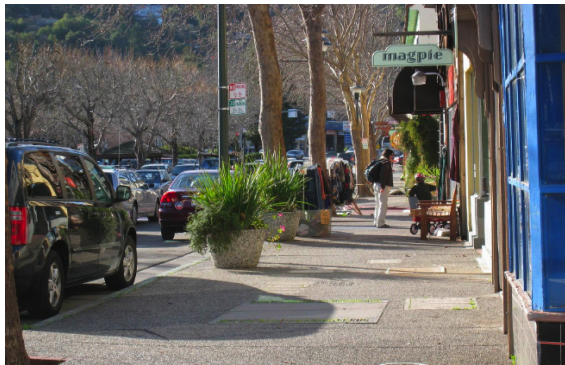


# ATTACHMENT B

# TOWN OF FAIRFAX

# 2010-2030 GENERAL PLAN

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Final Adoption April 4, 2012

Town of Fairfax

Department of Planning & Building Services

Final Draft 2010-2030 General Plan Accepted by Town Council — December 2010  
Final Draft 2010-2030 General Plan CEQA Review — January 2011 through January 2012  
Final Adoption 2010-2030 General Plan by Town Council — April 2012



# TOWN OF FAIRFAX 2010-2030 GENERAL PLAN

---



## Acknowledgements

### Town Council

Pam Hartwell-Herrero, Mayor  
John Reed, Vice Mayor\*  
Larry Bragman  
David Weinsoff  
Ryan O'Neil  
[Lew Tremaine, Former Mayor\*]

### Planning Commission

Brannon Ketcham, Chair\*  
Shelley Hamilton, Vice Chair\*  
Terry Goyan  
Peter Lacques  
Shelby LaMotte  
Pam Meigs  
Peter Ramsay

### General Plan Advisory Committee (GPAC) Consultants

Bruce Ackerman, Chair\*  
Tom Childers, Vice Chair  
Hobart Bartshire  
Diane Causey\*  
Nav Patel  
Ray Moritz

*\*Super Committee*

### Staff

Michael Rock, Town Manager  
James M. Moore, Planning Director\*  
Linda Neal, Senior Planner  
Mark Lockaby, Building Official  
Susan Waters, Administrative Assistant II

### Other Contributors

Lini Bodian  
Ruth Horn  
Mary Ann Maggiore  
Mimi Newton, Chair – Open Space Committee\*  
Bill Sagar

Final Draft 2010-2030 General Plan Accepted by Town Council — December 2010  
Final Draft 2010-2030 General Plan CEQA Review — January 2011 through January 2012  
Final Adoption 2010-2030 General Plan by Town Council — April 2012

142 Bolinas Road, Fairfax, California 94930  
415.453.1584 phone, 415.453.1618 fax | <http://townoffairfax.org>



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# INTRODUCTION

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## MAYOR'S MESSAGE

In reading this General Plan, it should be understood at the onset that this document is just as named – “General”. It represents an overarching set of goals and a statement of direction for the community in the coming decade. It is, and will remain a living document, open to revision as the community’s needs or circumstances change. The document’s intent is to help focus the town’s energies and efforts in a common direction.



While the workload outlined in the General Plan appears daunting, in reality many of the activities can be implemented simultaneously. The schedules and responsibilities are subject to review and change.

I share and endorse the strong recommendation of the General Plan Super Committee that implementation of the goals, objectives, policies, and programs be monitored and facilitated by a Town Council appointed General Plan Implementation Committee (GPIC).

This committee should consist of one representative from:

- The Town Council
- The Planning Commission
- The Open Space Committee
- The Volunteer Board
- The former General Plan Advisory Committee (GPAC)
- Two members from the community at-large

It is recommended that this committee meet monthly to review and monitor the proposed timelines contained within the General Plan and to provide or recruit assistance as needed. It should report to the council on a quarterly basis, at least in the first year of implementation.

My heartfelt thanks go out to the dozens of Fairfaxians who have worked on this General plan as members of the GPAC, planning commissioners, council members, volunteers, and staff and over the last 12 years. Thanks also to the hundreds of residents whose valuable input guided the creation of this home-grown document. The community’s priorities and dreams for a sustainable future are contained within its pages.

The completion of this document is a landmark moment for Fairfax.

*Lew Tremaine, Mayor*



## PLANNING DIRECTOR'S MESSAGE

The final “packaging” of all eight draft elements of the 2010 General Plan was accomplished at a special ad-hoc “Super Committee” retreat held on November 4<sup>th</sup>, 5<sup>th</sup>, and 6<sup>th</sup> of 2010. The Super Committee was comprised of Mayor Lew Tremaine, Council-member John Reed, Planning Commission Chair Brannon Ketcham, Vice-Chair Shelley Hamilton, former GPAC Chair Bruce Ackerman, Committee member Diane Causey, and the Open Space Committee Chair Mimi Newton.



*Left to right: Jim, Brannon, Bruce, John, Shelley, Lew, Diane, Mimi & Larry.  
November 6, 2010*

Prior to the Super Committee retreat the Council had received all eight draft elements – one at a time – over the last 20 months from the Planning Commission. The elements were reviewed and edited by the Planning Commission at special monthly publicly noticed workshops over several years. Each of the eight draft elements that the Planning Commission reviewed and edited at the publicly noticed workshops had been crafted by the GPAC *over a period of 12-plus years* in publicly noticed meetings.

