



TOWN OF FAIRFAX

JOINT SPECIAL MEETING STAFF REPORT

Town Council and Planning Commission

September 22, 2021

TO: Mayor and Town Council and Planning Commission

FROM: Ben Berto, Director of Planning and Building Services
Ande Flower, Project Lead, EMC Planning Group
Lauren Hoerr, Project Assistant, EMC Planning Group

SUBJECT: 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.

BACKGROUND

The Town Council last met with the Planning Commission on April 21st to introduce the importance of, as well as key milestones and deliverables, of the 6th Cycle Housing Element updates.

Staff/the consultants have met with the following Town groups or affiliated agencies:

Affordable Housing Committee
Climate Action Committee
Open Space Committee
Racial Equity and Social Justice (RESJ) Committee
Age Friendly Fairfax
Tree Committee
Planning Commission
Planning Commission Housing Element sub-committee
Marin Municipal Water District
Marin Wildfire Prevention Authority chief
Chamber of Commerce president

These early meetings introduced the Housing Element update process to members of those committees, suggested areas for committee involvement and feedback, and requested everyone in those groups and those with whom they communicate to visit, register, and participate in the Fairfax Speaks (<https://fairfaxspeaks.com/>) website.

Major takeaways from some of these meetings are summarized below.

Planning Commission Housing Element subcommittee

August 5th Meeting: Received feedback on how to refine the potential sites map to show potential zoning changes that would allow for duplexes on currently single-family zoned sites and up to quadplexes on currently duplex-zoned sites.

Racial Equity and Social Justice (RESJ) Committee

August 5th meeting: Received suggestions on ways to expand outreach, including ways to increase in-person outreach so that populations who do not typically have reliable internet access can be involved in the process.

Planning Commission

August 12th: Received suggestions for how hazards, evacuation routes, and zoning should lead the investigation of potential sites for additional housing. “Missing Middle” housing approaches were considered a good fit with Fairfax’s housing context.

Affordable Housing Committee

September 8th: Discovered recommendations for inclusion of additional potential sites. Discussion of how Missing Middle approaches can fit in Fairfax.

Climate Action Committee

July 20th: Integrating housing with the Fairfax Climate Action Plan, including retrofitting existing houses for energy efficiency and to accommodate housing needs (for example aging adults). Goals include Housing that is resilient, sustainable, efficient, and potentially affordable by design. Local hazard mitigation needs to be addressed.

Age Friendly Fairfax

June 28th: Fairfax has the most rapidly increasing older adult population in Marin. Discovered more about their specific needs to remain and thrive within the Town of Fairfax. Safety is important for this vulnerable group, and housing cost increases are a problem. Housing options exist for older adults. Learned about several County-wide programs that can be incorporated into policy considerations. Discussed outreach opportunities to this particular group of people.

Marin Wildfire Prevention Authority

June 28th: Confirmed with Chief Brown specific concerns about fire safety such as narrow roads, tight turns, single-exit roads, to apply this understanding when considering potential housing site opportunities. Discussed pending evacuation study.

Open Space Committee

May 24th: The relationship between housing locations and open space parcels was discussed, as well as challenges with significant levels of new housing.

Tree Committee

July 26th: Planning for safe evacuation routes in the context of the Town's urban forest was discussed. FireWise-oriented measures and maintenance were agreed as priorities. Clarity was desired on tree management for fire safety.

Fairfax Chamber of Commerce

Several conversations occurred with Mark Smadbeck regarding the Chamber's role in promoting awareness of the Housing Element update. Assistance in providing engagement materials for workers at businesses was requested.

Marin Municipal Water District

May 19: Meeting included North Marin Water District at Marin County Planning Directors luncheon. Water supply challenges, options, and priorities were discussed.

DISCUSSION

This joint meeting of the Town Council and Planning Commission focuses on the discussion of potential suitable sites, as well as the following topics:

- Update on Public Outreach and Engagement
- Compliance with AB686 (Affirmatively Furthering Fair Housing)
- Evacuation & Safety Concerns re: Fires/Floods
- "Missing Middle" Housing Approach
- Introduction to Balancing Act Tool
- Draft Housing Sites and List

The site selection process is evolving as engagement with the public and Fairfax groups continues and more data and feedback are received.

