

Fairfax Town Council and Planning Commission Minutes
Special Joint Meeting to Conduct a Study Session
Via teleconference due to COVID-19
September 22, 2021

Mayor Ackerman called the Special Joint Meeting to order at 6:30 p.m.

Call to Order/Roll Call:

COUNCILMEMBERS PRESENT: Bruce Ackerman
Barbara Coler
Chance Cutrano
Renee Goddard
Stephanie Hellman

COMMISSIONERS PRESENT Norma Fragoso
Philip Green
Robert Jansen
Brett Kelly
Mimi Newton
Cindy Swift

COMMISSIONERS ABSENT: Esther Gonzalez-Parber

STAFF MEMBERS PRESENT: Adam Politzer, Interim Town Manager
Michele Gardner, Town Clerk
Janet Coleson, Town Attorney
Ben Berto, Planning Director

Approval of Agenda and Affidavit of Posting

M/S, Coler/Goddard, Motion to approve the affidavit of posting and the agenda as submitted.
AYES: Coler, Cutrano, Goddard, Hellman, Mayor Ackerman (through a roll call vote)

Regular Agenda

1. Conduct a Joint Study Session with the Planning Commission to discuss Housing Element progress with a focus on how to involve and include the community in the site selection process to leverage opportunities and meet community desires; how to incorporate equity research into required meaningful actions (AB 686: Affirmatively Furthering Fair Housing); evacuation and safety concerns (fire/flood); the “Missing Middle” housing approach; an introduction to the Balancing Act Tool; and an update on public outreach and engagement efforts- Planning Director, EMC Planning Group

Planning Director Berto presented the staff report. Ande Flower, representing EMC, gave a PowerPoint presentation that included the following: 1) Progress and Next Steps for Town of Fairfax 6th Cycle Housing Element; 2) Importance of equity (AB 686); 3) Introduction to Balancing Act Tool; 4) Public Outreach and Engagement Update; 5) Regional Housing Needs Allocation (RHNA); 6) Key feedback from tonight’s meeting; 7) Importance of equity; 8) Goals of AFFH; 9) Assessment of Fair Housing in Housing Element; 10) FairfaxSpeaks.com Website engagement; 11) Biggest concern poll responses; 12) Site analysis approach; 13) Evacuation and safety concerns; 14) Contribution to the evaluation process; 15) Site options; 16) Safety Element; 17) “Missing Middle” housing concepts; 18) Affordable by design- tiny homes and micro-units; 19) Eco-village ideas; 20) List of sites.

Chris Adams and Amy Flynn, representing Balancing Act, gave a PowerPoint presentation that included the following: 1) Welcome to Balancing Act; 2) Let's Talk Housing; 3) Map; 4) Total units; 5) Density allocations; 6) Create a housing plan; 7) Housing Element density simulation; 8) You do not have a housing plan; 9) You have a housing plan; 10) Housing impact demo.

Planning Director Berto and the consultants answered questions regarding the zoning map that was displayed from the prior Housing Element; changes to the title of the table; zoning for the St. Rita property; whether a Use Permit is required for residential in the Limited Commercial (CL) Zone; staff meetings with MMWD; acres/square feet column on the table and how the number of units was determined; why the White Hill School site was on the table; the "Missing Middle" approach; what extra due diligence for prior opportunity sites will look like; are densities based on the suburban designation at 20 or 30 units per acres; the definition of "historically disadvantaged communities"; how the Housing and Safety Elements will interface when looking at potential sites; specific plans for several sites such as St. Rita and Fairfax Market; has staff had conversations with property owners of the opportunity sites; can the tools be customized; size requirements for the Eco-Village; have the Opticos Objective Development Design Standards (ODDS) been made available to the public; how the pending evacuation study and Zonehaven will affect this process; the general outreach process; recommendations from the Affordable Housing Committee; three sites that are excluded.

Mayor Ackerman opened the meeting to public comments.

Peter asked if the software could be adapted to include wildfire egress concerns.

Lauren Temkin was opposed to development.

Rebecca Collins supported the process but was concerned about senior housing.

Holly Baade lives and works at School Street Plaza was not opposed.

Lisel Blash stated there was more to the Housing Element than just the RHNA numbers.

Patrece Bryan suggested consideration of vacant buildings and properties.

Frank Egger, speaking for Save Fairfax and Fairfax Tomorrow, recommended a live Town Hall meeting held at Contratti Field to discuss this issue.

Pam Meigs stated she would like to hear discussion about "character".

Miriam Hamsa was interested in local preferences and concerned about evacuation in a fire.

Sharon Sagar was interested to hear more on impacts to traffic, infrastructure, and schools.

Michelle Rodriguez, Frustuck Avenue, emphasized that the number of sites identified be aligned with the RHNA allocation.

Michael Mackintosh stated the process should be inclusive and was concerned about the impacts on traffic and tax credits for affordable housing.

Kevin Curtis asked that the transportation aspect in the 2050 Bay Area Plan be included.

Deborah Benson, Cascade Drive, stated identifying illegal units should be step one.

Sam Lueck stated the amount of public engagement was too low. He does not have a lot of confidence in the process.

Shelley Hamilton suggested adding an equity and climate impact metric to the Balancing Tool.

Linn Walsh supported affordable housing and work force housing.

Allison McCracken suggested the Marin Town and Country Club property be considered.

Joe McGarry discussed the importance of equity and work force housing.

Lynn discussed the drought and how to get people involved.

Mark Bell stated the ABAG data is obsolete- people are leaving California.

Mayor Ackerman closed the meeting to public comments.

Ande Flower responded to questions regarding whether an EIR would be required, the November workshop, and the appeal timeline.

Commissioner Swift stated the maps need to identify streets; Fairfax Speaks is not the tool for increasing public engagement- there should be neighborhood meetings; work force housing criteria needed to be clarified.

Commissioner Green supported the creation of workforce housing; they need a design criteria that mimics surrounding housing; he would like a legal opinion on restricting work force housing to people working locally; he supported the housing sites list and map but was not sure why certain sites were excluded.

Vice Mayor Hellman asked about amnesty and a historic building review or analysis.

Commissioner Jansen noted tonight's public comments were varied and an executive summary should be prepared to clarify that all the components are being addressed.

Councilmember Cutrano discussed the importance of outreach, which could include direct mailers, door-hangers, and neighborhood specific engagement as suggested by Commissioner Swift.

Commission Chair Newton stated the number of units identified for sites was jarring; relying on affordability by design can be dangerous; the focus should be on mandating low-income, affordable housing.

Councilmember Goddard wanted to look at an inclusionary zoning ordinance and a short-term rental policy.

M/s, Coler/Goddard, Motion to adjourn the meeting at 9.00 p.m.

AYES: Coler, Cutrano, Goddard, Hellman, Mayor Ackerman (through a roll call vote)

Respectfully submitted,
Michele Gardner, Town Clerk