Marina Station Specific Plan plans for the development of 1,360 housing units, 60,000 square feet of office space, and 651,624 square feet of industrial uses constructed over eight phases on a 320-acre site. Of the 1,360 residential units, approximately 887 are single-family units and 473 are multifamily units. Residential density varies from low density on the fringes of the Master Plan area to higher density within the core areas. The project includes on-site and off-site infrastructure improvements to connect the Marina Station Specific Plan area to existing water, wastewater, and storm drain connections near the Master Plan area boundary. The Master Plan was originally approved by the City Council in 2005 and was most recently amended and approved in 2022.

Of the total 1,360 housing units, 20 percent (272 units) will be affordable (6 percent as very low-income, 7 percent as low-income, and 7 percent as moderate-income). The project will build out over a total of 8 phases. Building permits for Phase 1 and 2 of the project are in progress and are expected to be issued by the summer of 2024. Phase 1 and 2 include a total of 351 housing units, 15 very low-income, 17 low-income, and 17 moderate-income units. Phase 3 and 4 include a total of 70 units, 18 very low-income, 21 low-income, and 31 moderate-income units and are expected to have building permits issued by 2027. By 2030, a total of 1,166 building permits are expected to be issued, including 58 very low-income, 67 low-income, and 67 moderate-income units. Total build-out would occur by 2036.

Remaining RHNA

Accounting for the entitled, approved, and pending projects, as well as projected ADUs, the City will be able to meet its RHNA allocation and buffer with existing projects anticipated to be built over the planning period.

2040. The Water Master Plan established MCWD's current total maximum firm supply of 16.28 mgd, an excess of 9.8 mgd compared to existing demand. With buildout, the maximum daily demand is estimated at 18.4 mgd, a 2.1 mgd deficiency. The Water Master Plan identifies improvements to meet future demand, including the construction of a new 1,500 gallons per minute groundwater well and replacement of pumps at three of the groundwater wells, new booster stations, and pipeline improvements. With the implementation of these improvements, the city would overcome its water deficiency.

The Water Master Plan accounts for increased water demand of planned growth, including growth as a result of future buildout under Phase 1-3 of the Dunes Specific Plan, Sea Haven, Master Plan, and Marina Station Specific Plan. The number of assumed new housing units of these developments in the Water Master Plan is greater than that assumed in the planned and approved projects as part of this Site Inventory. In addition, to further supplement the groundwater supply, MCWD is currently working with Monterey One Water (M1W) to develop a recycled water distribution network, expected to be operational in the coming years, that would provide up to 1.3 mgd of water from the M1W Advanced Water Treatment Facility. Therefore, the city's potable water supply can accommodate the City's RHNA.

MCWD has sufficient water to serve all identified pipeline projects and identified sites. There are some areas within the City that would require the transfer of water credits for development, but those were not included within this Site Inventory or as a part of the overall Housing Element strategy.

The Monterey County Water Resources Agency (MCWRA) and MCWD have documented seawater intrusion that has been moving farther inland and deeper into groundwater aquifers of the Basin. Seawater intrusion may worsen with sea-level rise and continued groundwater overdraft. MCWRA has recommended actions to minimize further seawater intrusion. If the Monterey Peninsula Water Supply Project (discussed above) is fully approved and becomes operational, MCWD and Marina experts believe that it could rapidly worsen the seawater intrusion situation and impair the city's water supply.

Storm Water and Drainage

Housing projects on identified sites would be required to comply with Chapter 8.46, Urban Storm Water Quality Management and Discharge Control of Marina Municipal Code, which requires elimination of illegal discharges, protection of watercourses, and includes best management practice guidance for construction sites and development to reduce impacts to stormwater facilities. Therefore, the City would be able to accommodate its RHNA with implementation of existing policies and measures.

Circulation System

The City's General Plan, particularly the Community Infrastructure Element and Community Design and Development Element, outlines the long-term plan for roadways, including number of lanes, right-of-way, and general operating conditions. It also provides guidance relating to the transit system, goods movement system, and nonmotorized travel, including bicycle and pedestrian travel and serves as a comprehensive transportation management strategy to ensure adequate transportation infrastructure is in place to meet population growth.

The City of Marina adopted the Pedestrian and Cycle Master Plan in 2010, which details the City's plan to establish a network of accessible, safe, and integrated bicycle and pedestrian facilities. The

Program 1.1: Provide Adequate Sites for RHNA and Monitoring of No Net Loss

For the 2023-2031 Housing Element planning period, the City of Marina has been assigned a RHNA of 685 units, with the following income distribution: 94 very low-income units, 62 low-income units, 173 moderate-income units, and 356 above moderate-income units. Based on projected ADUs as well as units that have been approved or planned as part of existing projects, the City has met its RHNA.

On February 7, 2023, the Marina City Council adopted the Downtown Marina AHO to provide opportunities for near-term residential development potential. The AHO offers incentives to projects that incorporate affordable units by increasing the base density to a minimum of 30 units per acre and a maximum density of 35 to 50 units per acre, depending on location. Vacant and underutilized sites in the AHO can accommodate 532 additional units, including 72 units in the moderate-income category using a conservative estimate. The City's overall residential sites inventory offers capacity that exceeds its RHNA and is able to offer a buffer of at least 20 percent in all income categories.

To ensure that the City complies with SB 166 (No Net Loss), the City will monitor the consumption of residential and mixed-use acreage to ensure an adequate inventory is available to meet the City's RHNA obligations. To ensure sufficient residential capacity is maintained to accommodate the RHNA, the City will develop and implement a formal ongoing (project-by-project) evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction in capacity below the residential capacity needed to accommodate the remaining need for lower- and moderate-income households, the City will identify and if necessary, rezone sufficient sites to accommodate the shortfall and ensure no net loss in capacity to accommodate the RHNA.

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| Timeline and Objectives: | <ul style="list-style-type: none"> ▪ Maintain a sites inventory that is adequate to accommodate the City's entire RHNA of 685 units. The inventory includes capacity available in Marina Station, Sea Haven, and The Dunes, and the recently adopted Downtown Marina AHO. ▪ By January 2024, make the sites inventory available on the City website and update annually. ▪ By December 2024, implement a formal evaluation procedure pursuant to Government Code Section 65863 to monitor the development of vacant and nonvacant sites in the sites inventory and ensure that adequate sites are available to meet the remaining RHNA by income category, and include this data in the annual Housing Element Progress Report. ▪ Monitor the construction schedules for pending projects included in Chapter 2 every 6 months. If project schedules change and units will not be complete during the planning period, ensure there are still adequate sites from other pending projects and vacant and nonvacant sites. ▪ Annually outreach to property owners and assist developers in identifying vacant and underutilized properties in the city, particularly within the AHO for residential and mixed-use development. |
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Responsible Agencies:	Community Development/Planning Services Division
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Funding Sources:	Departmental Budget
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Program 2.5: Preferential Housing for Marina Workers and Residents

Lower-income residents in Marina face disproportionate pressures from the housing market and are more likely to be displaced than those making moderate and above moderate incomes. As an anti-displacement strategy, the City will continue to administer the BMR program requiring 30 percent of units for sale or rent to be made available according to the priority preference categories established in the “BMR Administrative Policies and Procedures” adopted by the City Council on March 1, 2021, and as amended.

Timeline and Objectives:	▪ Ongoing monitoring and annually report to the City Council regarding the status of BMR units. ▪ Assist 60 lower-income households who are Marina residents and workers through the BMR inclusionary housing program.
Responsible Agencies:	City Manager’s Office/Housing
Funding Sources:	Departmental Budget

Policy 3: Ensure that City site improvement and development standards, development review procedures, and development fees do not form an undue constraint to the development, conservation, and rehabilitation of housing.

Program 3.1: Zoning Ordinance Amendments

The Zoning Ordinance will be amended to address various new State laws:

- **Employee Housing:** No areas in the city are designated or permit commercial farming activities. Amend the Zoning Ordinance to comply with the State Employee Housing Act, which requires employee housing for six or fewer employees to be treated as a single-family structure to be permitted in the same manner as similar uses in the same zone.
- **Accessory Dwelling Units:** The City adopted its ADU ordinance in 2020, which was amended in 2021 to modify the maximum allowable height to 24 feet if the accessory unit is provided on a second story. However, recent bills (AB 2221 and SB 897) passed in October 2022 provide additional clarifications to the Government Code regarding ADU regulations. The Zoning Ordinance will be amended to comply with State law. Specifically, the City will amend the Zoning Ordinance to ensure ADUs are permitted in all zones where residential uses are permitted (including C-R, C-1, and C-2 zones).
- **SB 35 Processing Procedure:** The City will establish a standard procedure for processing SB 35 eligible projects, pursuant to State law.
- **SB 9 Processing Procedure:** The City will establish a standard procedure for processing SB 9 applications, pursuant to State law and provide technical assistance to SB 9 applicants.
- **Covered Parking:** The City will amend the Zoning Ordinance to remove covered parking requirements.

Timeline and Objectives:	▪ By the end of 2024, amend the Zoning Ordinance to address the topics and issues identified as part of the comprehensive Zoning Ordinance update. ▪ By the end of 2024, develop and include a Fair Housing Factsheet, especially on Source of Income protection (i.e., use of public subsidies such as HCVs for housing payments) in the SB 9 application packet to expand acceptance of HCVs throughout the city.
Responsible Agencies:	Community Development/Planning Service Division
Funding Sources:	Departmental Budget

Policy 6: Support and initiate, where feasible, public and private energy conservation programs that would reduce the energy needs and costs of housing in Marina.