Throughout this entire time period there has been one person always there for the betterment of the Town’s current and future generations. He patiently guided what has truly been a “bottom-up” public participatory process. That one person is Larry Kennings of LAK & Associates. Without Larry’s love of the Town of Fairfax, the crafting of this 2010 General Plan would not have been possible. Within it, you will find his brilliance with regards to health, beauty, and permanence.

It has been a true joy and distinct honor to have worked with the gifted and dedicated people of Fairfax – and all of the various committee members involved in this process.

*James M. Moore, Planning Director*







## EXECUTIVE SUMMARY

With the exception of the Housing Element, this is the first revision to the General Plan in over 35 years, incorporating a number of new elements and establishing a vision for the future of the Town. Key initiatives in this Plan include:

- Establishing a public process to create a new Town Center Plan.
-  Zoning changes to preserve the **historic nature, visual aesthetic and vibrant business community** of the downtown area while incorporating residential uses, to reduce automobile use and encourage public transit and bicycle and pedestrian transportation modes.
- An initiative to catalog and preserve open space areas in and around the Town.
- A Climate Action Plan, and creation of a new Town committee, to reduce greenhouse gas emissions by the Town and its residents.
- A goal of zero waste generation by 2025.
- Development of design and construction guidelines by the Town Department of Planning and Building Services.





*“Freedom is participation in power.”*

Cicero

## **PUBLIC PARTICIPATION**

Public involvement is an essential component of the traditional fabric of the Fairfax community. The Town Council created a framework for public participation that is far reaching. The Council appointed a GPAC in 1998 to represent the community in the planning process that would result in this updated General Plan. The GPAC adopted a monthly meeting schedule, all of which were noticed public hearings, with opportunity for community comment as part of each agenda.

Charettes, workshops, public presentations, and surveys were also part of the public process.

The Planning Commission, Open Space Committee, Bicycle and Pedestrian Committee, the Chamber of Commerce, Fire and Police Departments, and the Town Attorney all reviewed and contributed to the update process.

## DOCUMENT ORIENTATION

### Land Use Element

The **Land Use Element** provides a guide to the general public, the Council and Planning Commission, to appointed committees and boards and to the Town Manager, Planning Director and staff as to the ultimate pattern of development for the Town in the future.

The **Land Use Element** has the broadest scope of all of the General Plan elements. It plays a central role in presenting land use issues, and the policies that will influence those issues. The goals, objectives, policies and programs found in this element relate directly to all other elements. In the daily business of the Town, this element is usually the most visible and most often used. While all of the general plan elements are equal in importance, the **Land Use Element** is usually referred to as being most representative of the Town's General Plan. Central to this element are the General Plan Map and the Zoning Map, both of which have a significant role in the daily decisions of the Town. The programs contained in this element influence the short- and long-term actions for the Town, including the yearly budget.

### Circulation Element

The **Circulation Element** is more than a transportation plan for vehicles. The Town's substantial commitment to transit, bicycle and pedestrian systems is also reflected in this element. The **Land Use Element** and the **Circulation Element** are bound together by state law. This element also has direct relationships to the **Housing, Open Space and Safety Elements**. The goals, objectives, policies and programs of this element affect the Town's physical, social and economic environment. Even though the Town is primarily built-out, changes to the existing circulation networks and systems are possible; and in some cases, particularly those related to transit, bicycle and pedestrian circulation, are preferred by the community.

### Housing Element

The **Housing Element** is distinct from the other elements as it is subject to detailed legal requirements regarding its content, particularly its policies and programs. The **Housing Element** is required, by state law, to be updated every five years, and must be reviewed and certified by the Department of Housing and Community Development. This requirement is symbolic of the state's recognition that the availability of meaningful housing

opportunities is critical to the community's well-being and that cooperation between government and the private sector is important to the attainment of the state's housing goals.

State law requires the Town to adequately plan to meet existing and projected housing needs, including its fair share of the regional demand. The state sees the **Housing Element** as part of its market-based strategy to increase the housing supply at all levels of income. In this element, the Town has identified some unique ways to meet the community's goals while maintaining the integrity of the Town.

### **Town Center Element**

The **Town Center Element** is an optional element, not required by State law that has been included in the General Plan as a result of ideas generated during the community-based workshops. This element is a subset of both the **Land Use Element** and the **Circulation Element**. This element is specific to the mixed-use central area of the Town, extending from the dual gateways of the Town at Sir Francis Drake and Center Boulevard at the San Anselmo border to the library at the northern end of the downtown area, including School Street Plaza. Also included is the area from Broadway along the Bolinas Road to the Town Hall and the 7-11, as well as Peri Park and the Women's Club. The programs in this element will implement the **Land Use Element** and the **Circulation Element** when the creation of a "Town Center Plan" called for in this element is formulated and acted on.