This meeting is a check-in with your Council and Planning Commission to request direction on the materials and approaches discussed at the meeting. Initial guidance from the Affordable Housing Committee has been to approach all properties as potential sites, that all sites are on the table until they're no longer determined to be viable for consideration.

Update on Public Outreach and Engagement

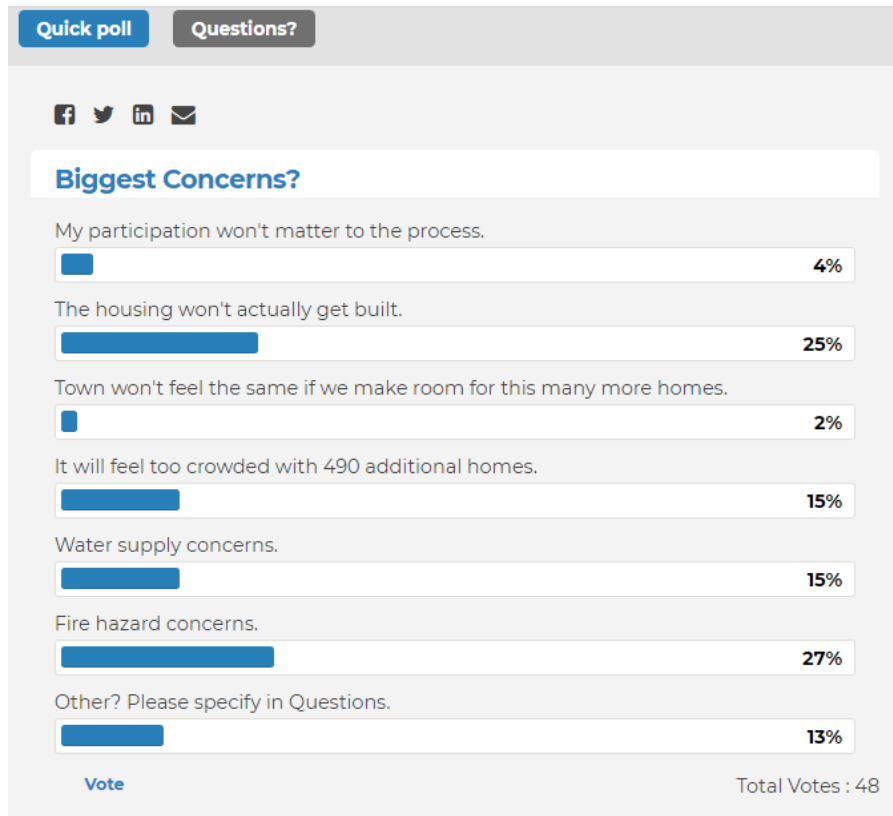
Fairfax Speaks Website

In addition to the extensive community group-oriented engagement, the Housing Element update process features the strong online platform Fairfax Speaks website mentioned earlier. This website allows for a broader reach in public participation as people can visit the site at any time, outside of scheduled Council and Committee meetings that may be difficult for some populations to attend as well as being a more public forum that not all stakeholders may feel comfortable participating in. Once *Balancing Act* is incorporated into the website, we anticipate more enthusiastic engagement as well.

At the time of writing this staff report, the *Fairfax Speaks* website has had over 1,000 unique site visits, over 100 site registrations, and over 115 who have actively participated in the engagement tools available on the website. Data shows there have been noticeable increases in these data points after the Fairfax Speaks website has been publicized

in staff reports available prior to key Committee meetings, discussed in meetings, or mentioned in the weekly newsletters.

Two of the tools that have garnered public feedback include a one-question poll on the home page of the website (choosing one option) as well as a longer survey. The poll asked the public to identify their biggest concern, and 48 people participated to-date. The results are shown in a screenshot below. The survey had more detailed questions, including demographic data, and has had 79 responses to date.