Program 6.1: Energy Conservation

The City continues to work with AMBAG's Sustainability Program by distributing information flyers at City offices and the Marina Public Library and informing people verbally of AMBAG's programs

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| Timeline and Objectives: | <ul style="list-style-type: none"> Continue to provide informational flyers available at City offices, public buildings, and special events; making announcements at City Council meetings, links to the City's website and facilitating articles in local newspapers to advertise funding sources for making changes that include energy conservation fixtures and devices. The City estimates providing information and referral to 20 households annually. Annually update information on available resources for energy conservation improvements. |
| Responsible Agencies: | Community Development/Planning Services Division and Building Division |
| Funding Sources: | Departmental Budget |

Policy 7: Provide opportunity for and encourage the development of adequate housing for the City's special needs groups including the elderly, disabled (including those with developmental disabilities), large households, female-headed families, farmworkers, and those in need of emergency shelter.

Program 7.1: Special Needs Housing – Removal of Constraints

The City will amend the Zoning Ordinance to remove potential constraints to housing for persons with special needs. These include:

- Emergency Shelters:** AB 2339 requires that the zone(s) permitting emergency shelters by right without discretionary review be zones that also are suitable for residential uses. Emergency Shelters are permitted by-right in the R-4 (Multiple-Family) and C-R Mixed Commercial-Residential Use zones. For an unsheltered homeless population of 81 persons, a site area approximately of 16,200 square feet (0.37 acre) would be required, based on AB 2339 general guidance of 200 square feet per person. Overall, about 600 parcels in the City are zoned for R-4 and C-R uses. Specifically, 11 parcels totaling 3.5 acres (1 C-R and 10 R-4 parcels) are vacant and small parcels of less than one acre in size that would be appropriate for small to medium size shelter facilities and would adequate to accommodate the City's unsheltered homeless residents. These parcels are located in Downtown and Central Marina, providing access to public transportation, amenities, public facilities, and supportive services. Lastly, AB 2339 expands the definition of emergency shelters to include interim housing options such as low barrier navigation centers, bridge housing, and respite and recuperative care. The City will amend the Zoning Ordinance to expand the definition of emergency shelters to comply with state law and to ensure such uses are permitted by right without discretionary review in the R-4 and C-R zones.
- Transitional Housing:** Amend the Zoning Ordinance to incorporate the provision of transitional in commercial, mixed use, and mobile home park zones where housing is also permitted. Provisions for transitional housing will be consistent with State law, to be permitted as a residential use in the same manner as similar uses in the same zone.

- **Supportive Housing:** In 2022, the City amended the Zoning Ordinance to address AB 2162 to permit supportive housing in all residential, and commercial and mixed use zones where multifamily and mixed-use housing is permitted. However, the Zoning Ordinance will need to be amended to specify that no minimum parking requirements for units occupied by supportive housing residents if the development is located within 0.5 mile of a public transit stop.
- **Residential Care Facilities (Seven or More Persons):** The City permits large residential care facilities in all residential zones and in the C-R zone subject to approval of a CUP. However, the required approval finding regarding compatibility with neighborhood character may be considered subjective with the potential to constrain the development of large residential care facilities. The City will amend the Zoning Ordinance to revise the findings for approval to ensure they are objective and provide for certainty in outcomes. The City also only permits large residential care facilities for seniors in R-1. The City will amend the Zoning Ordinance to ensure large residential care facilities, regardless of household type, be conditionally allowed in all zones where housing is allowed – provided that conditions are objective and provide for certainty in outcomes.
- **Unlicensed Residential Care Facilities:** The City will amend the Zoning Ordinance to specify that residential care facilities that do not require licensing are permitted by-right as regular residential use.
- **Reasonable Accommodation:** The required findings for approval include evaluation of compatibility with neighborhood character and increased traffic. However, no objective standards have been established for the evaluation. The City will amend the Zoning Ordinance to revise the findings for approval to ensure they are objective and provide for certainty in outcomes.
- **Single-Room Occupancy Housing:** Amend the Zoning Ordinance to either remove the CUP requirement for SRO housing or to review and revise the required findings for CUP approval to ensure the findings are objective and provide certainty in outcomes, specifically relating to impacts on surrounding neighborhoods.

Timeline and Objectives:	▪ Amend the Zoning Ordinance by the end of 2024 to address the topics and issues identified above in this Program 7.1 as part of the comprehensive Zoning
Responsible Agencies:	Community Development/Planning Service Division
Funding Sources:	Departmental Budget

Program 7.2: Veteran's Housing

This program is being added to the Housing Element to honor the rich history of military service from Marina residents. The program directs staff to meet annually with the Veteran's community to reduce barriers to housing for this special needs housing group.

Timeline and Objectives:	▪ Beginning in 2025, annually the City of Marina will convene a meeting of veteran's organizations to inform them of housing opportunities in the city of Marina and ways to reduce homelessness among Veterans in the greater Monterey region. ▪ Affirmative Marketing Education The City shall promote compliance with California Government Code 12955 (c) that says: "It shall be unlawful: ... For any person to make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a housing
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accommodation that indicates any preference, limitation, or discrimination based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information or an intention to make that preference, limitation, or discrimination.” The City shall ensure that developers of new housing are aware of this law and the importance of promoting neighborhood integration. **By the end of 2024,** the City shall create educational materials, post materials to the City website, and work with the County Housing Department to spread awareness of affirmative marketing methods, and consider adopting a resolution supporting affirming the rights of all special needs housing groups.

Responsible Agencies: Community Development/Planning Service Division

Funding Sources: Departmental Budget

Policy 8: Seek to expand the availability of an adequate water supply to serve the long-term housing needs of the City.

Program 8.1: Collaboration with Water Resources Agencies

The City will continue to work with the MCWD and other appropriate agencies to secure sufficient water resources to meet the expected needs of projected housing developments through 2031.

Timeline and Objectives:

- **At least annually, meet** with various water resources agencies to discuss water resources and strategies for meeting the projected housing needs in the region.

Responsible Agencies: City of Marina Administration; Community Development/Planning Services Division

Funding Sources: Departmental Budget

Policy 9: Implement meaningful actions to affirmatively further fair housing.

Program 9.1: Affirmatively Furthering Fair Housing

The City is committed to AFFH in the community. Actions to foster equal housing opportunities are centered on several themes:

- Collaborate with and support efforts of organizations dedicated to eliminating housing discrimination in Marina
- Facilitate the development of a variety of housing types to foster housing mobility
- Pursue actions and policies that mitigate economic displacement of residents
- Distribute new affordable housing opportunities throughout the city to avoid overconcentration low-income housing in specific neighborhoods
- Employ place-based strategies for neighborhood improvements

The City’s actions to further fair housing are summarized in Table 3-2. The City will undertake diligent efforts to implement the actions outlined in Table 3-2.

Table 3-2 Affirmatively Furthering Fair Housing Action Matrix

Program	Specific Commitment	Timeline	Geographic Targeting	8-Year Metrics ¹
AFFH: Monitoring	Evaluate the effectiveness of meaningful actions outlined in this Action Matrix in achieving the eight-year metrics.	Evaluation in by the end 2027 and develop alternative actions by July 2028	Citywide	As outlined in individual actions.
Fair Housing Enforcement and Outreach				
AFFH: Outreach Actions	Provide links to fair housing resources on City website and distribute informational materials on fair housing at public locations. Organizations linked on the City website may include, but are not limited to, HACM; HUD, FHEO, Monterey County Housing Resources Center and ECHO Housing.	By July 2024; and update annually thereafter	Citywide	Contact ECHO in 2024 to establish baseline service records for Marina and seek to increase outreach and service to residents, landlords, and housing professionals by 20 percent over 8 years
	Refer inquiries for services and complaints to the appropriate agencies, including HACM, HUD, FHEO, as well as other agencies, such as the Monterey County Housing Resources Center and ECHO Housing.	Annually	Citywide	
	Expand efforts and promote language access by posting fair housing information on Facebook, Nextdoor, and/or other social media platforms at least once a year. Information will be provided in English, Spanish, and Korean as needed by the city's population to provide information for those who may have a language barrier at home.	Annually	Citywide	
	Conduct targeted fair housing outreach to residents in areas with minority and LMI concentration by contacting the Student Housing Office at CSUMB to provide fair housing information. (While the CSUMB is not located in 141.02, many students living off campus are likely located in this census tract.)	January 2024	Census Tract 141.02	
	Expand access to affordable housing and programs for persons with developmental disabilities by distributing information through the San Andreas Regional Center.	Annually, no later than July 2024	Citywide	
	Beginning in 2025, annually the City of Marina will annually convene a meeting of veteran's organizations to inform them of housing opportunities in the city of Marina and ways to reduce homelessness among veterans in the greater Monterey region.	Annually, beginning in 2025	Citywide	
Program 7.2: Veteran's Housing	Affirmative Marketing: The City shall promote compliance with California Government Code 12955 (c) that say": "It shall be unlawful: For any person to make, print, or publish, or cause to be made, printed, or published any notice, statement, or	Develop outreach and educational materials by the end of 2024	Citywide	