### **Open Space Element**

The **Open Space Element** establishes a guide for the comprehensive and long-range preservation and conservation of key open space land around and throughout the Town. Next to the **Land Use Element**, this element is the broadest in scope, overlapping some of the other elements while including goals and policies that are central to the quality of life as clearly defined by the community. Included in this element is an inventory of the areas of open space around and in the Town that are seen as candidate parcels for preservation, conservation or restoration. The **Open Space Element** is also closely related to the **Conservation Element**, and taken together these two elements identify and strengthen the collective environmental-quality attitudes of the Town.

## Conservation Element

The **Conservation Element** provides direction regarding the conservation, management and careful utilization of the Town's natural resources, including the air around it. This element directly relates to the **Open Space Element**, and overlaps the requirements of the **Land Use, Safety, and Circulation Elements**. The most significant difference between this element and others is that it focuses primarily on the Town's natural resources and systems. The most significant role of the **Conservation Element** is to establish policies and programs that recognize and reconcile the conflicting demands on both renewable and non-renewable resources while respecting the social and economic needs of the community.

## Safety Element

The Town is located in an area of unique scenic beauty and spectacular weather. However, along with those physical riches, the area also possesses the ability to destroy itself at any given time. The aim of the **Safety Element** is to recognize and reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from catastrophic wildland fires, floods, earthquakes, and landslides. This element also overlaps other elements, including **Land Use, Open Space, and Conservation**.

The **Safety Element** identifies local hazards and hazard abatement recommendations to assist the Town in decisions related to zoning and entitlement permits. The element contains hazard and risk reduction strategies and policies and programs supporting hazard mitigation measures. Other policies and programs address the identification of hazards and the appropriate emergency responses. Specific attention is paid to community preparedness for fire potential in the wildland/urban interface, flooding of the creeks that extend through the Town, and earthquakes and landslides.

## Noise Element

The primary purpose of the **Noise Element** is to limit the exposure of the community to excessive levels of unwanted sound. In developing this element, noise levels and the extent of noise was analyzed and quantified through actual on-site measuring activities. The technical data was gathered and analyzed and a series of noise control policies and programs were developed that minimize the exposure of the community members to excessive and unwanted noise.

The policies and programs in the **Noise Element** that will serve as community guidelines for compliance with sound transmission control requirements. Of particular importance to the Town are the recommended construction noise mitigation measures, particularly in light of the bowl-like configuration of the landscape, and the typical construction and reconstruction patterns currently in effect. The **Noise Element** directly relates to the **Land Use, Circulation, and Housing**.

## Element Contents

Each element is organized to present all the background and regulatory information in the beginning, followed by Goals, Objectives, Policies and Programs.

- **Goals** are statements of direction, stating where the Town is focusing efforts and attention, and towards what end.
- **Objectives** are more specific directives guiding the implementation of Goals.
- **Policies** are specific statements that are intended to guide future actions. They answer the questions of What and Why.
- **Programs** are the actions used to put into effect the policies of the element. Programs answer the questions of What, How, Where, and by Whom.







## HISTORY OF FAIRFAX

Fairfax is a unique and very diverse community located in a spectacular setting in Upper Ross Valley. Its history is equally unique, and provides some insight to the origin of the Town so highly prized by the community today. From its early beginnings, Fairfax has been a destination and a haven for like-minded individuals. People came to Fairfax because it was unique, offering a quality of life experience, because of what it was environmentally and spiritually, to find solace and to re-create themselves.

The Town was once part of the 6,558-acre Canada de Herrera land grant given to Domingo Sais on August 10, 1839, by the Mexican government as a reward for his military service. This grant covered all of Fairfax and part of San Anselmo. Sais occupied the land, with his wife and eleven children. Shortly before he died in 1853, Sais gifted the area that is now the site of the Fair-Anselm Shopping Center and the former Marin Town and Country Club to Dr. Alfred W. Taliaferro, formerly of Virginia, one of the first Europeans to settle in what is now Marin County, becoming its first physician. In 1855, Dr. Taliaferro, in turn, transferred a 32 acre site to a fellow Virginian and boyhood friend, Charles Snowden Fairfax, as a wedding gift. Fairfax, the tenth Baron of Cameron, Scot-

land, had come to California in 1849 as part of the Gold Rush at the age of 20. Fairfax and his wife, Ada, named their home, the “Bird’s Nest Glen.”

Fairfax never accepted his title of Lord. To do so he would have had to renounce his U.S. citizenship and return to England. Instead he stayed in California to make his mark in the young country. Charles Fairfax became very much involved in state and local politics, serving as State Assemblyman in 1853, Speaker of the Assembly in 1854, and Clerk of the State Supreme Court from 1857 to 1862. He also served as a Marin County Supervisor for two years after being elected in 1865. Later, he served as a Marin delegate to the Democratic National Convention in New York City in July of 1868.

After the convention, Fairfax stayed on the East Coast and visited relatives in the Baltimore, Maryland, area where he died in April 1869, at the age of 40. In 1870 Ada Fairfax sold the property to Mary Owens and moved to property that she and Charles owned in Fort Ross. Owens eventually sold the property to Emma Woodward in 1880.

In 1868, a house was built on property owned by Jesus Sais, at what is now 10 Olema Road. The house was occupied by Dominga Sais and her husband, Joseph Bresson. The house, under new ownership, was later known as the Lepori House and the lower part of the building was used as a restaurant. It still stands today as the oldest residence in Fairfax. (Please note this house would be rehabilitated as part of the affordable “work-force” housing units that are being proposed at this site - as part of the 2010 Housing Element.)

