



TOWN OF FAIRFAX

STAFF REPORT

January 21, 2021

TO: Planning Commissioners
FROM: Ben Berto, Director of Planning and Building Services
SUBJECT: Housing and other General Plan Elements work outline

BACKGROUND

The Town and Bay Area region continue to experience an affordable housing crisis, with demand for housing substantially exceeding supply. The State, through a variety of mandates and incentives, is directing all jurisdictions to plan for and encourage housing.

Planning is initiating work on the next General Plan Housing Element that plans for future housing development consistent with State mandates in the next planning period of 2022-2030. In order to meet State deadlines, the Town Council will need to adopt an update to the Fairfax Housing Element by December 31, 2022. The Housing Element will then be sent to the State for review and certification. All Bay Area jurisdictions are required to meet this requirement.

This item was agendized at the December 17 Planning Commission meeting, but was continued to this meeting due to the lateness of the hour.

DISCUSSION

This report discusses a work program that will meet deadlines for completion of the updated Housing Element. Fairfax in the next two years will be undertaking a planning process per State law to identify how to meet our identified housing needs for all income levels. This process involves updating the Town's Housing Element, one of the seven elements of the Fairfax General Plan.

State housing legislation mandates that a housing element be updated every eight years. The timeframe for the next Housing Element to be in effect is 2022-2030. The State further requires local governments to adopt land use plans and regulations that provide opportunities for, and do not unduly constrain, housing development.

State law requires that any Housing Element being updated after 2014 must also be accompanied by an update of the General Plan (GP) Safety Element. Furthermore, the draft Regional Housing Needs Assessment (RHNA) methodology preliminarily requires Fairfax to plan for over 500 housing units. The current GP Land Use Element and land use classifications will also therefore need to be updated.

Fairfax adopted its current 2015-2023 Housing Element Update in May 2015 (click on following link to view Housing Element <https://www.townoffairfax.org/documents/housing-element-2015-2023-adopted/>). The current Regional Housing Needs Assessment (RHNA) implemented by Fairfax's Housing Element (HE), obligates the Town to provide 61 units of housing at a variety of income levels. To provide the necessary flexibility and options in meeting its housing requirements, the Town's HE includes an inventory of locations potentially accommodating 144 housing units (see attachment B). Fairfax has over 90 housing units either completed or under construction in this time period. However, according to HCD, the Town still has not fully met with its current RHNA requirements, due to falling short in several of the income categories, as well as having a housing production shortfall carried over from the prior RHNA housing cycle.

Marin, perhaps unavoidably as one of the most desirable places to live on the planet, is home to the highest income earners in the State. It is largely built out and has a very constrained housing supply and an ongoing unmet demand for housing. The net result is many who work in this area but aren't in the highest income bracket struggle to meet the costs of basic housing, food, childcare, and other living needs, if they even manage to live in Marin at all. The high cost of living in Marin and continued (and rising) costs of basic necessities puts financial stresses on lower income households.

The current Housing Element also includes 48 programs. The Town will as part of its work on the Housing Element, evaluate those programs and the housing site inventory.

As required by State law, the Town submits an Annual Progress Reports (APR) on Housing Element implementation progress to the State. Timely submittal of APRs makes the Town eligible for funding, and along with compliance on housing production numbers, affects the applicability of some housing streamlined legislation (e.g. SB35).

As part of the previous Housing Element approvals, the Town also adopted a Mitigated Negative Declaration (MND) to comply with State environmental review requirements under the California Environmental Quality Act (CEQA). Staff anticipates that an Environmental Impact Report (EIR) will be required to address potential housing impacts for the current required 2022 – 2030 Housing Element update.

Staff has sent out a request-for-proposals (RFP) to qualified environmental consulting firms to update the Housing, Safety and Land Use Elements, and will be considering proposals that are submitted in the next several weeks.

Following (Attachment A) is the draft Housing Element work program outline. Work will commence shortly. The first order of business will be to hire a consultant to update General Plan Elements. To that end, staff proposes that your Commission select two members to serve on an ad hoc Housing Element subcommittee, with additional members coming from community members such as people serving on the Affordable Housing Committee.

