

FAIRFAX PLANNING COMMISSION
SPECIAL MEETING MINUTES
VIA TELECONFERENCE DUE TO COVID-19
THURSDAY, MAY 27, 2021

Call to Order/Roll Call:

Acting Chair Newton called the meeting to order at 7:00 p.m.

Commissioners Present: Norma Fragoso
Esther Gonzalez-Parber
Philip Green
Robert Jansen
Mimi Newton (Acting Chair)
Cindy Swift

Commissioner Absent: Michele Rodriguez (Chair)

Staff Present: Ben Berto, Planning Director
Linda Neal, Principal Planner

APPROVAL OF AGENDA AND AFFIDAVIT OF POSTING

M/s, Green/Swift, motion to approve the agenda and Affidavit of Posting.

AYES: Fragoso, Gonzalez-Parber, Green, Jansen, Swift, Acting Chair Newton

ABSENT: Chair Rodriguez

The Fairfax Planning Commission is holding this workshop to discuss Objective Design and Development Standards and solicit public comment.

1. Introduction by Planning Director

Planning Director Berto presented a staff report and gave a PowerPoint presentation that included the following: 1) Welcome & Introductions; 2) Staff Presentation; 3) Consultant Presentation; 4) Public Comment; 5) Discussion.

2. Presentation by Opticos Design Inc.

Mr. Stefan Pelegrini gave a PowerPoint presentation that included the following: 1) Tool Kit Purpose and what it is designed to do; 2) Project Timeline- Phase 1, Phase 2, and Phase 3; 3) Elements of the Marin Approach- Phases 1 and II; 4) Place Types Atlas; Marin; 5) Place Types Atlas: Fairfax; 6) Existing Conditions Analysis of Fairfax potential sites; 7) Building Types; 8) Objective Standards- Current Zoning Ordinance; 9) Objective Standards- Toolkit; 10) Toolkit Organization (A Menu of Standards); 11) Toolkit Chapters 1, 2- Preamble, Introduction; 12) Toolkit Chapter 3- Zones & Development Standards; 13) Toolkit Chapter 3- Palette of 8 Zones; 14) Toolkit Chapter 4- 10 Supplemental Standards; 15) Toolkit Chapter 4- Specific to Use Standards; 16) Toolkit Chapter 5- General to Design Sites; 17) Toolkit Chapter 6- Building Type Standards; 18) Toolkit Chapter 7- Frontage Type Standards; 19) Downtown Core Historical Review Survey- 2021; 20) Toolkit Chapter 8- Architectural Styles; 21) Toolkit Chapter 9- Signage Type Standards; 22) Toolkit Chapter 10-

Large Site Standards; 23) Toolkit Chapter 11- Administration; 24) Toolkit Chapter 12- Definitions; 25) General Options for Implementation; 26) In Customization Phase of Project.

Commissioner Jansen referred to “Toolkit Chapter 3- Zones and Development Standards” and asked if the areas outside of the colored areas would be regulated within this framework. Mr. Pelegrini stated these standards are intended to be applicable only for multi-family and mixed use projects.

Commissioner Jansen asked about the purpose of identifying architectural styles. They do not want to falsify history. Mr. Ed Yarborough stated each community will have a unique toolkit that would provide guidance as to how to respond to existing conditions.

Commissioner Fragoso stated this is a lengthy process and she asked if the Commission will go through this chapter by chapter in July. Planning Director Berto stated the intent of tonight’s presentation is to get some preliminary feedback. The subcommittee will have the opportunity to do a “deep dive” with staff and bring a more customized document back to the Commission.

Commissioner Swift asked if a Junior Accessory Dwelling Unit in a single family home would be considered multi-family. She asked about the definition of new construction. Mr. Pelegrini stated the ODDS are designed to accommodate ADUs to the extent they are allowed in multi-family districts. The focus is on multi-family zones and districts where multi-family projects can occur. Commissioner Swift asked if this would apply to a single-family zone that allows a duplex. Mr. Pelegrini stated the duplex in this situation could be subject to SB 35 or the Housing Accountability Act (HAA) and it might be useful to apply these ODDS. Duplexes, under State law, are falling in the multi-family category. The application of these ODDS is clearly oriented towards new construction but they are applicable to alterations and additions of existing buildings. The decision about where and when the ODDS should apply is up to the Town.

Commissioner Gonzalez-Parber asked if this inventory would identify areas where there are housing opportunities (i.e, infill). She asked if anybody was looking into the historic evolution of building types in Fairfax. Planning Director Berto stated “yes”- there will a convergence of this process with the Housing Element Update.

Commissioner Green had a question about process and if the beginning of the document would serve as the choices a developer would be making. Mr. Pelegrini stated “yes”- the tables are intended to provide guidance for applicants. Commissioner Green noted there were a lot of “building types” that have nothing to do with Fairfax. Mr. Pelegrini agreed and stated the intention is that there are a limited number and a range of options to be applied on a given parcel.

Commissioner Jansen asked at what point does the document becomes prescriptive. Mr. Pelegrini stated Chapters 7 and 8 are very prescriptive and the intent is for the developer to choose an architectural style and then adhere to those standards. In some cases there are options such as choosing an eave details or window proportions. The intent is to make sure that adhering to the standards are feasible.