In 1875, Manuela Sais leased 1,500 acres of the original rancho to the North Pacific Coast Railroad for summer picnics, an area that quickly became known as Fairfax Park. The railroad built the first covered dancing hall, or pavilion.

In 1876, the Fairfax District was granted its own school district for the lands contained in the former Sais Rancho. The first school was built in Sleepy Hollow.

A tavern was built south of the railroad station, known as “Fairfax House” in 1884 by Alphonse Bresson. He later moved his tavern to the other side of the tracks to the site now occupied by the Rino gas station.

Charles and Adele Pastori leased the “Bird’s Nest Glen” in 1890 from Emma Woodward, opening a restaurant in 1893, and purchasing the property outright in 1905. The couple operated a high quality restaurant in the original Fairfax residence until 1911 when the

building was destroyed in a fire. Charles also died in 1911. Adele Pastori rebuilt the structure in 1912 at an even grander scale, and continued in the restaurant business until she closed the restaurant and sold it to the Emporium for use by its employees in 1925. Some of the new buildings still exist today, including several summer cabins built by Mrs. Pastori that were used by guests.

Henry Frustuck and Henry Wreden bought Fairfax Park in 1905 and, in 1908, built a new pavilion, at that time the largest on the West Coast. The Fairfax Park Annex had been built around 1896, first as a home and it later became a saloon, at the corner of Bolinas and Main Street, which is now Broadway. The first post office was opened in Blagg's Store in 1910 (now 1780-1788 Sir Francis Drake) and John Blagg became the Town's first postmaster.

The community began to grow rapidly when the Fairfax Tract at Pastori's Station, Ridgeway and Deer Park was developed in 1907 and 1908. Additional development occurred as the Fairfax Improvement Company marketed the Pacheco Tract in 1910. Next, the Fairfax Development Company subdivided the Fairfax Manor Tract, and Henry Frustuck subdivided the Fairfax Park Tract, both of which occurred in 1911. By 1911, there were 100 homes in Fairfax, while in 1905 only five homes had existed. The expansion of the community continued, as the Rocca Brothers developed Fairfax Heights in 1912, and the Bush Annex, Bothin Park, and the Manor Tracts became available for residential use in 1913.

Also in 1913, Edward Holt and Prentice Gray developed the Fairfax Incline Railway on the hill behind what is now Fairfax Lumber. The primary purpose for this unusual railway was to help sell lots on Manor Hill along Redwood, Spruce, Scenic and Tamalpais Roads. The Railroad was eventually determined to be unsafe in 1929, and was scrapped in 1930.

The Cascades subdivision was developed in 1914, and later expanded in 1921 and 1926.

St. Rita's Church was built in 1916, the original building is still in place and now used as the Church Hall, the new church being built alongside in 1953.

The area around the Town was used as the setting for western movie productions during the early years of the motion picture industry between 1910 and 1923. Essanay Film Manufacturing Company with Bronco Billy filmed several movies in Fairfax in 1911.

Fairfax even had its own company, United Keanograph Studios, located at the east end of Mono Avenue. United Keanograph produced the movie “Money” in 1914.

The demographics of the growing community changed significantly with the construction of Alpine Dam in 1917, which precipitated an influx of Italian laborers and caused the Willow Avenue portion of the Town to be known as “Little Italy” for many years after the dam was completed. The dam was dedicated in 1919.

In 1920 the Fairfax Volunteer Firemen purchased nine acres of the Fairfax Park Tract from Henry Frustuck for a park for the Town. The current Pavilion was constructed on the park site in 1921. A year later, part of the area reserved as a park was sold to the School District as the site for Central School, today’s School Street Plaza. Currently, the Women’s Club, the fire station, the Youth Center and Town Hall also occupy portions of the original park area. The Women’s Club was dedicated in 1939. The Fairfax Bank, later the Bank of Italy and now the Bank of America, was dedicated in 1921. The restaurant, “Deer Park Villa” was started by Dan and Irene Celani in 1923. Joseph Ghiringhelli bought it in 1937, and it has been in operation since.

The owners of the Emporium department store purchased the Pastori property in 1925 and established a retreat facility for their employees. The first swimming pool was constructed in 1927. The Emporium ceased their employees’ use of the property and leased the facilities to the Marin Boys School in 1937. San Francisco businessman Max Friedman bought the property in 1943, operating the Marin Town & Country Club from the spring of 1944 until the fall of 1972.

In 1929, the Meadow Club opened.

The Town was officially incorporated in February 1931, governed by a five-member council.

(Special thanks to Bill Sagar of the Fairfax Historical Society for his assistance regarding the history of the Town)

Today, Fairfax is a small town located at the western edge of Marin County’s city-centered corridor that parallels U.S. Highway 101, with the agriculturally rich rural portion of the county just beyond to the west. The town’s natural setting encompasses a series of valleys, canyons, and forested hills with largely undeveloped ridgelines. Scenic

and natural resources are key aspects of the community's sense of place and contribute to the overall quality of life in Fairfax. In addition to the form of the land, mature trees and the extensive areas of protected open space in and around the Town help define the



**Town's identity as a community that values nature and environmental preservation.** The architectural diversity of the neighborhoods and the compact, small scale Town Center area also make Fairfax a very special place for residents and visitors.