RECOMMENDATIONS

1. Review and provide direction to staff on proposed work program.
2. Select two Commissioners to serve on an ad hoc Housing Element subcommittee

Attachments:

- A. Housing Element Update work program
- B. Fairfax 2015-2023 Housing Element Update inventory of potential residential sites
- C. ABAG Draft RHNA Methodology Release 121820 (web link only)
https://abag.ca.gov/sites/default/files/abag_draft_rhna_methodology_release_december_2020.pdf

2023-2030 Housing Element Draft Work Program and Schedule

12/17/20

Housing Element Update Task	Subtask	Date	Status
Collaborate with County & Marin jurisdictions	Develop Objective Design and Development Standards, Inclusionary Housing (SB 2 grants)	On-going	In progress
ABAG release of local jurisdiction draft Regional Housing Needs Allocation and methodology		Fall - Winter 2020	
Select and hire Housing Element consultant	Develop request for proposals, review proposals, select consultant	February 20121	
Initiate public outreach	Develop webpage, materials, schedule stakeholder and community meetings	Winter 2020-21	
Update Housing Element background data	Update data, Barriers and Constraints, Site analyses	Winter 2020-21	
ABAG releases final subregion RHNA shares		December 2020	
Initiate Draft Housing Element Update	Incorporate community feedback, initiate document	Winter 2020 - Spring 2021	
ABAG releases final RHNA methodology and draft allocation		Spring 2021	
Planning Commission meetings	Review: data, community outreach findings, site selections	Spring – Summer 2021	
Planning Commission workshop	Review community outreach, site selection. Consider CEQA status (potential EIR)	Fall 2021	
Town Council meeting	Review housing site scenarios	Winter 2021	
Complete Draft Housing Element Update	Incorporate Council and community feedback	Winter 2021	
Environmental Review	CEQA review of Housing Element with Program Implementation	Winter 2021- Fall 2022	
ABAG releases final RHNA allocation		End of 2021	
Planning Commission hearings	Review Draft Housing Element, Draft EIR	Fall 2022	
Town Council hearings	Adoption of Housing Element, Final EIR	Due December 2022	
State submittal for certification		Due 1/15/2023	

**TABLE H-4 INVENTORY OF SITES WITH
POTENTIAL FOR RESIDENTIAL DEVELOPMENT**

Site Name	APN	Acreage	Zoning	GP Land Use	Allowed Density	Proposed Capacity	Current Use
Vacant Sites							
001-150-12		68.05	UR-10	UR-10	.10 du/acre	6 above moderate units	Vacant
001-160-09		18.45	UR-10	UR-10	.10 du/acre	2 above moderate units	Vacant
001-251-31		11.5	UR-10	UR-10	.10 du/acre	1 above moderate unit	Vacant
002-071-01		9.04	UR-7	UR-7	.14 du/acre	1 above moderate unit	Vacant
002-181-05		4.78	UR-10	UR-10	.10 du/acre	1 above moderate unit	Vacant
002-181-04		4.58	UR-10	UR-10	.10 du/acre	1 above moderate unit	Vacant
002-181-12		11.21	UR-10	UR-10	.10 du/acre	1 above moderate unit	Vacant
002-181-20		6.79	UR-10	UR-10	.10 du/acre	1 above moderate unit	Vacant
002-181-21		11	UR-10	UR-10	.10 du/acre	1 above moderate unit	Vacant
002-181-22		.74	UR-10	UR-10	.10 du/acre	1 above moderate unit	Vacant
174-290-01		2.11	RS-6	Residential 1-6 du/acre	1-6 du/acre	1 above moderate unit	Vacant
174-290-03		1.69	RS-6	Residential 1-6 du/acre	1-6 du/acre	1 above moderate unit	Vacant

Site Name	APN	Acreage	Zoning	GP Land Use	Allowed Density	Proposed Capacity	Current Use
174-290-05		2.21	RS-6	Residential 1-6 du/acre	1-6 du/acre	1 above moderate unit	Vacant
174-290-06		2.15	RS-6	Residential 1-6 du/acre	1-6 du/acre	1 above moderate unit	Vacant
Vacant Sites Subtotal				20 above moderate units			
Underutilized Opportunity Sites							
Site Name	APN	Acreage	Proposed Zoning	GP Land Use	Allowed Density	Proposed Capacity	Current Use
#1. Christ Lutheran Church	174-070-017	20.00	PDD (on 2 acres only)	PDD (on 2 acres only)	Project specific – no maximum	40 lower income senior housing units	School, church, and open space
Site #1 Subtotal		40 lower income units					
#2. 10 Olema Road	001-104-012	1.24 (1.04 acres net due to creek setback)	PDD	PDD	Project specific – no maximum	22 lower-income housing units	Artist studio
Site #2 Subtotal		22 lower income units					
#3. Westside Commercial	001-182-01	0.16	CC	CC	Project specific – no maximum	2 moderate or above moderate units	parking lot
	001-183-04	.92	CC	CC	Project specific – no maximum	2 moderate or above moderate units	
	001-183-08	.17	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	