City of Marina
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Program	Specific Commitment	Timeline	Geographic Targeting	8-Year Metrics ¹
	advertisement, with respect to the sale or rental of a housing accommodation that indicates any preference, limitation, or discrimination based on race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, or genetic information or an intention to make that preference, limitation, or discrimination.” The City shall ensure that developers of new housing are aware of this law and the importance of promoting neighborhood integration. By the end of 2024, the City shall create educational materials, post materials to the City website, and work with the County Housing Department to spread awareness of affirmative marketing methods and consider adopting a resolution supporting affirming the rights of all special housing needs groups.			
Housing Mobility				
Program 2.1: Accessory Dwelling Units (ADUs)	Develop and distribute ADU information, including resources available, on City website and at public counters.	By the end of 2024	Citywide, with emphasis in higher resource tracts and single-family neighborhoods	Facilitate construction of 88 ADUs; seek to achieve 50% of the ADUs in higher resource areas
	Develop incentives to encourage development of ADUs. Incentives may include pre-approved plans and financial assistance (from state programs if available) to assist lower-income homeowners with construction, among others.	By the end of 2024		
	Develop and include a Fair Housing Factsheet, especially on Source of Income protection (i.e., use of public subsidies such as HCVs for housing payments) in the ADU application packet to expand acceptance of HCVs throughout the city.	By the end of 2024		
Program 7.1: Special Needs Housing – Removal of Constraints and	The City will amend the Zoning Ordinance to remove potential constraints to housing for persons with special needs and employees.	By the end of 2024	Citywide	
Program 3.2: Zoning Ordinance Amendments	Support the implementation of the Affordable Housing Overlay to promote affordable housing options. Outreach to housing developers to discuss opportunity sites and incentives available.	Annually	Census Tract 141.01 and 142.02	Achieve 200 lower income affordable housing between 2023 and 2031; seek to achieve 50% of affordable units to benefit areas with concentrated housing problems.

Program	Specific Commitment	Timeline	Geographic Targeting	8-Year Metrics ¹
New Opportunities in Higher Opportunity Areas				
Program 2.3: Affordable Housing Development	Annually meet with housing developers to discuss opportunities for affordable housing development. Evaluate the effectiveness of tools and incentives available to facilitate affordable housing. Tools and incentives may include: ▪ Direct funding support and/or support in the application of State federal funding programs ▪ Additional density bonus or flexibility in development standards for community benefits ▪ Deferral of fees until building permit issuance or occupancy If tools and incentives are determined to be insufficient to foster affordable housing, develop/modify tools and incentives.	Annually Evaluate incentives and tools by 2027 and develop additional strategies by 2028 if necessary and appropriate	Citywide with priority in Census Tract 141.01 and 142.02. Citywide	Achieve 200 lower income affordable housing between 2023 and 2031; seek to achieve 50% of affordable units to benefit areas with concentrated housing problems.
Program 2.4: Inclusionary Housing Requirements	Amend the Zoning Ordinance to change the total affordable requirement in existing housing in Marina's former Fort Ord, occupied as of July 1, 2003, to 20 percent, consistent with the General Plan. Ensure the Inclusionary Housing Ordinance is compliant with the State Density Bonus law.	By the end of 2024	Citywide	
Program 3.1:	Establish a standard procedure for processing SB 9 applications, pursuant to State law. Outreach to and provide technical assistance for SB 9 applicants.	Procedure by the end of 2024 and outreach annually	Single-family neighborhoods	12 SB 9 applications over eight years
Place-based Strategies for Neighborhood Revitalization				
Program 4.1: Affordable Housing Resources	Annually pursue funding opportunities available at local, state, and federal levels and pursue funding as appropriate, such as State CDBG and HOME funds. Specifically, pursue Permanent Local Housing Allocation for new construction, rehabilitation, and acquisition/rehabilitation activities, as well as provision of housing assistance, and preservation and improvement of mobile home parks. If funding becomes available, prioritize funds for projects in the Downtown Area (Census Tracts 141.01 and 142.02) where there is a concentration of minorities, Low- and moderate-income persons, and persons with disabilities.	Annually	Citywide with priority in Census Tract 141.01 and 142.02.	Achieve 200 lower income affordable housing between 2023 and 2031; seek to achieve 50% of affordable units to benefit areas with concentrated housing problems.

City of Marina
2023-2031 Housing Element Update

Program	Specific Commitment	Timeline	Geographic Targeting	8-Year Metrics ¹
Tenant Protection and Anti-displacement				
1.1: Provide Adequate Sites for RHNA and Monitoring of No Net Loss	Annually outreach to property owners and assist developers in identifying vacant and underutilized properties in the City, particularly within the AHO for residential and mixed-use development to expand affordable housing options for existing lower income residents, helping to alleviate displacement potential in the area.	Annually	Citywide	Facilitate development of 200 new units over 8 years
Program 1.2: Replacement Housing Requirements	Amend the Zoning Ordinance to include the replacement housing requirements on non-vacant sites used to fulfill the City's lower income RHNA. Monitor development on non-vacant sites identified in Appendix C and ensure that any development, as a condition of project approval, replace the existing units occupied by or deed restricted for occupancy by lower income households are replaced.	By the end of 2024	Citywide	Facilitate the development of 685 units over 8 years
Program 2.5: Preferential Housing for Marina Workers and Residents	Continue to administer the BMR program that requires 30% of units for sale or rent to be made available according to the priority preference categories established in the "BMR Administrative Policies and Procedures" adopted by the City Council on January 8, 2008, and as amended.	Annually	Citywide	Assist 60 lower income households who are Marina residents and workers through the BMR inclusionary housing program.
Program 4.2: Rental Assistance	Continue to support the HACM's pursue of additional funding from HUD for project-based and tenant-based rental assistance,	Annually	Citywide	Increasing HCV use in Marina by 10% over 8 years.
Program 5.2: Conservation of Existing Affordable Housing	Annually monitor the affordable units by maintaining contact with property owners regarding their intent to maintain the units as affordable housing, with the goal of preserving 616 affordable units in the inventory. When a Notice of Intent to convert from low-income housing to market-rate housing is received (three years in advance pursuant to State law), work with property owners to ensure that the tenants are properly noticed and provided information on potential resources for assistance, and any applicable displacement and relocation requirements are complied with. On an ongoing basis, work with nonprofit housing providers to pursue funding to preserve and improve existing affordable housing.	Annually	Citywide	No net loss of existing Affordable Housing Units

¹ The City is working on the Downtown Vitalization Specific Plan and timelines for the implementation programs have not been finalized. The City has established general timeframes for these activities defined as: Short-term programs are anticipated to be implemented within the first 3 years of Plan adoption, mid-term programs to occur within 4 to 10 years. Mid-term activities are expected to be completed between 2028 and 2034.



Appendix A

Assessment of Fair Housing



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Local Resources

In an effort to reduce housing discrimination, Marina contracts with the non-profit organization ECHO Housing to assist residents with fair housing counseling services, connections to rental assistance and homelessness prevention programs, and to conduct fair housing testing, as shown in Table F-4. The City allocates Community Development Block Grant general administration funds to ECHO Housing's fair housing services. Through ECHO Housing, the City assists residents and landlords by providing mediation, investigation, and referral services.

In addition to the fair housing services provided by active organizations in Marina, Monterey County administers the Housing Choice Voucher (HCV) program for Marina and other jurisdictions in the county. Funded by HUD, the HCV program provides rental assistance aimed at helping low-income families, persons with disabilities, and the elderly secure affordable housing.

Table F-4 Fair Housing Organizations Active in Marina

Organization	URL	Phone Number
Eden Council for Hope and Opportunity	https://www.echofairhousing.org/	(831) 566-0824
Housing Authority of the County of Monterey	https://hamonterey.org/	(831) 775-5000

Source: Tenants Together, <https://www.tenantsaltogether.org/>, accessed January 2023

As mentioned previously, Marina experienced the second most FHEO inquiries per 1,000 residents in the county from 2013-2021. Community members in workshops and stakeholders expressed a need for more enforcement and landlord training to prevent housing discrimination based on disability or other protected class in the city.

Compliance with Existing Fair Housing Laws

The City of Marina complies with existing fair housing laws and regulations by ensuring all residents have equal access to housing programs, services, and resources and supporting any resident in filing complaints on housing discrimination. The City also ensures that the City's zoning regulations do not result in segregation or discriminatory practices and complies with the following fair housing laws:

- Fair Housing Act of 1968 – The City has adopted housing policies that prohibit housing discrimination based on protected characteristics and ensuring equal access to housing programs and services.
- American Disabilities Act – The City's Municipal Code establishes procedures for persons with disabilities seeking equal access to housing including reasonable accommodation for persons with disabilities. The City ensures housing developers comply with the American Disabilities Act through the permit review process.
- Fair Housing & Employment Act – The City upholds policies that prohibit housing discrimination based on protected characteristics and enforces these policies by supporting residents seeking to file a complaint to the FHEO or who wish to pursue legal action.
- AB 686 – The City has included this assessment of fair housing and identifies strategies to increase housing opportunities for all residents, with specific actions to reduce housing disparities for disadvantaged communities.
- Density Bonus Law – The City complies with State Density Bonus Law, having most recently updated their Zoning Ordinance in June of 2023, by providing density bonuses and other

development incentives to housing developers proposing projects with a minimum amount of affordable housing units.