The residential development that occurred between 1907 and 1914, with winding streets and a wide range of lots sizes, set the stage for the future development of the community's built environment. Much of the subsequent residential and commercial development of Fairfax prior to World War II was related to the town's status as a summer resort for residents of San Francisco attracted by the warm, sunny weather of the Ross Valley. In recent years, rapidly rising housing prices have resulted in numerous proposals to significantly renovate existing residential structures. Any change to the existing fabric of the Town will not occur primarily as a result of subdivisions of land, but rather as infilling scattered undeveloped or underdeveloped sites, or through the replacement of one residential structure with another.



# LAND USE ELEMENT

---







## INTRODUCTION

Historic development patterns in Fairfax created a town with a distinct center, providing a good public transit hub within walking and bicycling distance of most of the town's inhabitants. Fairfax has retained a village-like quality, with distinct neighborhoods, and large areas of surrounding visible open space.

This General Plan seeks to preserve these qualities by providing policies and programs to guide future development. Interestingly, modern humanistic trends in urban development support many of the planning choices made by the Town over the last hundred years. The current town center creates a lively mixture of businesses and residences and supports a wide variety of transportation choices. The intent of this document is to retain for future generations, **the aspects of the town that make it special**, while guiding evolution of the town center area over the next few decades.



The Land Use Element is the nexus of the General Plan. As its name implies, the Land Use element describes the land uses that define our community, our town, and the area. All other plan elements are supported by the Land Use element.



This Element conveys a sense of the uniqueness of Fairfax; the Town's robust, village-like **land use characteristics**, as seen in the small businesses, quaint neighborhoods and busy streets where many residents bicycle and walk. Framing and dominating the town is its natural setting – a perceived vast open space of oak-studded hills to the north and west, and the forested shoulders of the Coastal Range to the south. Fairfax is a special place, loved by residents as well as visitors.



The General Plan, and specifically the Land Use Element, creates a framework for maintaining the **Town's distinctive land use characteristics**, regardless of future events. For instance, if a catastrophic event occurred, how would Fairfax be rebuilt? The severe destruction caused by the 1991 Oakland Hills fire wiped out unique and diverse neighborhoods, and many of these areas were rebuilt with homes of greater scale and differing appearance, changing the nature of the area. This element includes policies to address the issue of future development, even in the event of a disaster.

One of the greatest problems facing Marin County relates to population growth. Traditional solutions to that problem can be seen on the land in the form of compromise, if not complete loss, of natural areas; it can be seen in skies that are not as blue in the day and have fewer stars in the night; and it can be heard in the increase in traffic sounds and the decrease of natural sounds or the distance that sound travels. Where and how growth is accommodated in Fairfax is of paramount importance in crafting this Land Use Element.

In addition to the economic pressures of development in desirable Marin and Bay Area, the pressures to develop Fairfax for housing human growth are tremendous. Fairfax is required by the State to provide affordable housing (108 units required as of July 2010) as its share of California's population growth. The other end of the scale could be something so personal as a parent's hope of seeing their children live out their lives here, or a homeowner who wants to add a second unit to house a relative or offset rising costs. How Fairfax will address these demands is guided by the Land Use Element.

**Figure LU-1, Fairfax General Plan Map** and **Figure LU-2, Fairfax Zoning**, are particularly germane to this element. **Figure LU-3** defines the **Fairfax Sphere of Influence** and **Figure LU-4** indicates the **Fairfax Planning Area**.