TOWN OF FAIRFAX 2015-2023 HOUSING ELEMENT

Site Name	APN	Acreage	Zoning	GP Land Use	Allowed Density	Proposed Capacity	Current Use
	001-183-12	.17	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
	001-183-13	.16	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
	001-183-14	.17	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
	001-183-15	.17	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
	001-183-16	.73	CC	CC	Project specific – no maximum	1 moderate or above moderate units	
	001-183-17	.42	CC	CC	Project specific – no maximum	2 moderate or above moderate units	
	001-221-12	.50	CC	CC	Project specific – no maximum	2 moderate or above moderate units	
	002-116-4	.17	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
	002-116-6	.17	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
	002-116-7	.14	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
Site #3 Subtotal							17 moderate or above moderate units (second-floor second units or ground-floor two-story live/work units.)

TOWN OF FAIRFAX 2015-2023 HOUSING ELEMENT

Site Name	APN	Acres	Zoning	GP Land Use	Allowed Density	Proposed Capacity	Current Use
#4. School Street Plaza	002-112-13	1.80	PDD (may split to .8 acre CC)	PDD	Project specific – no maximum	9 moderate or above moderate units	Retail-Commercial
	002-127-01	.28	CC	CC	Project specific – no maximum	2 moderate or above moderate units	
#5. Fair-Anselm Plaza	002-127-02	.35	CC	CC	Project specific – no maximum	2 moderate or above moderate units	Retail-commercial
	002-131-07	.02	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
	002-131-09	.01	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
	002-131-12	2.12	CC	CC	Project specific – no maximum	6 moderate or above moderate units	
	002-131-13	.12	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	
	002-131-14	2.69	CC	CC	Project specific – no maximum	6 moderate or above moderate units	
	002-131-15	.59	CC	CC	Project specific – no maximum	3 moderate or above moderate units	
	Site #5 Subtotal					22 moderate or above moderate units	
#6 Eastside Commercial	002-211-02	.06	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Mixed use, residential

TOWN OF FAIRFAX 2015-2023 HOUSING ELEMENT

Site Name	APN	Acreage	Zoning	GP Land Use	Allowed Density	Proposed Capacity	Current Use
	002-211-03	.06	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Mixed use, residential
	002-211-04	.09	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Mixed use, residential (tutors)
	002-211-05	.11	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Mixed use, residential (nails)
	002-211-20	.22	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Pizzeria, dry cleaners
	002-211-21	.26	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Restaurant
	002-213-27	.24	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Retail-Commercial, art studios
	002-213-04	.09	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Consignment
	002-213-05	.06	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Liquor store
	002-213-06	.11	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Furniture store, commercial
	002-213-07	.08	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Flooring

Site Name	APN	Acreage	Zoning	GP Land Use	Allowed Density	Proposed Capacity	Current Use
	002-213-25	.27	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Car wash
	002-213-10	.19	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Beauty salon
	002-213-26	.24	CC	CC	Project specific – no maximum	1 moderate or above moderate unit	Mixed use, residential
Site #6 Subtotal						14 moderate or above moderate units	
Opportunity Sites Totals						62 lower income units 62 moderate or above moderate income units (including 17 second floor second units or live/work units)	
Grand Total						144 vacant and underutilized opportunity site units¹ (62 lower income units and 82 moderate or above moderate income units)	

Source: Town of Fairfax 2014

Note:

- These 144 units when combined with the 8 units permitted or constructed between 2007 and 2014 and the 17 projected second units results in a total of 169 units needed to address the 4th and 5th cycle Town of Fairfax RHNAs (See Table H-5).

The following illustrative pages of vacant / undeveloped land and housing Opportunity Sites indicate the key parcels and/or sites that have been identified as potential lower-income housing infill development sites. In considering the available Opportunity Sites, the Town determined the size, location, and current status of each site. The ideal sites should have good access and infrastructure availability, be centrally located or along transit routes, and promote the principles of transit-oriented development (TOD) or traditional neighborhood development (TND) as outlined in the 2010 Land Use Element.

The following Opportunity Sites are proposed to be zoned to accommodate a variety of housing types. Some of the Opportunity Sites have developments pending that would provide housing for low-income households and special needs groups. Three of the sites would be rezoned to PDD: with only two of those having the minimum density of 20 units per acre applied (one being two acres near the lower entry/parking area of the Christ