



TOWN OF FAIRFAX

STAFF REPORT

February 18, 2021

TO: Planning Commissioners

FROM: Ben Berto, Director of Planning and Building Services

SUBJECT: Housing and other General Plan Elements work outline

BACKGROUND

The San Francisco Bay Area continues to experience an affordable housing crisis. As described noted in the January 21, 2021 Planning Commission meeting housing staff report, work has begun on the process of updating the General Plan Housing Element to accommodate and plan for future housing development that the State has mandated in their Regional Housing Needs Allocation (RHNA) for the next (6th) housing cycle planning period of 2023-2031. Local adoption of the updated Housing Element (HE) needs to occur by December 2022 in order to meet deadlines for HE submittal to the State by January 2023. Fairfax's housing update is part of the overall effort that all local and county governments in the State are required to perform every 8 years.

DISCUSSION

At the January meeting, the Planning Commission started discussions on a work program that will meet the December 2022 deadlines for adoption of the updated Housing Element (HE). In its staff report, actions and timetables were described that the Commission and others working on the Town's HE will be undertaking in the next two years.

To assist in understanding the HE update process, descriptions of the actions shown in the timeline are shown below. Staff has also referenced work on the Objective Design and Development Standards (ODDS) and the Town's historic work, which are related to this effort.

The Town will be assisted in this effort by an environmental consultant experienced in preparing Housing Element updates and associated work. Descriptions of the HE update process include work to be conducted by the consultant in concert with the Town.

Project Description

The Housing Element update will be a collaborative effort between Fairfax's Planning Commission, Town Council, Affordable Housing Committee, and other Fairfax groups, committees, and community stakeholders to update the Town General Plan's Housing Element, Safety Element, and Land Use Element, proactively engage the community,

comply with all applicable laws and regulations, and produce a State-certified Housing Element that address the housing needs of Fairfax.

Staff is also proposing formation of an Ad Hoc Working Group, comprised of two or three members of the Planning Commission and two members of the Affordable Housing Committee, to work on the entire Housing Element update, provide input on the major work elements described below, and make recommendations to the Commission.

An environmental document will be prepared for the project (likely but not necessarily an Environmental Impact Report), that addresses the potential impacts of the updates.

General Project Overview:

The Housing Element will be updated to include the policies, strategies, and actions that the Town will undertake to facilitate the construction of new housing and preservation of existing housing to meet the needs of the population during the planning period (2023-2031) in all economic segments of the community. The implementation of SB 375 requires that the Housing Element Update be submitted to the State for certification no later than January 15, 2023.

The Housing Element update project shall be guided by the following objectives:

- Comply with all Town and State legal and regulatory requirements
- A complete analysis of the specific housing needs and an inventory of the resources and constraints relevant to addressing the housing needs;
- An inventory of land suitable for residential development to meet the Town's housing needs;
- Identification and analysis of potential and actual governmental constraints;
- Identification of specific programs to implement the policies and goals; and,
- Other analysis, policies, and goals required to comply with applicable State law.
- Produce a document that addresses current and projected housing conditions and needs in the Town
- Ensure residents and stakeholders are engaged and participate in the update process to facilitate community buy-in
- Achieve milestones with sufficient time for Town and state oversight and review
- Effective coordination between consultants and Town staff.

Key tasks to be undertaken include:

Current Housing Element Review

Review and evaluate the current Housing Element to determine the revisions that must be made to comply with current State law and HCD requirements and ensure certification of the completed Housing Element amendment. Identify all obsolete information, tables, exhibits and illustrations. Prepare an analysis of the Town's progress towards meeting the identified goals, policies, and programs since the adoption of the current 2015-2023 Housing Element.

Housing Assessment and Needs Analysis

Complete a housing assessment and needs analysis pursuant to State housing law. Demographic, economic, infrastructure and housing data needed to complete this task will be obtained and analyzed.

Housing Parcel Identification Analysis

Prepare an "adequate sites analysis" showing the relationship between the Town's RHNA allocation, and the Town's existing dwelling unit capacity, availability of potential housing sites based on zoning, infrastructure, and General Plan policies, requirements, and limitations. Potential zoning strategies to address the need for additional housing unit capacity will also be identified.