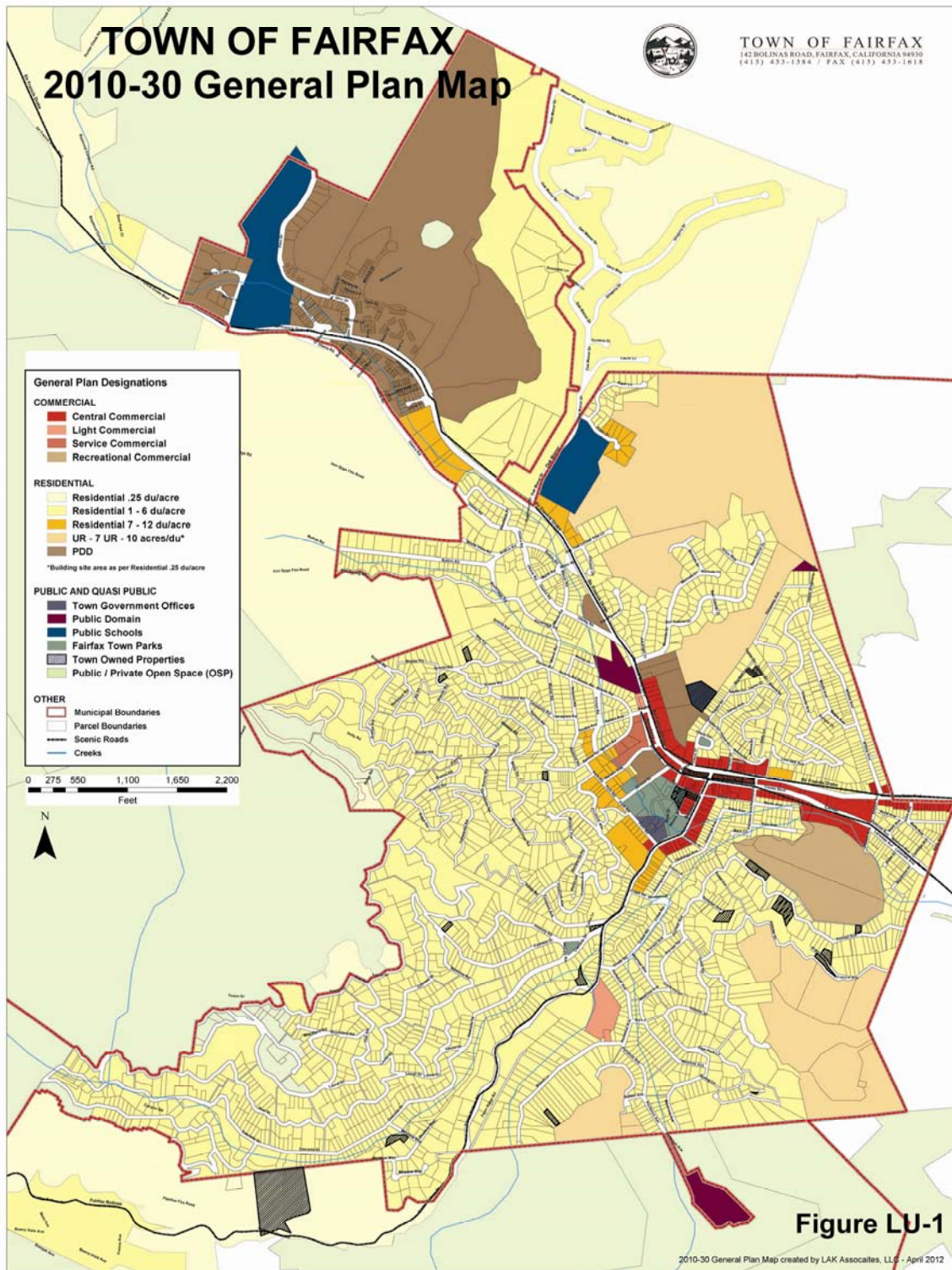


Figure LU-1 Fairfax General Plan Map

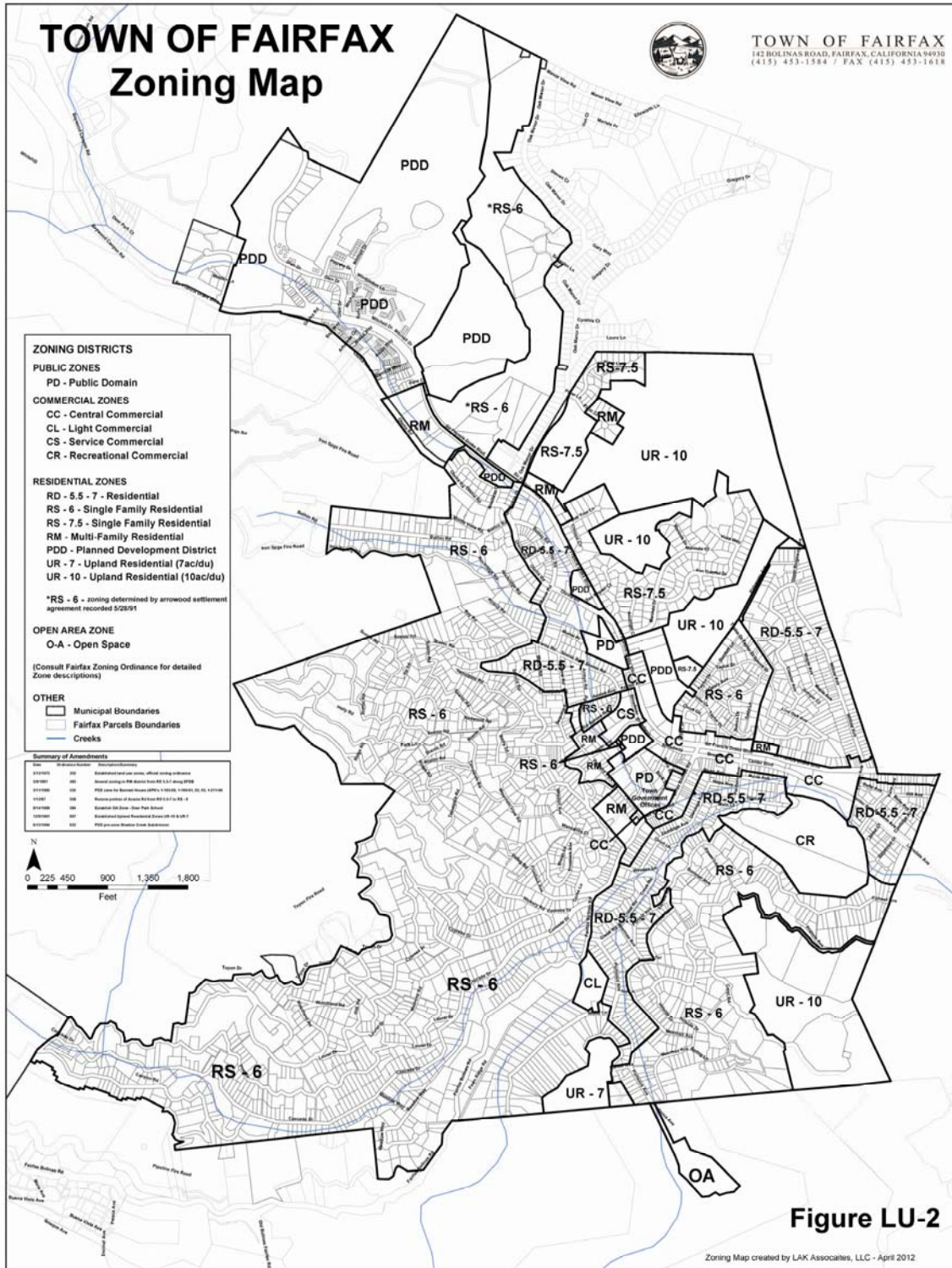