- Housing Accountability Act –The City complies with the Housing Accountability Act by approving eligible housing development projects, including those with at least 20 percent affordable units to lower-income households, that comply with the City’s adopted objective development standards unless the City makes a written finding that the project will have a specific, adverse impact on public health or safety and there is no feasible method to mitigate or avoid that impact.
- No-Net-Loss – The City complies with the No Net Loss Law by identifying sites that can accommodate the City’s RHNA. The City also maintains minimum density requirements for housing development in Medium and High Density Residential zones.

Regional Trends

Regionally, the eastern and northern urbanized area of Monterey County contained populations with at least 80 percent non-white residents, as shown on Figure F-2. Communities adjacent to U.S. 101 had populations with at least 80 percent non-white residents, especially east of the highway. Comparatively, the relatively less urbanized and less densely populated western portion of Monterey County contained populations with higher percentages of white residents. Geographically, areas with less than 20 percent non-white residents were in close proximity to regional and state wilderness parks and recreation areas. The peninsula of Monterey County also contained a higher percentage of white residents, where in some areas, non-white residents represented less than 15 percent of the population.

Racial/ethnic diversity has increased between 2010 and 2020 in Monterey County (Table F-5). The percentage of non-Hispanic white residents in the city has decreased by six percent and the percentage of Hispanic/Latino residents increased by five percent. The percentage of Asian/Pacific Islander, Black/African American, Native American/Native Alaskan, and other/multiple race residents changed by less than one percent.

Table F-5 Population by Racial Group (City of Marina and Monterey County)

Ethnic Group	2010				2020			
	City of Marina		Monterey County		City of Marina		Monterey County	
	Total	Percent	Total	Percent	Total	Percent	Total	Percent
Non-Hispanic White	7,112	36.1%	136,435	32.9%	7,336	32.8%	120,077	27.4%
Black/African American	1,413	7.2%	11,300	2.7%	1,273	5.7%	9,051	2.1%
Hispanic or Latino	5,372	27.2%	230,003	55.4%	7,204	32.2%	265,321	60.4%
Am. Ind./Alaska Native	60	0.3%	1,361	0.3%	66	0.3%	1,314	0.3%
Asian	3,826	19.4%	3,826	6.2%	4,092	18.3%	25,123	5.7%
Native Hawaiian and PI	507	2.6%	507	0.0%	458	2.0%	1,859	0.4%
Other	46	0.2%	741	0.2%	142	0.6%	2,170	0.5%
Two or more races	1,382	7.0%	9,572	2.3%	1,788	8.0%	14,120	3.2%
Total Population	19,718	100.0%	415,057	100%	22,359	100.0%	439,035	100.0%

Source: Bureau of the Census, 2010 and 2020.

Note: The Hispanic/Latino population may overlap with other racial/ethnic groups

Local Trends

According to 2015-2019 ACS estimates, the central area of the city contained the highest percentage of non-white residents, as shown in Figure F-3. The census tract 141.01, south of Carmel Avenue and north of Patton Parkway, had a predominant Hispanic/Latino majority, as displayed in Figure F-4. The western portion of this tract had the highest percentage of total non-white populations (81 percent) in the city by census block group. The western census block group within this tract had 49 percent Hispanic/Latino population, 19 percent white, 17 percent Asian American, 7 percent other and multiple races, 5 percent Black, and less than one percent American Indian, comprising a diversity index of 92.5. This diversity index represents the likelihood that two persons chosen at random are of a different race or ethnic group, meaning the likeliness that two people in this block group are of different race or ethnic groups is very high. Similarly, the census block group in the

Appendix A – Assessment of Fair Housing

northern neighboring census tract (142.02) contained 80 percent non-white residents with a diversity index of 92.

Comparatively, the northwestern outer region of the city contained a white predominant population with diversity index scores of less than 80, which included areas north of Reservation Road and west of Del Monte Boulevard, and a small southern portion of the city east of 2nd Avenue and south of 8th Street. A northern coastal census block group that overlapped with a predominantly white tract (143.01), located west of Del Monte Road contained 41 percent white population, 25 percent Asian American, 20 percent Hispanic/Latino, 7 percent other and multiple races, 4 percent Black, less than 1 percent American Indian.

Racial/ethnic diversity has remained relatively the same over the past 10 years with an increase in Hispanic/Latino residents (Table F-5). The percentage of white residents in the city has decreased by three percent, the percentage of Hispanic/Latino residents increased by five percent, and the percentage of Asian/Pacific Islander residents decreased by two percent. The percentage of Asian/Pacific Islander, Black/African American, Native American/Native Alaskan, and other/multiple race residents changed by less than one percent.

disabilities, reflecting no change from 2012, while the percent of total unemployed increased from 6 percent to 9 percent during this time. Additional discussion regarding persons with disabilities in Monterey County is included in Chapter 1 of the Housing Element, *Needs Assessment*.

Table F-6 Employment Status by Disability Status (Monterey County)

Disability Status	Employed 2012-2017 (Percent of Total Employed)	Unemployed 2010 -2017 (Percent of Total Unemployed)	Employed 2016-2021 (Percent of Total Employed)	Unemployed 2016-2021 (Percent of Total Unemployed)
No Disability	161,320 (97%)	19,764 (94%)	169,894 (96%)	9,330 (91%)
With a Disability	5,846 (3%)	1,224 (6%)	6,002 (3%)	875 (9%)
Total	167,166 (100%)	20,988 (100%)	175,896 (100%)	10,205 (100%)

Source: U.S. Bureau of the Census, American Community Survey, Table C18120 Employment Status by Disability Status, 2010-2014, 2015-2019 Estimates.

Figure F-5 shows the spatial distribution of residents living with one or more disabilities across the county. Communities located throughout the northwestern region of the county were estimated to have a larger share of residents with disabilities compared to communities located in the south and eastern regions of the county. The largest portion of residents living with one or more disabilities is contained in an area just south of the Monterey Peninsula.

Local Trends

According to 2016-2020 5-year ACS estimates, 2,703 residents (approximately 12 percent) of Marina's population live with one or more disabilities. This is a one percent increase from 2012, when 11 percent of the population had a disability. As displayed in Figure F-6, ambulatory difficulty (defined as having serious difficulty walking or climbing stairs) was the most common disability reported by Marina residents aged 65 and older. Cognitive difficulty was the largest disability reported for those aged 5 to 17 years of age.

Figure F-7 shows the percentage of the population living with one or more disabilities in the city by census tract, using 2015-2019 ACS data. Generally, most of the city had between 10 to 20 percent of residents reported living with one or more disabilities. Census tract 142.01 is predominately Hispanic/Latino and had 13 percent of residents living with one or more disabilities. The adjacent census tract 141.02 had the largest percentage of residents with one or more disabilities (approximately 19 percent) and contained 61 to 80 percent residents that were non-white. Bordering the tract with predominate Hispanic/Latino residents, Census Tract 142.02 had 14 percent of residents living with a disability, where 20 percent of the population in this tract had an income that was below the poverty level, according to the ACS 2015-2019 estimates.

Community feedback from stakeholders indicated a desire for integrated housing for those with disabilities and near services such as transit and commercial areas for easy access.

Similar to current trends, the percentage of single-parent, female-headed households in Monterey County was about double the amount of single-parent, male-headed households. According to 2010 ACS estimates, 7 percent of all households in 2010 were single-parent, female-headed households. This indicates a slight reduction in single-parents, female-headed households from 2010 to 2020. Similar to 2020, most of the female-headed households with children occupied rental housing within the County.

According to 2015-2019 ACS estimates, jurisdictions located in the northern and eastern regions of the county, such as the areas near Castroville and the cities of Salinas, Seaside, Marina, Soledad, and Greenfield had relatively higher proportions of children who reside in female-headed, single-parent households. In contrast, the northwestern region of the county, including the cities of Carmel-by-the-Sea, Pacific Grove, Pleasanton, and Monterey, had less single parent households.

As shown in Figure F-8, the percentage of single female headed households with children is generally consistent throughout the urban areas of Monterey County (20 to 40 percent) with larger proportions occurring in the central areas adjacent to U.S. 101 (Soledad and Greenfield) and the northern areas (Marina).

Figure F-9 shows the percentage of adults living alone in the county. In Monterey County, there is a concentration of adults living alone in the northwestern region, specifically in coastal communities such as Pacific Grove, Monterey, and Carmel-by-the-Sea. These urban areas have large portions of adults who live alone (20 to 40 percent) compared to the rest of the county (less than 20 percent) including the cities of Salinas, Gonzales, Soledad, Greenfield and King City. Areas with a larger percentage of non-white population generally overlap with areas exhibiting lower rates of adults living in households alone.

Local Trends

According to ACS estimates, about 24 percent of all households have children in Marina, which is a slight reduction from 2010 which had approximately 27 percent of all households having children. Similar to the County, Marina saw a slight decrease in the number of single-parent, female-headed households from 2010 to 2020, which was 8 percent and 6 percent, respectively. In the city, there was about 80 percent less single-parent, male-headed households than female-headed.

