

**TOWN OF FAIRFAX
STAFF REPORT
Department of Planning and Building Services**

TO: Fairfax Planning Commission
DATE: April 16, 2020
FROM: Ben Berto, Director of Planning and Building Services
SUBJECT: Objective Design and Development Standards (ODDS)
CEQA STATUS: Statutorily exempt pursuant to Public Resources Code §21080.17

BACKGROUND

At the February 20 Planning Commission meeting, staff described the underlying factors necessitating that Fairfax develop Objective Design and Development Standards – the ongoing housing crisis, the State’s elimination of local discretionary review of housing development in many cases and limiting what local review remains to whether the projects comply with locally-adopted Objective Design and Development Standards (ODDS).

Fairfax has not met its Regional Housing Needs Assessment (RHNA) goals regarding numbers of housing units being produced at a variety of income levels. State law therefore allows developers to have multi-unit housing applications processed using a ministerial (building permit-only) approval process, for streamlined review. The ministerial process means that the development will only be evaluated by ODDS adopted at the time of application submittal.

If the Town decides to not develop and adopt ODDS, it would mean the only standards governing review of multifamily residential projects are the few current objective standards already contained in the Zoning Ordinance – for example, height limit and building setbacks.

The State provided potential support for local jurisdiction efforts to pursue developing ODDS via an SB2-funded grant program. Recognizing the opportunity, the Town applied for grant funding and was successful in securing a grant. The Town will be working on developing comprehensive ODDS as part of a collaborative effort led by the County of Marin and involving nine other Marin jurisdictions (all but San Rafael). This effort is entering an active public phase. In fact the first public workshop was scheduled for March 11, until the norovirus pandemic necessitated cancelling the meeting and converting it to a webinar on March 19 (more on this later).

Efforts to develop ODDS in Fairfax will involve the Planning Commission, the Town Council, and Fairfax townspeople. This report outlines how the ODDS process will occur.

DISCUSSION

ODDS Process Overview

A design team under the lead firm Opticos will develop a draft "*toolkit*" of objective standards that are free from subjective interpretation. The toolkit standards will be based on different *place types* in Marin generally, with a Fairfax subset. Place types are based on residential building types and site conditions.

Opticos will work with Fairfax to tailor countywide ODDS to reflect address local conditions. Fairfax will ultimately use whichever parts of Opticos recommendations best fit the local community, including local additions and revisions as may be desired.

A community engagement plan for Fairfax is outlined below. It includes plans for a community workshop specific to Fairfax to hear residents' input on issues, preferences, and concerns. A countywide survey will be conducted to evaluate visual preferences and inform ODDS development. It is noted that the community workshop date may have to be adjusted depending on the evolving circumstances of the corona virus situation.

Draft ODDS recommendations will be presented to the Planning Commission, it is anticipated, at the end of 2020. Revisions will be made based on Town input prior to adoption.

An "*architectural style pattern book*" will also be developed for Fairfax that will assist development's local aesthetic compatibility, particularly with (potential) historic resources. It is anticipated that a community-led survey of potential historic resources will run in tandem with Opticos efforts.

Community Engagement Plan

To Date:

County Website & Town Website link (launched)

Planning Commission Review of Community Engagement Plan (current agenda item)

Information Open House (March/April) -- webinar substitution for in-person workshops [COVID-19 response – see additional discussion below]

Near Term:

Countywide Survey (March/April) -- under development, launch by end of March

Historic Assessment: Request for Proposal, consultant selection (April/May) -- proposed local effort

Mid Term:

Community Workshop (June) -- Opticos Place/Building Types, preliminary Historic Consultant findings

Stakeholder Focus Group #1: Planning Commission representation (June/July) -- review of Opticos Place/Building Types, preliminary Historic Survey findings,

Community Workshop results and comments to Planning Commission
Planning Commission Study Session #1 (August) -- guidance on work to date
Longer Term:
Architectural Styles Pattern Book draft (September) – [optional task] architectural standards with illustrations, historical styles and approaches
Stakeholder Focus Group #2 with Planning Commission representation (November) -- review of Opticos initial recommendations and Historic Consultant recommendations, comments to Planning Commission
Planning Commission Study Session #2 (December) -- guidance on Opticos and Historic Consultant recommendations
Planning Commission Study Session #3 (early 2021) -- guidance on revised recommendations

Public Hearings (early 2021) -- prepare, amend, Town Council adoption of local ODDS

Requested Commission direction:

- 1) Staff proposes that in order to keep the projected ODDS schedule on track and provide timely feedback to the overall Commission, the Commission appoint an ad hoc subcommittee of two Commissioners. The subcommittee would also assist staff in selecting a historic consultant.
- 2) Provide feedback on proposed schedule and tasks

As noted previously in this report, the public informational workshop that had been scheduled for March 11 to kick off the public outreach portion of the ODDS effort had to be cancelled due coronavirus-related concerns about large public gatherings. The County and Opticos have scheduled instead a public webinar, to be held the evening of March 19 (the same time as this meeting). Information about the webinar has been posted in the NEWS portion of the Town website and is also attached to this staff report. People who are unable to participate in the live webinar will be able to access the same webinar information and questions, and will be able to post new questions and comments for a week or so after the webinar. The Commission will likely want to follow up with this webinar.

SUMMARY

Future residential development proposals in Fairfax are unknown. However, it is certain that as the Town's current regulations exist, Fairfax has extremely limited tools with which to evaluate such proposals. Development of the ODDS toolkit and associated local efforts to develop historically-based standards is the best option available to ensure the community compatibility of any such development.

RECOMMENDATION

1. Open the meeting to public comments, provide direction to staff.

AGENDA # 3

ODDS work plan PC 04.16.20 d1