Commissioner Jansen referred to Chapter 11 and asked how an applicant could ask for administrative relief of the prescriptive guidelines. Mr. Pelegrini stated Chapter 11 is tailored to the needs of the community. Communities have different traditions about the level of administrative relief they are willing to give.

Acting Chair Newton stated Fairfax likes to mix the T-1, T-2, and T-3 Zones and has a more natural vibe than the typical suburban area in Marin. She is interested in melding the T-1 and T-2 Zones into the T-3 and T-4 Zones. She wants to avoid “cookie-cutter” architectural standards and she is concerned about prescribing housing that has no imagination. She wants to embrace “wild stuff”.

Mr. Pelegrini shared the desire for architectural diversity. They need to be mindful of the appearance of “downzoning” or making changes to the zoning that would result in a compromise to the existing zoning.

Commissioner Green stated Fairfax was surrounded by open space and he discussed the importance of the natural resources. Mr. Yarbrough stated Opticos has done an incredible job in allowing a lot of options including a requirement for open spaces and a relationship to the outdoors especially on the edge residential areas around the downtown.

Commissioner Swift referred to the February date of the Toolkit and asked if this was the generic copy that went to all the jurisdictions. Planning Director Berto stated “yes”. Commissioner Swift asked if the Commission would receive a written report from Mr. Yarborough. Mr. Yarborough stated “yes”- he will provide an historical resource survey. The Commission would come up with a recommendation about the establishment of an Historic District and its boundaries.

Acting Chair Newton opened the meeting to public comments.

There were no comments.

Acting Chair Newton closed the meeting to public comments.

Planning Director Berto stated staff will meet with the subcommittee and begin to pare down and simplify the document. He asked if the Commission wanted to add one more Commissioner to the Historic ODDS Subcommittee. The subcommittee is composed of Commissioners Fragoso and Green and Ms. Cassidy DeBakker. He asked if the Commission had comments on the various Zones, building types, etc.

Commissioner Swift stated she needs more time to review the document.

Commissioner Fragoso stated the subcommittee should include someone with an architectural background. She referred to the Zones and liked the approach of providing graphic images to describe different types of setting and places. She stated the duplexes/triplexes in the courtyard settings would fit in beautifully in Fairfax. They want to sustain the rural environment with walkable neighborhoods. There are opportunities in the commercial zone to bump up one story with mixed use. She supports the form-based design standards with parking, setbacks, height, etc. This is an excellent start.

Commissioner Green stated he would like to see a less generic and more “Fairfax” version. He thought an overlay district might be easier than a rezoning process. He supported an additional subcommittee member, preferably an architect.

Commissioner Jansen stated once the toolkit is adopted the “opposite” might happen- a developer will try to use this to maximize what they want to achieve. The historic context is extremely important. The map indicates areas that are subject to the toolkit and areas that are not and he is concerned there might be a loophole.

Commissioner Gonzalez-Parber stated she needed more time to review the document. She would like to see more of the Fairfax vernacular (natural, woodsy, etc.) included in the report.

Acting Chair Newton supported holding off on honing the document down until they get a better understanding of the toolkit. She reiterated the “cookie cutter” issues and suggested an expansion of Chapter 8. She would like to see a more robust list of architectural styles.

Commissioner Swift asked when the historical report would be released. Planning Director Berto stated he was not sure since the focus has been on getting Mr. Yarborough's feedback on the toolkit. Commissioner Swift stated it is important that they get this right and not put something out for expedience sake.

Commissioner Jansen stated he would contact Commissioner Gonzalez-Parber in terms of coordinating the subcommittee duties. He agreed they need to do this right but he asked if an interim stop gap measure was possible. Planning Director Berto stated some jurisdictions in Marin are moving quickly because they see this as a valuable stop gap. He stated it could be adopted soon and the Commission and Council could continue to develop it.

Commissioner Gonzalez-Parber stated would not be able to participate on the subcommittee. She was concerned about the sense of urgency conveyed by Planning Director Berto. They might want to look at this in terms of what they want to avoid instead of what they want to see. They need to look for loopholes and gaps.

Acting Chair Newton asked about the subcommittee's meeting schedule. Planning Director Berto the next meeting is tentatively scheduled for June 10th.

Commissioner Green agreed with Commissioner Jansen and Gonzalez-Parber's concerns about potential loopholes and wanted this issue addressed. He would like to see a "Fairfax" version sooner than later.

M/s, Fragoso/Green, motion to appoint Commissioner Jansen to the ODDS and Historic Subcommittee.

AYES: Fragoso, Gonzalez-Parber, Green, Jansen, Swift, Acting Chair Newton

ABSENT: Chair Rodriguez

Planning Director Berto asked the Commissioners to get back to him about his or her availability for a Special Meeting on July 29th.

The Commission thanked Opticos for the presentation.

ADJOURNMENT

A motion was made, seconded and unanimously approved to adjourn the meeting at 9:45 p.m.

Respectfully submitted,

Toni DeFrancis,
Recording Secretary