



# TOWN OF FAIRFAX

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**TO:** Planning Commission  
**FROM:** Ben Berto, Planning and Building Services Director  
**SUBJECT:** Objective Standards Work Plan

## RECOMMENDATION

Direct staff to begin the process of developing Objective Development Standards in response to State mandates.

## SUMMARY/BACKGROUND

Following is a draft work plan outline for developing objective standards in Fairfax. Staff reviewed Senate Bill 35 (SB 35) and Housing Accountability Act (HAA) requirements, other municipalities' efforts, the Fairfax Zoning ordinance and related General Plan provisions in developing this draft.

### A. ANALYSIS

#### 1. Outline and Explain State Mandates

- Examine requirements that pertain to development approval standards and procedures, imposed by the State's SB 35 and HAA.
- Evaluate criteria for determining applicability of SB 35 and HAA requirements to zoning districts, sites, and potential projects.
- Identify data sources including maps for assessing applicability criteria.

#### 2. Assess Zoning and General Plan Standards, Criteria, and Policies

- Identify Fairfax zoning districts where SB 35- or HAA-involved housing could be allowed.
- Outline objective<sup>1</sup> development and design standards that already exist.
- Identify criteria, guidelines, and policies that may be considered subjective and therefore inapplicable in the context of SB 35 and HAA statutes.<sup>2</sup>
- Identify General Plan goals, policies, and programs applicable to housing, and organize

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1 "Objective standards" are defined by SB 35 as "Standards that involve no personal or subjective judgment by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant and the public official prior to submittal."

within themes that correspond with existing zoning provisions, including district purposes.

### **3. Assess Project Submittal Requirements and Other Procedures**

- Outline current Fairfax development review processes. Distinguish between ministerial and discretionary actions.
- Outline SB 35/HAA ministerial review process (including deadlines).
- Review current Fairfax submittal requirements.
- Identify submittal information that is not presently identified but that would be useful for administering existing regulations, e.g., checklist.
- Reference submittal requirements and review processes developed by other municipalities to conform to SB 35/HAA.<sup>3</sup>
- Evaluate Fairfax ordinance, program, and other plan procedures currently used by Town staff and decision makers. Identify and summarize existing design guidelines and other design resources. Consider which guidelines could become standards, and which would remain guidelines.
- Examine potential applicability of historic resource provisions. (Note: historic resources are not subject to SB 35 ministerial review and streamlining, if identified prior to development review).
- Identify potential applicability contexts for guidelines still desired for project review.

## **B. DEVELOP RECOMMENDED REVIEW PROCESS**

### **4. Synthesize Analysis & Draft Work Plan**

- Synthesize above analysis for consideration by Planning Commission and community members.
- Recommend a work plan for revising and augmenting zoning guidelines and discretionary review process procedures to comport with SB 35/HAA.
- Assign responsibilities task timeframes.
- Distill analysis and draft recommendations for presentation.

### **5. Review with Planning Commission & Stakeholders**

- Solicit feedback from community members and other parties potentially affected by zoning changes.
- Review analysis and draft work plan with Planning Commission and stakeholders.

## **C. DEVELOP AND EXECUTE WORK PLAN.**

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<sup>3</sup> Under SB 35, the submittal date initiates a limited period for ministerial review of project.

## **APPENDIX: GENERAL PLAN IMPLEMENTATION AND THEMES**

General Plan Goals, Policies, and Programs provide a comprehensive thematic overview relating to development. Several broad themes relate to the various zoning districts affected by SB 35 and HAA mandates. Four themes have been identified so far, and the following table indicates the zoning districts to which a theme or themes— and potential objective standards – might apply. The table also illustrates the potential zoning context for General Plan themes.

Not all potentially applicable General Plan goals, objectives, programs, and policies, and resulting themes are referenced in this draft analysis. The draft serves as a starting point for preliminary review. The material can be adjusted and or elaborated upon discussion and review.

### **Themes and Zoning Districts**

Initial analysis of Fairfax' General Plan goals, objectives, programs, and policies suggest four general themes that potentially relate to Zoning Districts involving housing. These themes are:

#### **Walkability and Bikeability**

There are quite a few General Plan goals, programs, and policies relating to maintenance, enhancement and creation of highly walkable or bikeable districts. Focusing on pedestrian and bicyclist safety, comfort, and convenience, and integrating these into an objective development standards context will offer attractive high-quality routes by virtue of the way that development interacts with public sidewalks, paths and other pedestrian and bicyclist amenities and features. Because the State usurped residential parking requirements in most of the zoning districts into which these features could be highlighted, the alternative is substandard parking coupled with inadequate pedestrian and bicyclist features – not a desirable proposition.

Walkability and bikeability also mean having amenities and conveniences within walking and biking distance, including easy access to parks or other forms of community space, and reasonably short and direct routes to commercial activity. A walking- and bicycling-oriented community is likely to be healthier and more senior-friendly, items resonant in Marin.