As shown in Figure F-10, census tracts located in the eastern and southern areas of Marina contain a larger percentage of children residing in single-parent, female-headed households. Comparatively, most areas located in the western areas of Marina exhibit less than 20 percent of children residing in single-parent, female-headed households. The highest share of children in single-parent, female-headed households is located in the southern and eastern regions of the city (census tract 141.02). According to 2015-2019 ACS estimates, 37 percent of children in this area were living in single-parent, female-headed households. As referenced in Section 4.1, *Race and Ethnicity*, this census tract had the second largest percentage of non-white residents.

Figure F-11 highlights the percent of adults living alone in Marina. The census tract with the highest percentage of adults living alone (21 percent) is 143.01, located in the coastal community at the very western edge of the city. This tract also had a predominant white population.

4.5 Household Income

Identifying low- or moderate-income (LMI) geographies and individuals is important to overcome patterns of segregation. HUD defines an LMI area as a census tract or block group where over 51 percent of the population is LMI (based on HUD income definition of up to 80 percent of the area median income or AMI). Household income is directly connected to the ability to afford housing. Higher-income households are more likely to own rather than rent housing. As household income decreases, households tend to pay a disproportionate amount of their income for housing, and they are more likely to occupy structurally unsound and overcrowded housing.

Regional Trends

Household median income is lower in communities located in the southeast region of Monterey County. According to 2020 Census estimates, Monterey County had a median household income of \$82,013. Figure F-12 provides median household income data by block group for Monterey County. Areas highlighted in blue reflect regions of Monterey County where the median income is below the state median income of \$87,100.

Block groups exhibiting the lowest median incomes are highly concentrated within the southern cities of King City, Greenfield, and Soledad, and scattered throughout segments of Salinas, Marina, and Seaside. Figure F-13 highlights census tracts along U.S. 101 within the cities of King City, Greenfield, and Soledad, Gonzales, and Salinas that contain the highest low to moderate (LMI) populations in Monterey County. Tracts within neighboring cities of Seaside and Monterey also contain concentrations of LMI populations. Spatially, LMI populations overlap with tracts that are predominantly Hispanic/Latino.

Local Trends

Marina has an estimated median household income of \$73,115 in 2020 according to ACS estimates. This is a 42 percent increase in median household income from 2010 (\$51,547). As shown on Figure F-14, median household income varies across Marina. Geographically, census block groups with the lowest median income levels were concentrated in the city center, compared to block groups in the northwestern and southeastern areas of the city that had the highest median income levels in Marina. Neighborhoods with the lowest median income located throughout the city center had a sizeable Hispanic/Latino population. In comparison, areas with higher median income levels had predominantly white populations.

LMI populations are generally evenly distributed throughout Marina, as displayed in Figure F-15, where most of the city contains LMI populations between 25 to 50 percent. However, the area near California State University, Monterey Bay contains the smallest proportion of LMI populations in Marina. In Marina, the northwestern portion contains the second smallest proportion of LMI populations (26 percent), which had a predominantly white population. Furthermore, the eastern part of the city has the highest percentage of LMI population (48 percent). As discussed, this area also contains high percentages of non-white residents and has the highest percentage of children living in single-parent, female-headed households. This tract also neighbors the only predominantly Hispanic/Latino tract in Marina.

5 Racially and Ethnically Concentrated Areas of Poverty

To assist communities in identifying racially and ethnically concentrated areas of poverty (R/ECAP), HUD developed a definition that relies on a racial and ethnic concentration threshold and a poverty test. For an area to be identified as having a racial and ethnic concentration, it must have a non-white population of 50 percent or more, within metropolitan or micropolitan areas. In locations outside these areas, where the non-white populations are likely to be much smaller than 50 percent, the threshold is set at 20 percent. The poverty test defines areas of “extreme poverty” as those where 40 percent or more of the population lives at or below the federal poverty line, or areas where the poverty rate is three times the average poverty rate in the metropolitan area, whichever is less. An area that meets either the racial or ethnic concentration and also meets the poverty test would be considered a R/ECAP.

5.1 Poverty and Segregation

Regional Trends

R/ECAP areas in Monterey County solely occur in Salinas. In total, there are five R/ECAP tracts identified in Salinas. According to 2019 UDP estimates, populated R/ECAP areas in Salinas all had a Hispanic/Latino concentration. The central R/ECAP is adjacent to other tracts that are mostly Hispanic/Latino. Comparatively, other R/ECAP areas adjoin tracts that have a concentration of both Hispanic/Latino and white populations. The western area of Salinas had a R/ECAP area that adjoins a tract that contains Asian American-Hispanic/Latino-white concentration. No other R/ECAP areas are identified throughout Monterey County.

Local Trends

While there are no R/ECAPs as defined by HUD in Marina, there are segments of the central city with higher levels of poverty. According to 2016-2020 ACS estimates, approximately eight percent of Marina’s population is living below the poverty line, a decrease of nine percent from the 2012 poverty rate (17 percent). Figure F-17 shows the percentage of the population with an earned income below the poverty level. According to 2015-2019 ACS estimates, several neighborhoods located in the central area of Marina had a greater share of residents earning an income below the poverty level compared to the rest of the city. Approximately 20 percent of the population residing within a portion of census tract 142.02 just south of Reservation Road, earned an income that was below the poverty level. The second highest percentage (16 percent) of residents earning an income below the poverty level was located just south of this census tract (141.02). Since 2014, poverty rates have decreased within this specific area of the central city. According to 2010-2014 ACS estimates, in 2014, this tract had the highest proportion of residents earning an income below the poverty level (36 percent). Today, 2015-2019 estimates show that poverty levels in this census tract have decreased by over half. This tract had a high diversity index of 82, and in 2019 had a population of 31 percent white, 33 percent Hispanic/Latino, 15 percent Asian, 12 percent Black, and 10 percent who identified as other. In addition, this tract showed an increase of median household income from \$54,107 in 2014, to \$72,821 in 2019. Nearly 89 percent of residents are renters, and according to the UDP, this tract indicates a hot buyers’ market. The increase in income levels and reduction in poverty could be due to existing residents being displaced by high-income residents. Displacement risk in Marina is further discussed in, as referenced in Section 7.5, *Displacement*.

Monterey County received an average AllTransit performance score of 4.2 which equates to a low combination of trips per week and number of jobs accessible by transit.¹¹ Nearly 73 percent of workers in the county live within 0.5 mile of transit. Almost all major employment centers in Monterey County are served by some form of public transit. However, having regional access to jobs by means of public transit does not necessarily translate into stable employment. Some residents with unique needs, such as households with children, have unique travel patterns that may prevent them from working far from home due to childcare needs, access to schools, and other considerations.

Local Trends

Marina is served by MST which offers two fixed route bus lines in Marina (Routes 20 and 61) and one route that stops at California State University Monterey Bay (Route 25). Route 20 connects Marina to the cities of Salinas and Monterey, operating from 5:45 am to 10:07 pm on weekdays and from 7:15 to 9:07 pm on weekends. Route 61 connects Salinas to Marina and the Major General William H. Gourley VA-DoD Outpatient Clinic in Marina, operating from 6:45 am to 6:35 pm every day. Route 25 stops in Salinas and California State University Monterey Bay, operating from 7:15 am to 7:10 pm on weekdays only when class is in session. The City of Marina is partnering with other community partners for the proposed SURF! Busway and Bus Rapid Transit project which will increase connections with a 6-mile busway parallel to Highway 1 from Marina to Sand City and Seaside. MST plans to run zero-emission buses and would curb pollution and commute times by easing traffic congestion.

Marina is generally accessible by local transit. The city has an AllTransit Performance Score of 5.3, which is slightly higher than overall Monterey County. According to AllTransit, 92.7 percent of workers in Marina live within one-half mile of transit.¹²

Central and southern parts of the city are within 0.25 mile of transit stops in Marina (Figure F-19). However, areas in the northern and eastern part of the city and some areas in the center of the city, such as near Marina High School, are not in proximity to a transit stop.