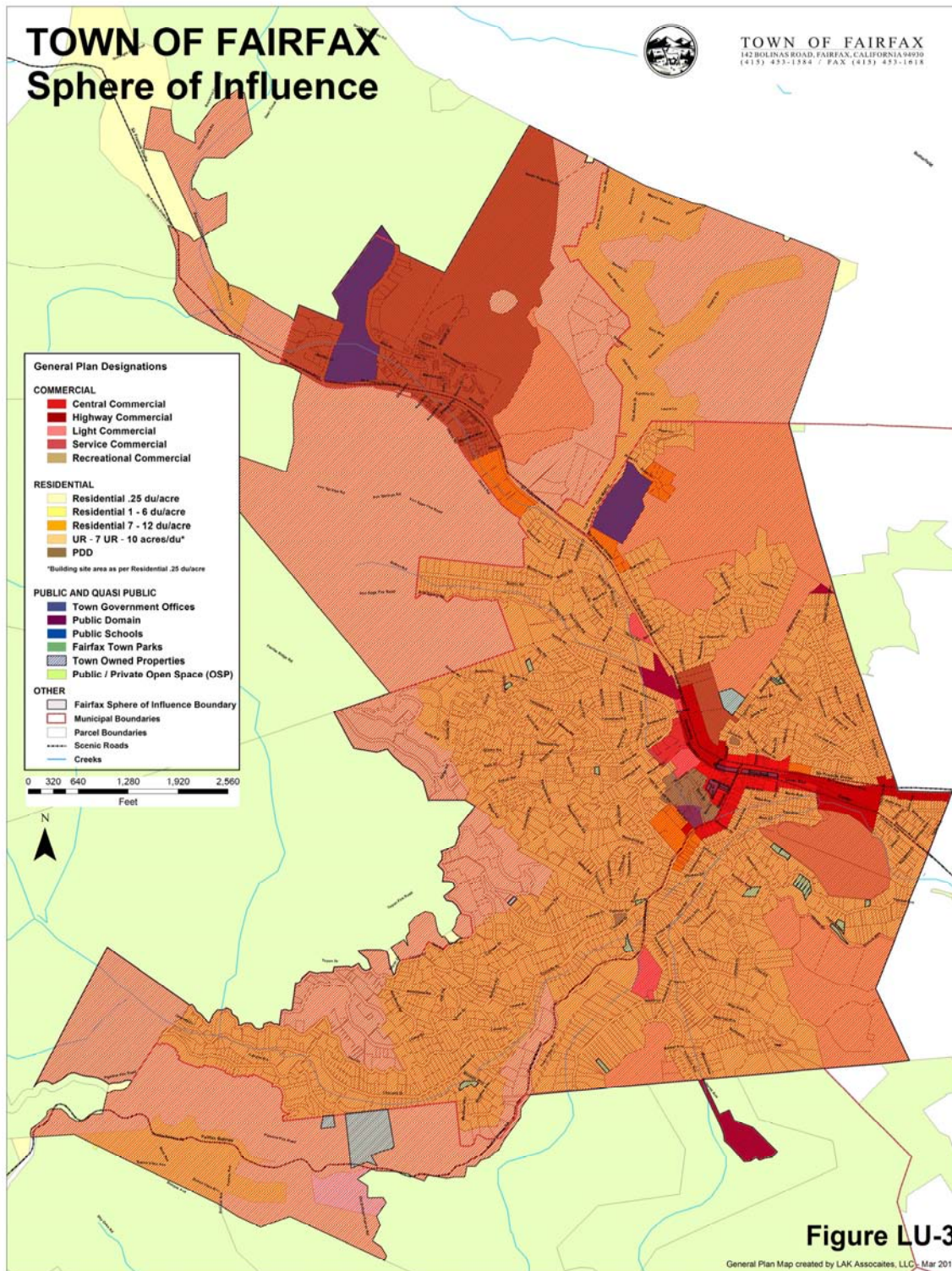
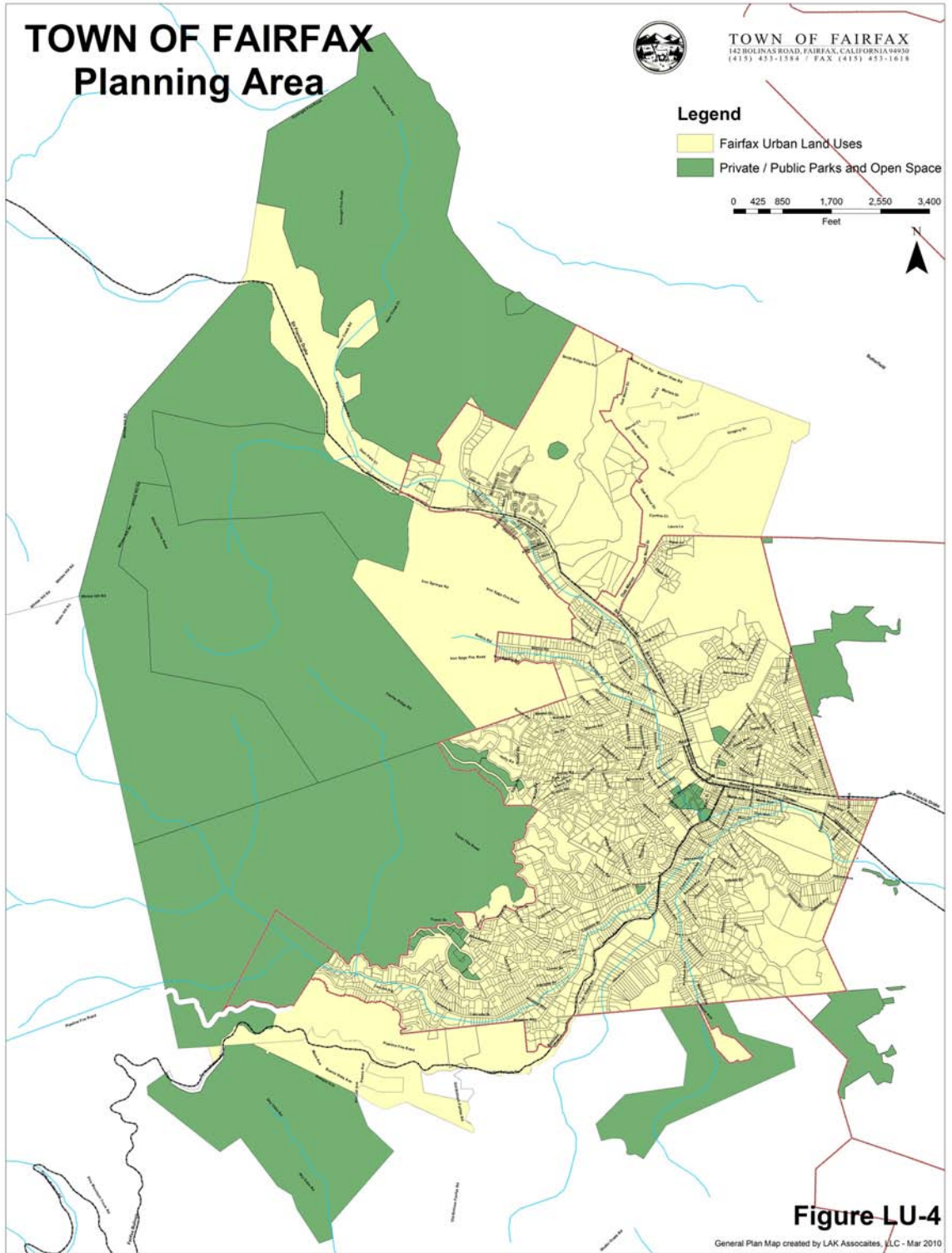