Other Engagement Strategies

A public banner was erected over Sir Francis Drake from August 24th through September 14th. The banner directed people to the fairfaxspeaks.com website to ask questions and learn about the Housing Element Update process. The banner will also be erected for a second period of time later in the year. Bookmarks have been distributed at the library and coasters at local businesses to raise awareness about the Fairfax Speaks website. In an effort to reach stakeholders that are typically not engaged in planning outreach efforts, staff and consultants also visited a local food pantry and hosted a table at the Farmer's Market to get in-person feedback and survey responses. Flyers will also be translated into Spanish and distributed to local employers that have Spanish-speaking employees. Staff was also at the Fairfax picnic this last Saturday to discuss the Housing Element update and where we are in the process.

Staff has also been working to direct residents to the fairfaxspeaks.com website through traditional public communication vehicles such as the Town website, the Town newsletter, and other electronic media. Staff will continue to focus on expanding engagement efforts in the future.

This is intended to be an iterative process—feedback from Committees, Commissions and the public will continue to be solicited and integrated into development of the draft work products.

Compliance with AB686 (Affirmatively Furthering Fair Housing)

Liz Darby, Marin County’s Social Equity Programs and Policy Coordinator, is scheduled to provide to the Town Council on October 22 an overview of the importance of AB686 to this 6th Cycle Housing Element process and certification.

Marin County will provide general regional analysis, but Fairfax is required to do more local analysis on segregation patterns etc. We don’t technically have any historically disadvantaged communities (by definition) in Fairfax. Fairfax will focus on incentivizing Missing Middle and affordable housing developments to comply with AB686 requirements, along with targeted outreach to typically hard-to-reach communities.

Evacuation & Safety Concerns re: Fires/Floods

Administrative Draft of Updated Safety Element is in review, but staff and consultants have incorporated the initial findings into refining the potential sites. This includes a focus on one-way-out concerns and other responses we have heard from the Planning Commission and Committees at meetings staff and consultants have attended. We anticipate further refining the list with other environmental and safety constraints as we move forward with review.

“Missing Middle” Housing Approach

The Missing Middle concept refers to the issue many municipalities across the country face with their existing housing stock. There are single-family housing neighborhoods and larger-scale multi-family districts, which typically caters to higher-income residents or middle-income residents, respectively. This zoning framework can sometimes create stark contrasts as single-family neighborhoods transition abruptly to larger-scale multi-family buildings. It also creates a gap in housing available to middle-income residents and/or low-income residents looking for more affordable housing options in the same towns they work in. These challenges can be addressed by adding units that have the look and feel of smaller-scale buildings, but allow for multiple units within the structure.

The Missing Middle housing approach focuses on incorporating house-scale buildings with multiple units in walkable neighborhoods or areas near transit. These housing options can include side-by-side duplexes, stacked duplexes, quadplexes, courtyard cottages, Eco Villages, townhouses and more.

Incorporating zoning and policy changes to allow for and incentivize these Missing Middle housing options can have aesthetic benefits to neighborhoods as they create a smoother transition between existing single-family areas and multi-family areas. They also provide more affordable options for many people, including singles and empty nesters. It can also allow for a more cohesive and vibrant community as more people that have value in the town—teachers, first responders, etc.—are able to live in the same community they work in.

Introduction to Balancing Act Tool

The consultants and staff are about to embark on a higher-profile public engagement effort. The consultants and staff are aware of initial public and Committee feedback that the *Fairfax Speaks* website needs to be more intuitive and engaging. The next step of our engagement efforts will include implementing *Balancing Act*, a highly interactive online tool into the existing

Fairfax Speaks website. The *Balancing Act* tool was recently approved by the Association of Bay Area Governments to be used by all jurisdictions, so it is recognized as a robust engagement tool to use for updating the housing elements.

Balancing Act presents a map of Fairfax and allows residents and other stakeholders to “put on their planning hats” by choosing from a pre-selected number of sites where in Fairfax they would like to see the RHNA units incorporated. In order to complete the exercise, they need to play with the sites and each site’s unit allocations until the RHNA of 490 is attained. These completed ideas then get saved and are available for other members of the public to see. This may even allow the public to create solutions that have not been previously identified or prioritized by existing public feedback.