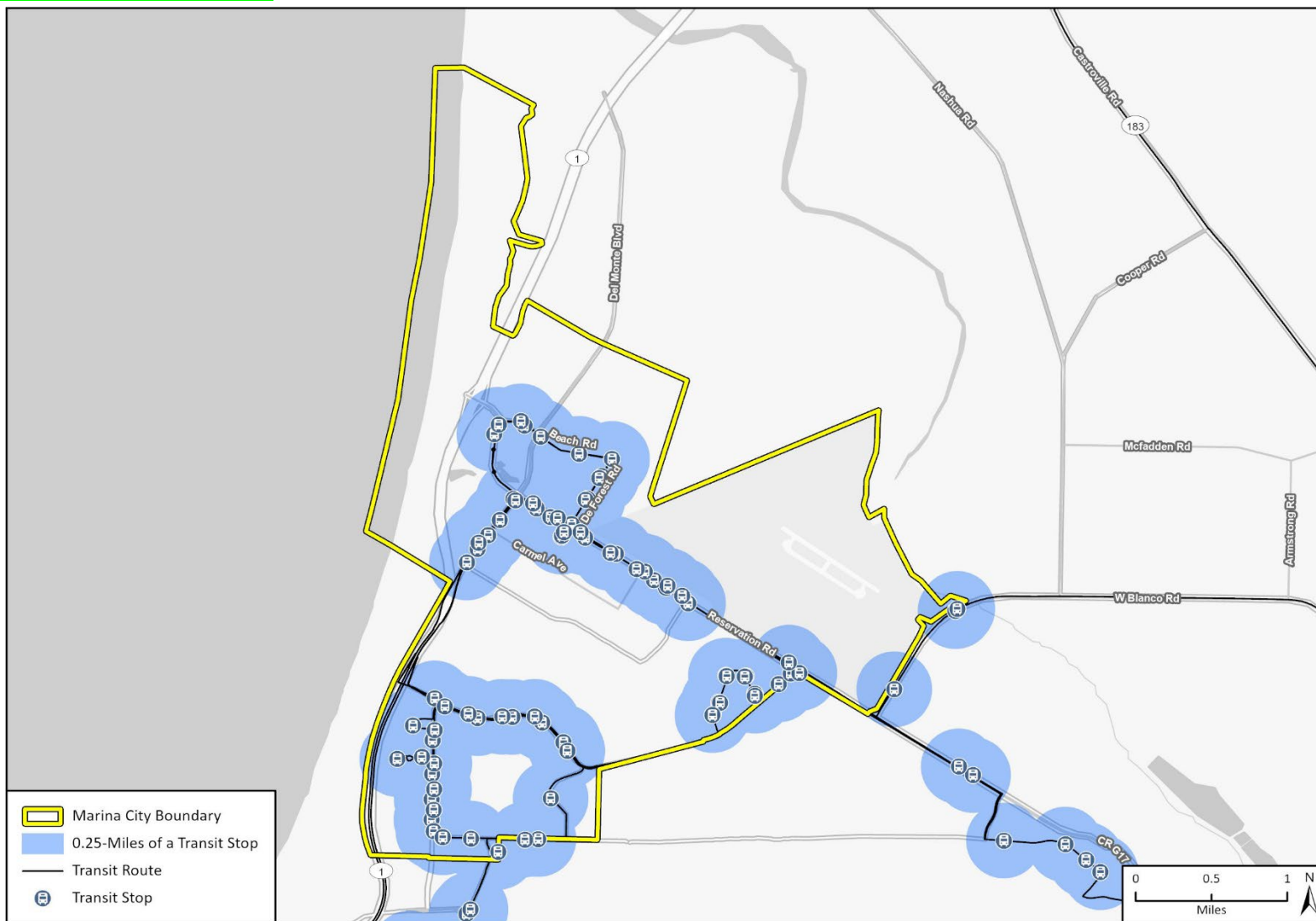
Walk Score is a tool that produces a walkability index by assigning a numerical walkability score to cities and neighborhoods. Walkability is measured by analyzing population density, distance to amenities, and road metrics such as block length and intersection density. Overall, Marina has a walk score of 46, which is an average walk score and indicates most errands require a vehicle or bike.¹³ Figure F-20 illustrates Marina's walkability index from the EPA, which ranks block groups according to their relative walkability. As shown, the central area of the city, east of Del Monte and around Reservation Road have the greatest walkability. These areas are located near major commercial corridors and overlap with more diverse and lower income residents.

¹¹ AllTransit.org. 2022. County: Monterey, AllTransit Metrics. <https://alltransit.cnt.org/metrics/?addr=monterey+county>

¹² All Transit.org. 2022. City: Marina AllTransit Metrics. <https://alltransit.cnt.org/metrics/?addr=Marina>

¹³ <https://www.walkscore.com/>

Figure F-19 Transit (Marina)



California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USDA, ACS 2015-2019, HCD, PlaceWorks 2021, HUD Region 9 2021, American Community Survey, UC Berkley Urban Displacement Project, TCAC 2022, CalEnviroScreen 4.0, 2021

HL - AFFH
AFFH - Transit

Source: Monterey County 2022

6.2 Access to Education

Educational attainment is directly linked to housing opportunities. TCAC education domain scores measure educational outcomes using math and reading proficiency (the percentage of 4th graders who met or exceed math proficiency standards), high school graduation rates (the percentage of high school cohorts that graduate on time) and student poverty indicators (the percent of students not receiving free or reduced-priced lunch). The TCAC education domain scores are derived from 2018-2019 Department of Education data. This analysis incorporates demographic and socio-economic measures to spatially evaluate access to educational opportunities at the census tract level.

Regional Trends

An overview of education outcomes across Monterey County is illustrated in Figure F-21. Educational outcomes vary across the county, as jurisdictions in the western portion, including Pacific Grove, Monterey, and Carmel-by-the-Sea, generally had more positive education outcomes compared with the cities in the eastern portion such as Greenfield, Soledad, and parts of eastern Soledad. According to kidsdata.org, a data compilation program of the Lucile Packard Foundation for Children's Health, Monterey County had a total public-school enrollment estimate of 1,691 students in 2021.¹⁴ Hispanic/Latino (55 percent) and white (31 percent) comprised the two largest racial/ethnic groups of the total public school enrollment in Monterey County in 2021, whereas multiracial students (8 percent), Asian American (3 percent), and African American (2 percent) comprised a significantly smaller share. Furthermore, high school graduation rates are highest among Asian American (91 percent) and Native Hawaiian/Pacific Islander students (95 percent), while African American (86 percent), non-Hispanic white students (85 percent), and Hispanic/Latino (84 percent) had slightly lower graduation rates.

Local Trends

Marina is served by the Monterey Peninsula Unified School District (MPUSD). MPUSD operates three elementary schools, one middle school, and one high school within Marina. In addition, MPUSD has partnered with a local internet company for home access in Marina. According to Kidsdata.org, a data compilation program of the Lucile Packard Foundation for Children's Health, 25 percent of students between grades 3 and 11 in Marina meet or exceed grade-level standards in mathematics and 36 percent meet or exceed grade-level standards in English Language Arts. Approximately 92 percent of Marina High School students graduated in 2021. Figure F-22 provides Marina's TCAC scores for education outcomes at the census tract level. Marina generally scored low in education access. Communities in the northwestern area of Marina scored slightly higher than all other areas in Marina. All other areas had an education score of 0.29 compared to the 0.33 score in the northwestern area.

¹⁴ <https://www.kidsdata.org/region/931/monterey-county-office-of-education/results#ind=&say=&cat=37,18>

Local Trends

Figure F-27 shows a variety of pollution levels across the city; the lower the score (green) the more positive conditions. Neighborhoods in the western and central areas of the city had more positive environmental outcomes (lower CalEnviroScreen scores) compared to neighborhoods in the eastern area of Marina. The northern most census tract in the eastern area had the lowest environmental outcomes (high CalEnviroScreen scores). Pollution burden in Marina is highest due to pesticide use, proximity to cleanup sites, groundwater threats, proximity to hazardous waste sites, and impaired water bodies.

TCAC environmental outcome scores also vary across Marina. As shown in Figure F-28, areas that had more positive environmental outcomes (low TCAC scores) were concentrated in the western and central areas of the city. Conversely, census tracts concentrated in the eastern portions of the southern and northern areas had less positive environmental outcome scores, which is consistent with the CalEnviroScreen 4.0 findings. According to TCAC opportunity map, the most positive environmental outcome score was given to census tract 142.02, which has a higher percentage of non-white residents. The more urbanized areas in the central area of the city south of Reservation Road and east of Del Monte Blvd appear to have higher environmental scores which could be due to further distance from dust and air quality issues generated by agricultural uses and sand dunes, as well as the Marina Municipal Airport.

The City's General Plan includes policies regulating the location of sites that would include storage or use of hazardous materials and policies designed to protect local water quality. The City's General Plan also regulates open space areas in the city and sets standards for the number of parks needed to serve residents of the city. The City has an overall standard of 3 acres of open space per 1,000 residents, with additional standards for several types of parks such as neighborhood parks, community parks, and recreation trails. According to the General Plan, the city has ample open space to serve its residents with approximately 97 acres of land designated for parks and recreation throughout the city, equal to approximately 4.3 acres per 1,000 residents. Most of the land designated for parks and recreation and open space are located around the edge of the city, with few parks within the center of the city.

Local Trends

According to CHAS 2014-2018 estimates, approximately 26 percent of total households in Marina experienced at least one housing problem (units having incomplete kitchen facilities, incomplete plumbing facilities, more than one person per room (including dining and living rooms but excluding bathrooms and kitchen), and households with a cost burden greater than 30 percent), which is lower when compared to the rate of housing problems throughout Monterey County. Based on the AFFH viewer, there is no difference or spatial pattern in the areas that have one of four severe housing problems, as the entire city contains populations between 20 and 40 percent that experience housing problems.

Based on ACS 2016-2020 estimates, 14 owner-occupied units in Marina lacked complete kitchen facilities and no housing units lacked complete plumbing facilities. However, the Census typically undercounts substandard housing conditions as it is not able to report on other more subtle housing problems, such as inadequate wiring, leaks, or inadequate or lack of heating. ACS data provided only captures households with incomplete kitchen or plumbing facilities and does not include overcrowding and cost burden such as the CHAS 2014-2018 estimates. However, these topics will be discussed in the following sections.

Fifty-five percent of all housing units in Marina were constructed prior to 1980, with the highest share of homes being built between 1960 and 1990. About 5 percent of the city's current housing stock was constructed after 2010, which suggests that most housing may require repairs and modernization improvements due to the age. Central and northern areas of Marina had the oldest housing structures in the city. The median year housing units were built in these areas ranged from 1971 to 1975, whereas other census tracts had a median year-built ranging from 1984 to 1986. During community workshops the issue of substandard rental housing was brought up, indicated a need for landlords to maintain their housing units in compliance with local code.

