



TOWN OF FAIRFAX

STAFF REPORT

May 16, 2019

TO: Planning Commission

FROM: Ben Berto, Director of Planning and Building Services

SUBJECT: Planning work program and priorities for Fiscal Year 2019-20

RECOMMENDATION

Review preliminary staff recommendations and provide direction on the draft work program

BACKGROUND-OVERVIEW

The Fairfax 2010-2030 General Plan adopted in 2012 lists 319 programs for which the Planning Commission and planning staff were assigned responsibility for implementing. In 2017-2018, the Planning Commission reviewed those programs and recommended their highest priorities. These were in turn reviewed by the Town Council in August 2018, and the Council's recommendations were forwarded back to the Commission at their August 2018 meeting. In summary, the Council's recommendations were:

Objective Development Standards for Housing The top Council priority was to develop objective development and design standards for housing in response to state legislation. Your Commission in three meetings between October and December 2018 developed draft objective development density standards for PDD-zoned properties in Fairfax. Zoning amendments for PDD properties were reviewed by the Town Council at three meetings commencing in January 2019 and adopted in February 2019. This provided for the first time a firm zoning density cap on PDD-zoned properties, relating the slope of such properties to its potential development density and protecting such sites from problematic overdevelopment.

The three other major work program priorities this last fiscal year have been:

Marinda Heights Subdivision of the Wall Property The proposed Marinda Heights Subdivision of the Wall Property was deemed complete on December 29. The project is entering into its Environmental Impact Report (EIR) phase.

Cannabis regulations The Town has been considering cannabis regulation options since December 2017. In that time, the Planning Commission held 8 public meetings, culminating in your most recent (April 11) meeting where you reviewed a draft cannabis ordinance.

The Town Council bookended its cannabis review around the Commission's consideration of the topic. The Council on May 1 held its 6th meeting, most recently discussing the draft regulations the Planning Commission reviewed on April 11.

Maximum residential size The Planning Commission held 5 public meetings and the Town Council is on its third meeting considering reductions in the maximum area of residential development. At their most recent (May 1) meeting, the Council adopted a first reading of an ordinance so doing.

Other priorities In addition to the bigger picture items referenced above, current planning - the processing of development applications by private property owners – occupies the majority of the Planning Commission and staff's time and focus. The department was without the services of a (part-time) Assistant Planner for six months, which meant that the position's workload had to be redistributed to the two remaining planners. Staff is delighted to have a new Assistant Planner on board and looks forward to her continued contributions in the overall workload.

DISCUSSION

The following is staff's assessment of anticipated workplan priorities for upcoming Fiscal Year 2019-2020.

Marinda Heights Subdivision As noted above, the Marinda Heights project has been deemed complete in terms of merits review submittal information, and is entering into its California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) phase. Given the project's scope, potential impacts in certain areas of high concern locally, and high profile, this will involve a substantial amount of staff and Planning Commission time and effort. Staff anticipates this will be the highest priority, and will be completing the Request for Proposals (RFP) on the EIR soon.

Cannabis regulations Staff anticipates that the work program developing the Town's cannabis regulations will be winding down soon. The 15 public meetings to date have produced draft cannabis regulations that, depending on the Town Council's consideration of cannabis regulations (tentatively scheduled for June 5), could be completed this summer. The Town's current moratorium on cannabis businesses is set to expire on October 31.

Maximum residential size With the Town Council adopting at their most recent May 1 meeting a first reading of an ordinance reducing maximum house size, so doing

Housing A plethora of housing bills promoting housing development continue to be proposed at the State to address the ongoing housing crisis. Some of these will be signed into law, and could or will affect local housing review. Staff anticipates proposing local responses, particularly pertaining to Accessory Dwelling Units, inclusionary housing, and objective development standards.

Zoning Amendments The Planning Commission in 2018 forwarded suggestions on Zoning Ordinance amendments to the Town Council, who in turn provided direction on those amendment. Some of these have been successfully implemented, for example, objective development standards in the Planned Development District, and a first cleanup of the chapter on Non-Conforming Uses and Structures. Others, due to more urgent priorities and staff

shortfalls, are still pending. Staff anticipates that with certain work program elements winding down, and with the new Assistant Planner on board, there will be opportunities to start to implement certain zoning amendments.

Potential zoning amendments include:

1. Limit the length of time a development application can remain incomplete, the length of time all discretionary approvals remain valid, and the length of time construction-related approvals remain valid.
2. Allow administrative review for certain conforming projects on parcels that are substandard in width.
3. Allow ministerial review of certain applications
4. Minor cleanup items