A key priority in preparation for using the *Balancing Act* tool will be to identify more than enough sites to accommodate the RHNA’s 490 units—in other words create a buffer of sites to choose from—so that the public has the ability to have a variety of options across different locations as they make their decisions. It is essential that decision-makers and the public understand that the number and location of potential sites will necessarily need to swell in size and comprehension in order to make this tool enable an effective experience with meaningful results.

Wide participation in the *Balancing Act* tool will be a critical component in gaging public sentiment as staff and consultants continue to develop the sites inventory for the Housing Element update.

Preliminary Housing Sites and List

Attachment A is a draft inventory of 15 potential sites that could add housing units to comply with the RHNA allocation. The table includes the address, zoning, and the preliminary estimated range of additional unit numbers for each site.

Staff and the consultants are looking for Council and Commission feedback on these potential sites. The current selection includes sites with hazards and environmental constraints. Some of these, flooding for example, could be mitigated through existing municipal code sections.

Attachment A also references Missing Middle housing and Accessory Dwelling Unit/Junior Accessory Dwelling Unit (ADU/JADU) potential housing units in Fairfax. This is illustrated in Attachment B. The pink and orange sites show current single-family zones where preliminary analysis indicates they meet certain minimum qualification criteria (e.g., flatter grade, adequate lot size, two-way vehicular access) to potentially update the zoning to allow for duplexes. The teal and green sites represent locations within the current RD-5.5-7 High Density Residential zone that allow duplexes, where we could potentially update the zoning based on similar criteria as the single family residential to duplex rezoning, to allow for up to quadplexes. Please note that some hazards are incorporated into this map, but it does not include flood plain zones at this time.

Staff and the consultants are looking for a discussion and feedback on the opportunities and challenges related to these potential zoning changes.

CONCLUSION

The efforts for the Housing (and Safety and Land Use) Elements Update that are described in this report are currently in the process of garnering feedback and working on initial identification and analysis of potential sites. Staff and the consultants are requesting feedback from the Planning Commission and Town Council on the presented potential sites as well as possible zoning and policy changes that would:

- ensure compliance with AB686,
- address environmental and safety constraints,
- create affordability by design,
- allow for Missing Middle housing types,
- support staff to establish a sufficient variety and number of initial potential sites to be incorporated into the Balancing Act tool, and
- lead to creative solutions and viable options to achieve certification of Fairfax's 6th Cycle Housing Element update.

This feedback will be an important step in shaping next steps for public engagement as well as developing the first draft of the Housing (and Safety and Land Use) Elements. Attachment D details the upcoming milestones for the Housing Element update process.

RECOMMENDATIONS

Provide direction to the consultants and staff on:

1. Additional factors that should be included in the suitability analysis of potential multi-family housing sites
2. How to best incorporate the "Missing Middle" housing approach into the Housing Element Update
3. Ways to ensure compliance with AB 686
4. Comments on Housing Sites List and Map
5. Strategies for encouraging and expanding public participation
6. Questions

ATTACHMENTS

- A. RHNA Housing Discussion Locations Table
- B. RHNA Housing Discussion Locations Map
- C. Potential Missing Middle Housing Sites Options Map
- D. Draft Timeline of Key Housing Element Update Milestones