7.2 Housing Cost Burden

Housing cost burden is defined as the proportion of a household's total gross income spent on housing costs. Households that spend at least 30 percent of their total gross income on housing costs (rent, mortgage, utilities, and other housing-related costs) are considered cost burdened, and households spending over 50 percent on housing costs are considered severely cost burdened. The higher the housing cost burden, the more likely residents are to live in overcrowded and substandard conditions and are less likely to afford to relocate.

Regional Trends

Figure F-30 shows areas of Monterey County where renter households are cost burdened. As shown, overpayment by renters is a widespread problem across most of Monterey County, especially in the northwestern portion of the county. According to 2015-2019 CHAS estimates, Monterey County had a total of 127,155 households in Monterey County. Of this total, approximately 74 percent of renter-occupied households (46,060 cost burden households) experienced housing cost burden (cost burden and severe cost burden) compared to 43 percent of owner-occupied households (27,940 cost burden households). Jurisdictions located in the northwestern region of Monterey County, including parts of Salinas, Seaside, and eastern areas of Monterey had higher concentration of renters burdened by housing costs, compared to less populated areas in the eastern region of Monterey County. Greenfield had the highest portion of

stable/advanced exclusive category refers to neighborhoods that have exhibited characteristics of exclusion for long periods of time.

Regional Trends

As shown in Figure F-35 below, throughout the county, residents reside in what are called “sensitive communities,” which means they are vulnerable to displacement.²² Every city in the region had sensitive communities, with the exception of Carmel-by-the-Sea. Unincorporated areas of the county with sensitive communities were concentrated in the eastern portion of the county along U.S. 101. Communities are designated sensitive if the share of very low-income residents is greater than 20 percent and have any of the following characteristics: the share of renters is above 40 percent, the share of people of color is above 50 percent, the share of very low-income households that are severely rent burdened is above the county median, the percent change in rent is above the county median for rent increases.

Local Trends

As shown on Figure F-36, most neighborhoods throughout Marina are considered vulnerable to displacement. One census tract (143.01) in the northwestern area was not considered to be vulnerable to displacement. Sensitive communities in the central area south of Reservation Road received the highest tier of vulnerability in Marina and were considered a “heightened sensitivity”. In addition, as discussed in Section 5.1, *Poverty and Segregation*, the census tract just south (142.02) has had the greatest reduction in poverty rates, indicating a risk of displacement for low-income residents. These two tracts in the central area of the city contained a mix of single-family and multifamily residential and commercial uses compared to sensitive communities in the northern and eastern area of Marina, which had predominantly single-family uses. Additionally, areas vulnerable to displacement had higher poverty rates, overcrowded households, and were more likely to have a predominant Hispanic/Latino or Asian American population. Community members expressed concerns for eviction of renters without cause, which could occur more if rents are able to be increased and there is a lack of enforcement and education. Displacement risk in Marina is likely caused by economic factors, such as rising housing costs. As discussed in Chapter 1, *Needs and Constraints*, between 2015 and 2022, median home prices increased 96 percent from \$489,000 to \$960,000. Median rent has also increased significantly in recent years. According to Zumper, median rent for a two-bedroom apartment in Marina increased almost 15 percent between 2021 and 2022, from \$2,150 to \$2,464.

While the City of Marina does plan for infrastructure improvements to support future development within the city, these improvements would not result in the loss of any housing units or displace any existing residents. There are no proposed improvements which would require the displacement of existing housing units or residents. In addition, due to the annexation of land from the former Fort Ord, there is vacant land and new housing units to accommodate any potential displaced residents.

²² Urban Displacement Project, 2021. <https://www.sensitivecommunities.org/>

- Need for permanent housing for the high concentration of homeless persons in the city

Disparities in Access to Opportunities

The following contributing factors to disparities in access to opportunities were identified:

- Lack of commercial revitalization and access to jobs along commercial corridors
- Need for improved educational outcomes throughout the city

8.1 Prioritization of Contributing Factors

The City is required to prioritize contributing factors to focus the city's resources and maximize impact within the planning period. While there are a range of factors that contribute to fair housing issues in Marina, several factors contribute more significantly to the fair housing patterns observed within the city. These contributing factors were considered in crafting the goals and implementation actions within Chapter 3, *Housing Action Plan*.

The following contributing factors are considered most significant to fair housing issues in Marina:

- **Housing discrimination** based on disability status and income and lack of education on housing rights and resources
- **Limited supply of affordable housing** throughout the city
- **Lack of commercial revitalization and access to jobs** along commercial corridors

9 Local Data and Knowledge

The AFFH analysis identified that the central areas of Marina generally experience more fair housing issues than other areas of the city. Fair housing issues in this area include lower median household income, higher levels of minority populations, low- and moderate-income populations, poverty rates, and overcrowding. Displacement risk for low-income renter households is evident in this area, as the UDP identifies this area to include sensitive communities vulnerable to displacement. The predominant population in this area of the city is Hispanic/Latino, with the highest non-white population of all other areas in the city.

9.1 Stakeholder and Community Input

The City held two housing workshops to receive feedback from the community on fair housing issues and the Housing Element Update on November 9, 2022, and March 15, 2023. During these workshops, participants raised concerns regarding discriminatory housing practices and the need for more enforcement and education for tenants and landlords to understand and comply with fair housing laws. Housing issues raised by participants included the lack of affordable housing for lower-income households and the need for “missing middle” housing types near jobs and other services. Challenges to affordable housing production include high costs of construction and the need for infrastructure. Participants encouraged ministerial review and financial incentives for affordable housing developers. AFFH-related concerns raised by participants included the high cost of housing, transportation accessibility, and tenant rights (specifically that tenants will not bring up issues due to fear of rent increases).

Throughout community outreach efforts, including community workshops and a community housing survey, community members identified fair housing issues and concerns experienced within the city. Community members identified economic challenges, including the lack of access to jobs, as well as housing discrimination and a lack of housing that is accessible to persons with disabilities. In addition, renters and undocumented residents will not raise housing concerns due to fear of rent increase or retaliation. Furthermore, much of the city’s housing stock is more than 30 years old and community members stated there are housing units in need of maintenance and repair.

Access to Jobs and Affordable Housing

Marina’s job proximity throughout the city is low, even with its proximity to California State University, Monterey Bay. Much of the central area is identified as the furthest proximity. Limited redevelopment and revitalization of the main commercial corridors in the city has prevented further economic development and jobs. In addition, major regional job centers such as the Monterey Bay Aquarium and California State University, Monterey Bay have a difficult time bringing in new staff due to the cost of housing in the city and region.

Access to Home Ownership

Increasing housing costs has produced a barrier to home ownership for Marina residents who expressed interest in assistance for first-time homebuyers. As of August 2022, median sales price for homes in Marina was \$960,000, nearly double the median sales prices in July 2015.²³ Home values

²³ Corelogic.com, 2022, California Home Sale Activity by City 2015 and 2022

have been consistently on the rise since 2000 (with the exception of the recession). This increase makes it more difficult for residents, especially lower income residents, to afford to purchase their own homes. The AI analyzed home lending data from 2007 to 2017 and found potential inequities in mortgage lending based on race. In 2017, a majority of loan approvals were located in upper income census tracts which, in Marina, have a higher proportion of white populations.

Zoning Policies

The City has previously maintained zoning policies that do not encourage multifamily development, particularly within the downtown area. The City's zoning ordinance allows single-family residences in the R-3 (Limited Multiple-Family Residential District) and R-4 districts (Multiple-Family Residential District). Allowing low-density residential uses such as single-family residences in medium and high density residential zones limits the amount of land available for higher density residential development. In addition, condominium projects are subject to a use permit in the R-3 and R-4 districts and single-room occupancy housing is not an allowed use in the R-3 district and requires a use permit in the R-4 district. These policies place restrictions on single-room occupancy and condominium housing developments that make it more difficult and more costly to develop, thereby discouraging them from being built. The City is working to overcome limiting zoning policies with the recently adopted Affordable Housing Overlay and Downtown Vitalization Specific Plan (draft plan in progress), which work to overcome limiting zoning policies by encouraging multifamily housing and mixed-use development within the downtown area.

Subsidized Housing

The highest percentage of renter-occupied units using HCVs were located east of Del Monte Blvd, where approximately 5 to 15 percent of households are using HCVs, as shown in Figure F-37. In parts of the city in the west, about 0 to 5 percent of renters are using HCVs. A number of residents expressed issues with discriminatory practices for renters with vouchers trying to find rental housing in Marina.