#### **Town Center Tradition & Transit**

Principles of walkability and bikeability are especially important to Fairfax' Town Center.

Fairfax' Town Center has a unique character that reflects its history. Before the advent of the car, a predominant point of arrival for individuals and goods in the Town Center was by train. Development within walking distance of the train station conferred economic advantages to commercial uses and was oriented to patrons who were generally on foot. In the Town Center, most buildings have storefronts on the ground-floor, which are built on or close to their street-facing property line. Entrances, windows, and other design features address the street, rather

than the street-fronting parking typical of suburban commercial development since the 1950's.

Historic methods of construction and regional traditions are also reflected in the Town Center's architecture. Wood frame construction, wood siding, and wood detailing predominate, reflecting the area's wealth in timber resources. Fairfax' temperate climate allows slightly sloping roofs. Protecting pedestrians from winter rains and summer sun meant covered arcades and awnings along sidewalks, and with windows protected by being recessed and accompanied by projecting cornices and headers.

Traditions also reflected cultural aspirations. Settlers sought to make a strong impression by making buildings look bigger than they really were, such as with "western fronts" that use oversized parapets to obscure a building's actual height. Pride in place were also communicated through the use of ornament and careful detailing in some of the more outstanding historical buildings.

The Town Center's pre-auto-dominant ambience also means that integration of pedestrian elements into future development standards would be consistent with the Town's historical character.

Today, the Town Center still serves as an important transit node, which is supported by its historic compact and pedestrian-oriented building pattern and convenient access to a variety of transit modes. Transit users can typically get to bus stops most easily and more enjoyably on foot or possibly by bicycle. The integration of bicycle-parking facilities into the commercial fabric can put dozens of bicycles into the space of a single parked car.

### **Conservation**

The General Plan is also strongly protective of the Town's natural beauty and resources. Much of Fairfax' charm is derived by the juxtaposition of development with natural features. In many places, development must adapt itself to rugged topography and dynamic natural systems. Potential hazards come in the form of the ever-present danger of fire, and seasonal flood risks. In addition, Fairfax's open spaces and habitat areas are cherished. Creeks support riparian habitat, which policies and programs seek to protect and preserve.

## **POTENTIAL ZONING INITIATIVES RELATING TO GENERAL PLAN THEMES**

### **Walkability**

#### **Application**

Walkability standards would apply to all zoning districts that allow housing.

#### **Related General Plan Provisions**

General Plan programs and initiatives include: zoning changes to reduce automobile use and encourage bicycle and pedestrian transportation modes, public transit, reduce greenhouse gas , create park areas, prioritize bicycle and pedestrian-oriented development, and utilize public easements to develop a pathway system.

### Potential Objective Development Standard Examples

Walkability and bikeability can be encouraged by applying *form-based standards*, such as:

- Minimum building frontage along streets.
- Openness and transparency of street-facing facades (windows, doors & openings).
- Limiting garage doors and blank walls facing street.
- Primary entrances accessible directly from street.
- Bicycle parking that is convenient to entrances, public, and functional.
- Covered & architecturally expressed primary entrances.

Encourage amenities & local destinations and functionalities within Walkable Districts:

- Subdivision standards requiring public open space and pathways, and/or development fees for acquisition of land for public open space and pathways.

### **Town Center Tradition & Transit**

#### Application

Downtown / Transit-Oriented Districts are a subset of Walkable Districts:

- Central Commercial and Highway Commercial, Upland Residential 7-10,

#### Related General Plan Provisions

General Plan programs and initiatives include: zoning changes to preserve the character of the downtown area while incorporating residential uses, support transit-oriented development, encourage low-income units, preserve existing units, enact [tiered] density bonus incentives, identify potential infill sites, allow single-room occupancy units, and protect and enhance historic resources.

### Potential Objective Development Standard Examples

Apply form-based standards, such as:

- Storefronts and build to lines along Bolinas, Broadway, and Sir Francis Drake.
- Assess and survey the historicity of structures in the Town Center & Transit areas
- New development consistent with identified historical character.

### **Conservation Development**

#### Application

Conservation Districts are a subset of Walkable Districts:

- Planned Development District
- Residential .25 du/acre areas and
- Public/Private Open Space within Town and its Sphere of Influence.

#### Related General Plan Provisions

General Plan programs and initiatives include: Preserve open space areas, limit development on hillside and ridgeline parcels to preserve scenic qualities, identify Visually Significant Areas and site development within them to minimize visual impact, minimize the visual mass, encourage development on a small segment of a parcel, blend exterior materials and colors with the surrounding natural landscape.

#### Examples of Objective Development Standards

Purposes for Conservation Development Districts can be attained by developing and applying standards, such as:

- Identify visually significant areas from which development is visually restricted.
- Limit lot coverage from all development to a designated small fraction of a lot
- Restrict siding colors and forms to earth tones.
- Avoid removal of native vegetation, particularly trees.
- Require protection of public trails, provide new public easements and trails where identified nexus exists.
- Design to identified fire safe standards.