Town Council – Planning Commission Joint Meeting 09-22-21

RHNA Housing Discussion Locations

No.	Site	Site Address	Assessor's Parcel No.	Acres/ sq. ft.	Number of units	Zoning	Requires rezoning? (Y/N)	Notes
1.	White Hill School	101 Glenn Drive	174-060-26	5.4	50-80	PD-Public Domain	Y	Teacher housing can contribute to AB686 compliance
2.	Jehovah's Witness (portion)	2600 Sir Francis Drake Blvd	001-070-50	1.3	15-25	UR-7	Y	Front portion of site
3.	10 Olema Rd	2170 Sir Francis Drake Blvd	001-1-4-12	~1.1	22-30	CL-Limited Commercial	N	
4.	St. Rita's	100 Marinda Dr	01-160-03, 001-160-02	~1.9	40-60	PDD – Planned Development District	N	
5.	Westside Commercial	St. Rita's Church to prev. gas station		~ 1.8	30-40	CH – Highway Commercial	?	
6.	Fairfax Market	2040 Sir Francis Drake Blvd	1.0	~.7	20-40	CH – Highway Commercial	?	
7.	School Street Plaza	6-12 School Street Dr	002-112-13	1.9	100-140	CL – Limited Commercial	N	
8.	Marinda Heights, aka Wall Property		001-150-12, 001-160-09, 001-171-51, 001-251-31	100	20, incl. ADU's	UR-10 – Upland Residential	N	State law directs ministerial review of ADU/JADU