Housing Production Constraints Analysis

Identify programmatic, physical, and financial housing resources available in the Town and County of Marin. Governmental and nongovernmental constraints to housing production will also be identified. This work will include review of existing Town regulations, codes, and standards related to housing. Where constraints exist, strategies to address them will be developed.

General Plan Consistency

Revise the Housing Element to ensure consistency with other General Plan elements, compliance with State law, and submittal for certification by January 2023.

Revised Maps and Figures

Revise maps and figures in the Housing Element and other elements of the General Plan to ensure consistency throughout the General Plan document.

Community Outreach and Engagement

Reaching out to the communities of interest in the HE update will be a crucial and challenging part of the process. In the attached Housing Element Work Program (Attachment A), staff has outlined a preliminary program involving 18 total meetings between groups that will be involved in the process. Additional meetings will be added where necessary. The Commission is proposed to hold 5 individual public hearings and 3 joint workshops with the Town Council.

An appropriate and effective community outreach program will be developed that meets State HCD standards and meaningfully engages a broad range of community interests in the Housing Element update process.

Environmental Review

Environmental review tasks / deliverables include:

- Kickoff meeting and review of available studies and documentation
- Prepare Project description
- Water Supply Assessment (if required)
- Prepare Notice of Preparation and review comments

- Prepare an Initial Study
- Prepare a Mitigated Negative Declaration of Environmental Impacts, or:
- Prepare Administrative Draft EIR (including screenchecks)
- Prepare Public Review Draft EIR (together with Notice of Availability and Notice of Completion)
- Prepare Administrative Draft Final EIR (including Responses to Comments and including screenchecks)
- Prepare Final EIR for publication
- Prepare draft CEQA findings and (if applicable) Statement of Overriding Considerations and conditions of approval associated with mitigation measures
- Prepare Mitigation Monitoring and Reporting Program
- Prepare Notice of Determination

Key Project Issues

Potential project issues identified to date include: fire hazard, emergency evacuation, water supply, auto dependency, traffic congestion, greenhouse gas generation, parking, flood risk, land use compatibility, cultural and historic resources, and visual and community character.

Preparation of General Plan Amendments including Housing, Safety, and Land Use Elements

Drafts will be prepared of each section of each Element for review. Comments and suggestions will be solicited from State HCD, responsible agencies, Town staff, the Planning Commission, Town Council, and the public, and incorporated in revisions and final drafts. Final drafts will be prepared

State Certification and Town Adoption

Upon adoption of the Final Draft Housing Element, Safety Element, and Land Use Element amendments by the Town Council, a final version of the documents will be prepared for inclusion in the General Plan document. The documents will be submitted to the State for review and certification.

RECOMMENDATIONS

1. Review and provide direction to staff on proposed work program.
2. Select two or three Commissioners to serve on the ad hoc working group.

Attachments:

- A. Housing Element Update work program
- B. Housing Element Work Program schedule
- 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

Housing Element Update Draft Work Program

Planning Commission: (5 individual meetings, 3 joint workshops)

Meeting 2: February 18

- Draft work program and schedule
- Public outreach/community engagement
- Scope of work for Housing Element, Safety Element, and Land Use Element and environmental review.

Meeting 3: Joint Planning Commission / Town Council workshop: March 17 (90 minutes) *

- Draft project schedule
- Provide the consultant with perspective of the Community's uniqueness.
- Overview of Housing Element Update: State Housing and Community Development (HCD) requirements,
- Scope of work for Housing Element, Safety Element, and Land Use Element and environmental review.

Meeting 4 *

- Project schedule finalization
- Overall project objectives
- Review current Housing Element: completion status, current adequacy, goals, policies, and programs
- Comparison of Housing Element with current and proposed RHNA
- Discussion of Safety Element, Land Use Element, environmental analysis
- Strategies to achieve community acceptance of housing types, density, and locations.