Exhibit D: Final Housing Element:
[https://cityofmarina.org/1186/6th-
Cycle-Housing-Element-Update](https://cityofmarina.org/1186/6th-Cycle-Housing-Element-Update)

Mayor and Members of the
City Council

City Council Meeting
of December 5, 2023

**CITY COUNCIL OPEN PUBLIC HEARING AND CONSIDER ADOPTING
RESOLUTION NO. 2023-, APPROVING THE FINAL SIXTH CYCLE
HOUSING ELEMENT AND FORWARD IT TO STATE HCD TO BEGIN A
SIXTY (60)-DAY REVIEW PERIOD AND FIND THE PROJECT EXEMPT
FROM CEQA PURSUANT TO SECTION 15061(B)(3) OF THE CEQA
GUIDELINES**

RECOMMENDATION:

1. Open a public hearing and consider adopting Resolution No. 2023-, approving the Final Sixth Cycle Housing Element and forward it to State HCD to begin a sixty (60)-day review period and find the project exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

PROJECT TIMELINE

July 19, 2022-the City of Marina City Council approved a contract with Rincon Consulting and Veronica Tam and Associates to kick off the update to the City's Housing Element for the 2023-2031 planning period.

November 9, 2022-Housing Element Workshop #1 occurred with several interested parties. The Housing Element process and timelines were discussed and ways to get involved were shown to the public.

November 10, 2022-a study session with the Planning Commission occurred.

November 2022-January 2023-stakeholder interviews were conducted by Rincon Consulting and city staff to better understand the housing issues facing the City of Marina

March 15, 2023-the second Housing Element Workshop on March 15, 2023 took place. Fair housing regulations and requirements were discussed, as well as an in-depth discussion about the fair housing problems community members have faced in the city in the past few years.

May 2023-city staff met with the Asian Communities of Marina to solicit input on the Housing Element, General Plan and Downtown Specific Plan.

June 2023-the internal draft Housing Element was reviewed by city staff and the document made available to the public on the City website.¹ The Planning Commission provided input and recommended the City Council forward on the document to HCD to begin a 90-day review period.

July 2023-The City Council recommended the draft Housing Element be forwarded onto California Department of Housing and Community Development (State HCD) after edits were made to the

¹ City of Marina Sixth Cycle Housing Element Website: <https://cityofmarina.org/1186/6th-Cycle-Housing-Element-Update>

document per the July 5, 2023 Council meeting. On July 31, 2023 the draft Housing Element was submitted to HCD.

September 14, 2023-meeting #1 with State HCD and city staff

October 5, 2023-meeting #2 with State HCD and city staff.

For the past two years, City staff have worked extensively with Rincon Consulting, Veronica Tam and Associates and State HCD to seek compliance with both the Fifth and Sixth Cycle Housing Elements.¹ Workshops with the community and study sessions with both the Planning Commission have transpired to get input from both legislative bodies during this timeframe.

In July after receiving input from the Council, the Draft Housing Element was forwarded onto State HCD for a ninety (90) day review period. As a courtesy, at the forty-five (45) day mark on September 14, 2023, State HCD staff met and conferred with City staff and Rincon Consulting to give their preliminary comments.

On October 5, 2023, HCD staff met again City staff and Rincon to ask clarifying questions and to further refine the comments they would be sending the City. The city provided additional edits to the draft Housing Element to seek compliance with HCD input. As required by law, these additional edits to the document were posted on the city website.²

As a result of this collaborative arraignment between the City and State HCD staff, the official comments letter from the state was relatively “clean” with only clarifying edits and inputs requested of the city.³ If no programs or policies are removed from the document, recirculation will not be required and the City can send to the state by the December 15, 2023 deadline.

The next step in the process is for the Planning Commission and Council to approve the document as is and then direct staff to send the Housing Element to the State to begin a sixty (60) day review period. Considering minor edits received on the first state review, city staff are requesting that any minor modifications or non-substantive edits received on the second round of review by HCD be incorporated by reference by the city.

STATE HOUSING AND COMMUNITY DEVELOPMENT REVIEW (STATE HCD)

The entire list of HCD comments can be found via a link on the city website.⁴ City staff will focus on 3-4 key areas for discussion.

¹ On April 27, 2023 State HCD certified the Fifth Cycle Housing Element.

² October 2023 Marina Housing Element Edits <https://cityofmarina.org/DocumentCenter/View/13794/October-2023-Draft-Housing-Element-Resubmittal-Green-Highlights-?bidId=>

³ State HCD October 2023 Draft Marina Housing Element comment letter: <https://cityofmarina.org/DocumentCenter/View/13862/Letter-from-Department-of-Housing-and-CommunityDevelopment-Department-of-Housing-Policy-Development?bidId=>

⁴ <https://cityofmarina.org/1186/6th-Cycle-Housing-Element-Update>

Affirming Fair Housing-The element must also incorporate and analyze past data on familial status to fully describe the impacts of familial status on fair housing choice and opportunity. The Housing Element was revised to provide a comparison of past and present data on familial status within the region and locally. This has been added and can be found on pg. A-25 of the document.

Marina Station-The element identifies the Marina Station Specific Plan as a significant strategy to meet the RHNA. Given the reliance on pending developments to accommodate the RHNA, future submittals of the housing element should include up-to-date information on the processing of building permits for Phases 1 and 2 of the Specific Plan. The Housing Element was revised to include up-to-date information on the processing of building permits for Phases 1 and 2 of the Specific Plan, which are now expected by the Summer of 2024. An objective to Program 1.1 was added to the Housing Action Plan to monitor the progress of housing projects and ensure there are adequate sites throughout the planning period. This information was added to the document and can be found on pg. 3-3 of the Housing Element

Accessory Dwelling Units (ADUs): While the element provides information on the zones where ADUs are permitted, there appear to be zones where residential uses are permitted and ADUs are not permitted. Specifically, the C-R, C-1, and C-2 zones allow for residential uses, but do not allow for ADUs; Program 2.1. The Housing Element's Program 3.1 was revised to include that the Zoning Ordinance be amended to ensure ADUs be permitted in all zones in which residential uses are permitted, which includes the C-R, C-1 and C-2 zones. The language has been modified and can be found on pg. 3-8 of the document.

GENERAL PLAN ANALYSIS

The proposed project is consistent with the City of Marina General Plan as detailed in Exhibit A (Findings of Fact).

EX PARTE COMMUNICATION DISCLOSURES

The review of the draft Housing Element is a legislative act of the Planning Commission and City Council and therefore the ex parte disclosures do not apply.

ENVIRONMENTAL DETERMINATION

The Housing Element would not facilitate specific development projects nor require zoning or land use changes as part of its adoption or implementation, which could result in physical changes to the environment. The City of Marina currently has enough available sites and appropriate zoning to accommodate the RHNA without zoning or land use changes.

Therefore, it would not facilitate increased development beyond what is allowed in the existing General Plan. The Housing Element would not result in a direct or reasonably foreseeable indirect physical change in the environment, and it is not subject to CEQA, pursuant to CEQA Guidelines Section 15060(c)(2). Additionally, it can be seen with certainty that there is no possibility that the Housing Element would have a significant effect on the environment and therefore is not subject to CEQA, pursuant to CEQA Guidelines Section 15061(b)(3). As such, the proposed Housing Element meets the criteria for the commonsense exemption as identified above. Therefore, a Notice of Exemption will be prepared for the Final Housing Element.

PLANNING COMMISSION INPUT

On November 30, 2023, the Planning Commission recommended approval of the Final Housing Element. No substantive changes were requested but the Commission did inquire about how to ensure implementation of various policies in the Housing Element moving forward. City staff explained that Marina has committed to the State to implement various programs during the next eight-year cycle, including adoption of six policies and ordinance changes in 2024 to continue to maintain compliance with the state.

FISCAL IMPACT:

It should be noted that lack of Housing Element compliance with the State of California has fiscal implications for the City of Marina:

- *Active Transportation Program (ATP) Funds*- If the Housing Element is certified by State HCD in the next sixty days Marina is eligible for upwards of 10 million dollars in 2024 ATP funds that can be used to improve sidewalks, roadways and to provide more bicycle and pedestrian opportunities for local residents.
- *State Law Compliance*-As part of AB 72 (2017-2018) the California Office of the Attorney General may be notified that the City's Housing Element is out of compliance with Housing Element law, and the City may be subject to enforcement actions.
- *Builder's Remedy*-further delays in certifying the Housing Element exposes the City to a builder's remedy which limits the City's ability to deny housing development projects.
- *Loss of Local Land Use Control*-The courts may suspend the locality's authority to issue building permits or grant zoning changes, variances, or subdivision map approvals.
- *Fees*-If a jurisdiction faces a court action stemming from its lack of compliance and either loses or settles the case, it often must pay substantial attorney fees to the plaintiff's attorneys in addition to the fees paid to its own attorneys. These fees can easily exceed \$100,000.

CONCLUSION

Based on the consultant's team work on over 200 Housing Elements across various housing element cycles, the City has a reasonable guarantee of certification if no major programs, policies, and timeframes are modified by the Council. As such, city staff are recommending:

1. To adopt the Housing Element with no major substantive changes to the document.
2. To direct the City Manager to send the Housing Element to State HCD to begin a sixty (60) day review period
3. Find this project is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines
4. Direct the City Manager to make any non-substantive edits that are received from HCD by reference into the document.

Respectfully submitted,

Guido F. Persicone,
Community Development Director, AICP
City of Marina

REVIEWED/CONCUR

Layne Long
City Manager
City of Marina

Exhibits to the Resolution:

- A. Findings
- B. October 26, 2023 HCD Comment Letter
- C. Response to HCD Letter
- D. Housing Element Cut Sheets
- E. Final Housing Element:

<https://cityofmarina.org/1186/6th-Cycle-Housing-Element-Update>