9.	Deer Park Villa	367 Bolinas Road	197-120-03	5.6	30-70	CL – Limited Commercial	N	
10.	(former) Pancho Villa's	1625 Sir Frances Drake Blvd	002-211-21	.25	10	RD-5.5-7 – Residential Zone, High Density	?	Previous preapplication

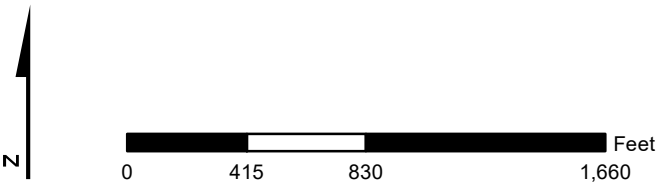
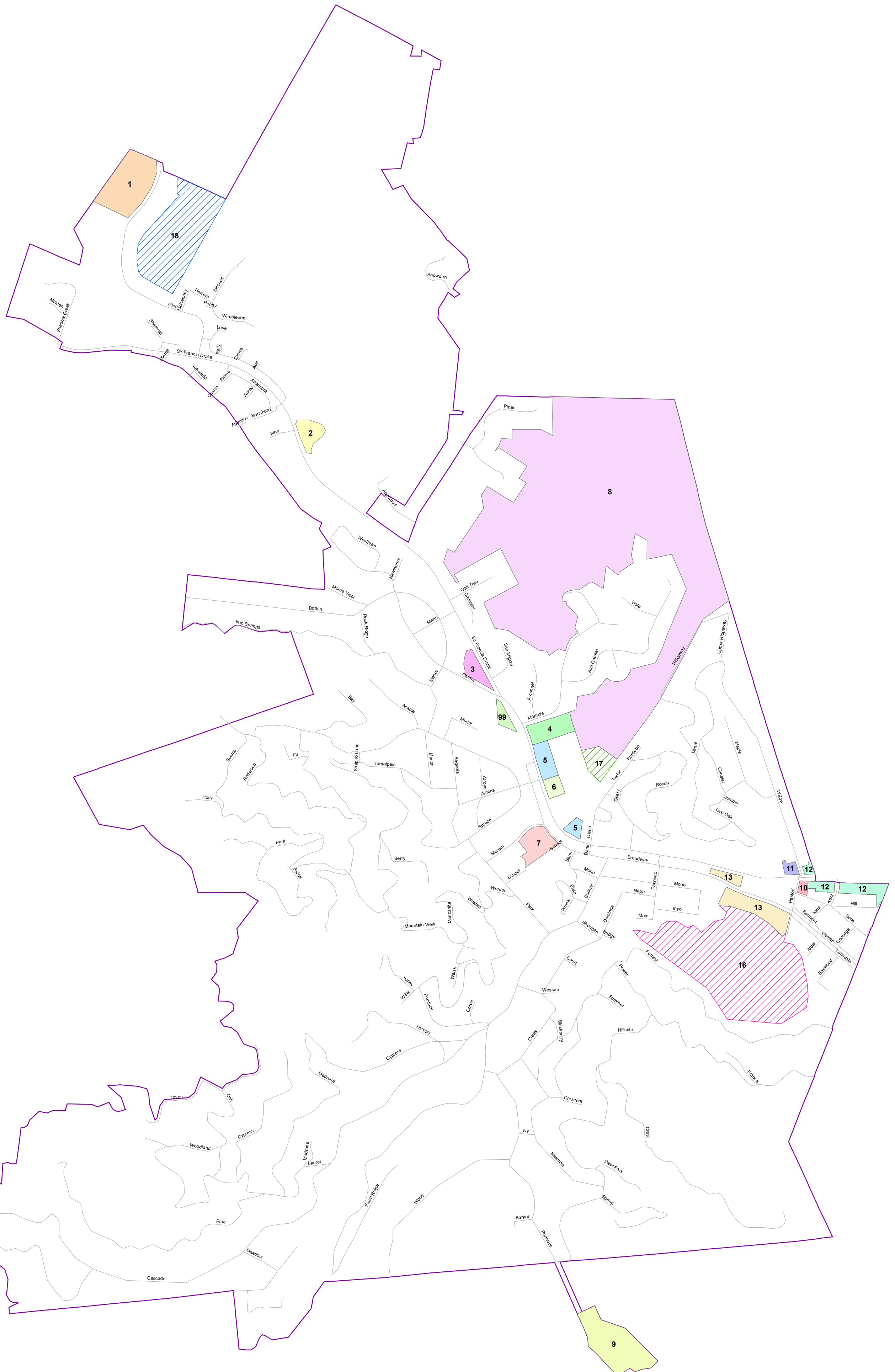
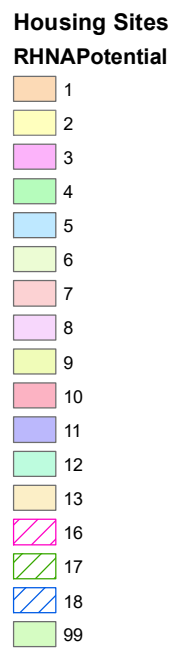
11.	O'Donnell's Nursery	1700 Sir Frances Drake Blvd	001-236-91	.4	10-20	CH – Highway Commercial	?	
12.	Eastside Commercial	Sir Frances Drake east from Pastori Ave		~2	20	RD-5.5-7 – Residential Zone, High Density	?	
13.	Fair-Anselm Shopping Center	701-760 Sir Frances Drake		~3.2	50-90	CH – Highway Commercial	?	Both sides of Center Boulevard
14.	Duplex-Quadplex	Various locations		5,000 -7,000 sq.ft +	50-100	RS-6 – Residential Single Family High Density RD-5.5-7 – Res. Zone, High Density	N* *pending legal review of SB 9	
15.	Accessory dwelling unit - Junior ADU	Various locations		n.a.	100+	Various residential zones	N	State law directs ministerial review of ADU/JADU

