

**TOWN COUNCIL MEETING
APRIL 7, 2021
SUPPLEMENT TO AGENDA PACKET**

Supplement to Item 11: Clarifications to EMC's Proposal



EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

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To: Ben Berto, Director of Planning and Building Services, Town of Fairfax;
Garrett Toy, Town Manager, Town of Fairfax

From: Ande Flower, AICP

Cc: Richard James, AICP; Sally Rideout, EMPA; Teri Wissler Adam

Date: April 6, 2021

Re: Clarifications to Proposal

EMC Planning Group has provided a full-spectrum approach to CEQA documentation, given that the project description for how to approach this Housing Element update is unknowable prior to thorough capacity analysis. Included with our proposal is an ability to pivot between the lightest touch possible for a project, which would involve no density increases, to a full land-use reevaluation of specific zoning areas. With either approach, EMC consultants are prepared to respond to concerns and recognize that land use considerations have the potential to be extremely controversial.

As an amendment to the proposal, please know that we are confident that either budgets can accommodate up to 100 typical letters of concern from the public, though we request a reassessment following receipt of comments to better understand efforts necessary for response. The content, not quantity, of comments is a bigger determinate to comprehend whether the response demand would go beyond a typical CEQA scope of work.

If upon researching all land-use focused assets within the Town of Fairfax that an assumption can be made that the required RHNA number of units may be accommodated with full build-out of the General Plan, then both Air Quality and Green House Gases would not need to be analyzed as part of an Initial Plan, with an associated negative declaration.

The proposed budget accommodates for these two studies (\$15,000 combined) as integral with the contingency budget, without an EIR as part of the scope. Cultural and Biological resources

MEMORANDUM

Addressee
Company
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would only be considered as possible indirect impacts, therefore, unless open land is considered for rezoning, these studies are not necessary. In other words, if only density is changing within the Land Use Element, then biological and cultural resources would not need to be analyzed for possible impacts because such an investigation would have occurred at the onset of zoning these sites.

Our schedule will be detailed following collaboration with staff in time for presentation to Council on April 21. All schedule items will flow towards HCD certification by January 2023. In order to initiate our CEQA documentation with an appropriate Project Description, Task 4, Goals, Policies, Programs, and Quantified Objectives will need to be complete no later than fall of 2022.

EMC Planning Group understands the need to coordinate our approach to updating the Safety Element, and in doing so, look forward to collaborating with the Town's Climate Action Committee, as well as the Marin Wildfire Prevention Authority (MWPA) to achieve safety element consistency with Government Code Section 65302(g). In tandem with the Housing Element and Land Use Element updates, EMC Planning Group will update the Safety Element to provide for protection of the community from any unreasonable risks associated with the effects of:

- Seismic hazards and liquefaction
- Slope instability leading to mudslides and landslides
- Flooding
- Wildland and urban fires
- Climate change

If you have any questions regarding this memo, please email me at flower@emcplanning.com, or phone me at my home office [REDACTED].

Sincerely,



Ande Flower, AICP, MUP
Principal Planner

MEMORANDUM