Meeting 5: Housing Parcel Identification/Analysis *

- Zoning, infrastructure
- Relationship between RHNA and existing/potential dwelling unit capacity
- Options for achieving RHNA compliance
- Availability of potential housing sites, landowner engagement
- Objective Design and Development Standards toolkit with historical analysis

Meeting 6: Joint Planning Commission / Town Council workshop *

- Housing Parcel Identification / Analysis

Meeting 7: Housing Production Constraints *

- Safety Element amendment: Fire/flood, evacuation
- Land Use Element land use designations
- Governmental and nongovernmental regulations, codes, other standards

Meeting 8: Draft Housing Element, Safety Element, Land Use Element, environmental document *

- Review draft documents

Meeting 9: Joint Planning Commission / Town Council workshop *

- Draft Housing Element, Safety Element, Land Use Element, environmental document

Ad-Hoc Working Group: (5 Meetings) Purpose is to work on entire Housing Element update with the focus on recommendations on deliverables for each major task, coordinate with Planning Commission on recommendations to produce a draft Housing Element, Safety Element and Land Use Amendments and draft environmental document.

Ad-Hoc Working Group is proposed to be comprised of two – three members from Planning Commission and two members from Affordable Housing Committee.

Meeting #1 *

- Status of current Housing Element, Safety Element, and Land Use Element: completion status, current adequacy, goals, policies, and programs
- Environmental review
- Project objectives
- Community outreach and engagement

Meeting #2: Housing Parcel Identification / Analysis *

- Recommendations on approach
- Status of Objective Design and Development Standards toolkit with historical architecture study
- Relationship between RHNA and existing/potential dwelling unit capacity
- Potential housing sites availability based on zoning, infrastructure
- Strategy to achieve community acceptance with housing types, density, and locations.

Meeting #3: Housing Production Constraints *

- Constraints analysis, including Safety Element / Hazards background research and constraints.
- Options for achieving RHNA compliance.

Meeting #4: Draft Housing, Safety, and Land Use Elements & environmental document *

- Review draft versions of all Elements, review proposed housing sites, policy and programs, and provide recommendations for modifications or changes.
- Provide overview of the draft CEQA findings. Identify concerns or liabilities.

Meeting #5 Final Elements and Final environmental document *

- Screencheck review of final Housing, Safety and Land Use Elements and environmental document.

Town Council: (3 joint workshops with Planning Commission and 1 individual meeting) Purpose is to provide broad platform for public discussions of key aspects of the Housing and other General Plan Element updates, and provide direction to the Planning Commission, Ad-Hoc Working Group, Affordable Housing Committee, other involved Town Committees, and staff. Ultimately, the Council will approve updates to the General Plan Housing Element, Safety Element, Land Use Element, and adopt the appropriate environmental document for the project.

Meeting 1: Joint workshop with Planning Commission: March 17 (90 minutes) *

- Draft project schedule
- Provide the consultant with perspective of the Community's uniqueness.
- Overview of Housing Element Update: State Housing and Community Development (HCD) requirements,
- Scope of work for Housing Element, Safety Element, and Land Use Element and environmental review.

Meeting 2: Joint workshop with Planning Commission: Housing Parcel Identification / Analysis *

- Zoning, infrastructure
- Relationship between RHNA and existing/potential dwelling unit capacity
- Options for achieving RHNA compliance
- Availability of potential housing sites, landowner engagement
- Objective Design and Development Standards toolkit with historical analysis

Meeting 3: Joint workshop 3 with Planning Commission *

- Review draft Housing Element, Safety Element, Land Use Element, and environmental document

Meeting 4: December 2022 *

- Approval of Housing Element, Safety Element, Land Use Element, adopt environmental document

Affordable Housing Committee (4 meetings) Purpose is to work on affordable housing-related portions of Housing Element and make recommendations pertaining to providing affordable housing.

Meeting #1: Current Housing Element *

- Review of current Housing Element for completion status, current adequacy, goals, policies, and programs related to provision of affordable housing

Meeting #2: Housing Parcel Identification / Analysis *

- RHNA affordable housing unit numbers
- Existing dwelling unit capacity
- Potential housing sites availability based on zoning, infrastructure

Meeting #3: Housing Production Constraints *

- Constraints analysis, including Safety Element / Hazards background research and constraints.
- Options for achieving RHNA compliance.

Meeting #4: Draft Housing Element and Land Use Element *

* consultant facilitated

ATTACHMENT A

- Review draft Housing Element and Land Use Element

Other Committee Outreach (meetings to be determined): Fairfax Open Space Committee, Racial Equity and Social Justice Committee, Climate Action Committee: The purpose would be to solicit Committee feedback on various aspects of Housing Element, Safety, and Land Use Elements applicable to the committee's purpose and scope.

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	