Sites not for consideration

16.	Town and Country		25				
17.	Jolly Hill		1.5				
18.	Glenn Drive		11.4				

TOWN OF FAIRFAX RHNA Housing Discussion Locations

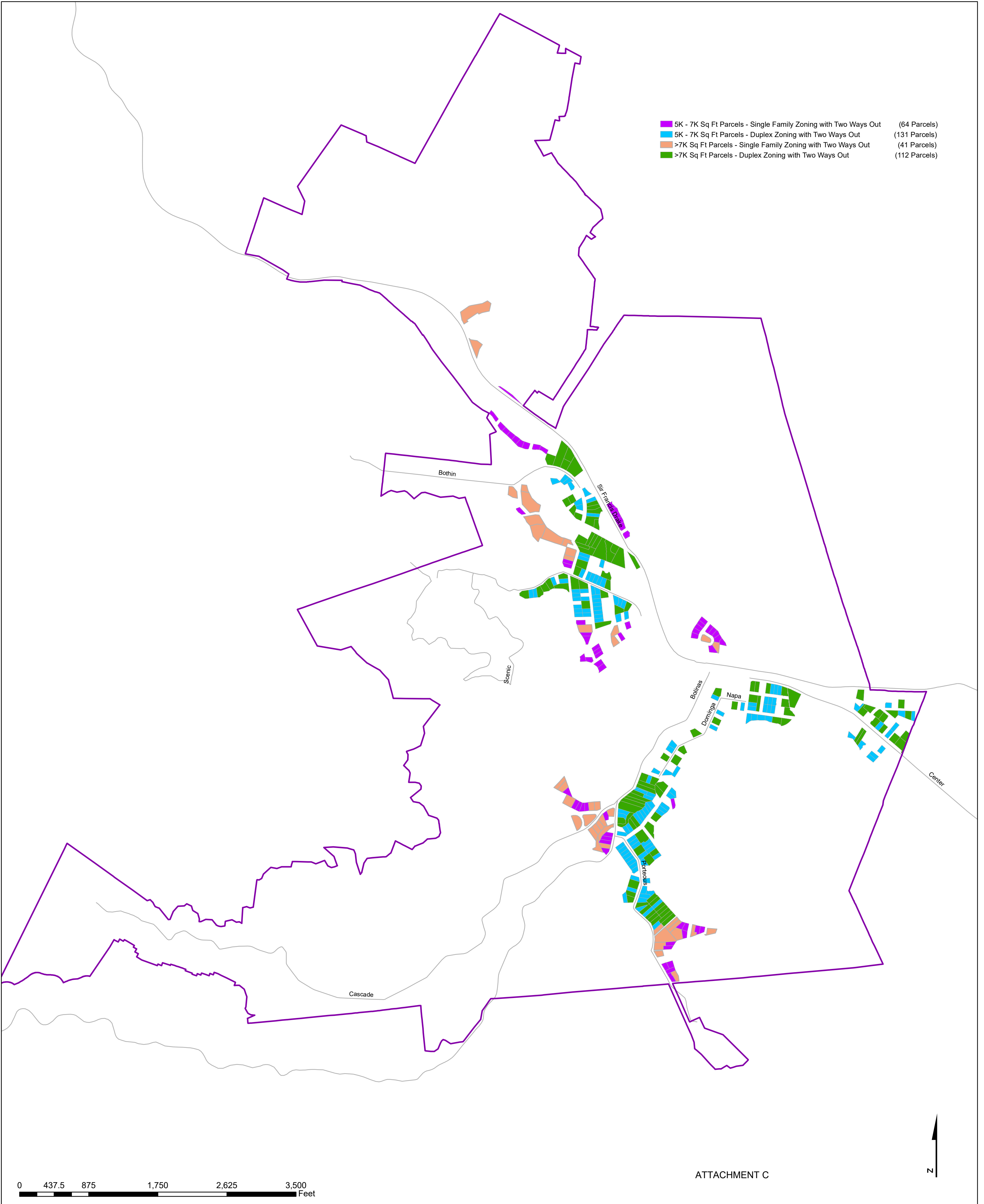
September 22, 2021



ATTACHMENT B

Potential "Missing Middle" Housing Sites, including Duplex - Quadplex Options

September 22, 2021



ATTACHMENT C

0 437.5 875 1,750 2,625 3,500 Feet

Town of Fairfax Housing, Land Use, and Safety Elements Update

Activity Name	Start Date	Finish Date	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sept 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	Apr 22	May 22	Jun 22	Jul 22	Aug 22	Sept 22	Oct 22	Nov 22	
			4 111825	2 9 162330	6 132027	4 111825	1 8 152229	5 121926	3 101724	31 7 142128	5 121926	2 9 162330	6 132027	6 132027	3 101724	1 8 152229	5 121926	3 101724	31 7 142128	4 111825	2 9 162330	6 132027	4 111825
1 Project Start	4/7/21	4/7/21	◆																				
2 PC/TC Introduction	4/21/21	4/21/21	●																				
3 Aff Housing Comm 1	5/6/21	5/6/21		●																			
4 HE Data & Background	4/28/21	8/13/21		▬																			
5 SE Data & Background	4/28/21	6/11/21		▬																			
6 Climate Action Comm	5/18/21	5/18/21		●																			
7 Open Space Comm	5/25/21	5/25/21		●																			
8 Racial Equity Comm	7/1/21	7/1/21				●																	
9 Marin Wildfire Prev Auth	7/8/21	7/8/21				●																	
10 Ad Draft Safety Element	6/1/21	7/30/21		▬																			
11 Draft SETown Review	7/30/21	8/30/21						▬															
12 Safety Element	9/20/21	10/8/21								▬													
13 PC Subcommittee 1	6/15/21	6/15/21			◆																		
14 Aff Housing Comm 2	7/12/21	7/16/21				▬																	
15 Site Exploration	5/28/21	9/30/21		▬																			
16 Aff Housing Comm 3	7/22/21	7/22/21					●																
17 Racial Equity Comm 2	8/5/21	8/5/21						●															
18 PC Subcommittee 2	8/5/21	8/5/21						◆															
19 PC Special Meeting- Sites	8/12/21	8/12/21						●															
20 Aff Housing Comm 3	9/8/21	9/8/21							●														
21 PC /TC Workshop - Sites	9/22/21	9/22/21							●														
22 Draft Site Options Report	8/30/21	11/12/21		▬																			
23 PC Subcommittee 3	10/5/21	10/5/21							◆														
24 Final Site Options Report	10/8/21	12/10/21		▬																			
25 Community Workshop																							
26 TC Report - Sites, CEQA	11/24/21	11/24/21									●												
27 Traffic Report	10/25/21	2/9/22		▬																			
28 Preliminary Environmental	9/13/21	11/4/21		▬																			
29 Draft HE Programs	8/27/21	2/2/22		▬																			
30 Ad Draft Housing Element	7/19/21	10/15/21		▬																			
31 TC Draft Report - SE/HE/CEQA direction	12/13/21	12/13/21									●												
32 Aff Housing Comm 4	12/21/21	12/21/21									●												
33 HCD Housing Element	10/22/21	11/22/21		▬																			
34 HCD Review	11/29/21	12/29/21		▬																			
35 HCD Consultation	12/22/21	12/22/21									●												
36 Housing Sub Comm 4	12/27/21	12/27/21									◆												
37 Aff Housing Comm 5	1/5/22	1/5/22										●											

Town of Fairfax Housing, Land Use, and Safety Elements Update

Activity Name	Start Date	Finish Date	Apr 21	May 21	Jun 21	Jul 21	Aug 21	Sept 21	Oct 21	Nov 21	Dec 21	Jan 22	Feb 22	Mar 22	Apr 22	May 22	Jun 22	Jul 22	Aug 22	Sept 22	Oct 22	Nov 22	
			4 111825 2 9 162330 6 132027 4 111825 1 8 152229 5 121926 3 10172431 7 142128 5 121926 2 9 162330 6 132027 6 132027 3 101724 1 8 152229 5 121926 3 10172431 7 142128 4 111825 2 9 162330 6 132027 4																				
38 PC Report - CEQA	1/20/22	1/20/22																					
39 TC Report for CEQA	2/16/22	2/16/22																					
40 Public input on CEQA	2/14/22	3/15/22																					
41 Housing Sub Comm 5	3/7/22	3/7/22																					
42 Public Housing Element	3/1/22	4/26/22																					
43 Land Use Element Update	3/1/22	4/26/22																					
44 Ad Draft IS / MND (A)	3/1/22	4/8/22																					
45 Ad Draft EIR (B)	3/1/22	5/10/22																					
46 Draft IS / MND Prep (A)	4/11/22	5/17/22																					
47 Draft IS / MND Public (A)	5/17/22	8/8/22																					
48 Open House (A) 4	5/23/22	5/23/22																					
49 Draft EIR Prep (B)	5/23/22	6/10/22																					
50 Draft EIR Public Rev (B)	6/13/22	7/29/22																					
51 Open House (B) 4	6/13/22	6/13/22																					
52 Ad Final EIR (B)	8/9/22	8/26/22																					
53 Final EIR (B)	8/29/22	9/9/22																					
54 PC Hearing	9/15/22	9/15/22																					
55 PC initial HE Revisions	9/15/22	10/7/22																					
56 PC Hearing	10/20/22	10/20/22																					
57 TC Hearing	11/2/22	11/2/22																					
58 TC initial HE Revisions	11/2/22	12/2/22																					
59 TC Hearing	12/7/22	12/7/22																					
60 CEQA Filings	12/8/22	12/8/22																					
61 Final HE Revisions	12/8/22	12/16/22																					
62 File HE with HCD	12/19/22	12/19/22																					