Figure LU-2 Fairfax Zoning



**Figure LU-3** Fairfax Sphere of Influence




**Figure LU-4** Fairfax Planning Area

## HISTORIC LAND USE PATTERNS IN FAIRFAX

The core of the Town of Fairfax is a classic example of “old urbanism,” where human-scale development was oriented around a transit station. Unfortunately, planning and development patterns since 1930 have often given preference to automobile travel over all other forms, minimizing or eliminating other transit options and human-scaled development. This shift is evidenced in Marin County by ever expanding commercial districts and residential development, until one community abuts another and commercial areas become continuous strips, only accessible by car or sparse public transit service.

One can see this trend most strikingly in commercial areas adjacent to the historic core of Fairfax that are zoned Highway Commercial (CH). CH areas are typified by large monolithic structures surrounded by “parking lagoons”; for example, Fairfax Market to the west on Sir Francis Drake Boulevard and the Fair-Anselm and grocery store complex to the east on Center Boulevard.

 Fortunately, residents of Fairfax over the past several decades have intuitively resisted these impacts and vigorously fought to save the Town from automotive-centric development patterns, seeking **instead** to preserve the **Town's human-centric development pattern**. Fairfax citizens have sought to secure open space for future generations, limit development not compatible with the original historic scale of the Town, and inhibit development that furthers grid-lock along the Sir Francis Drake Boulevard, the main arterial that runs through the entire Ross Valley corridor. For example, plans to create a freeway through the Ross Valley in the middle of the 20<sup>th</sup> century, and proposals to create massive residential development in the east end of town at the end of the 20<sup>th</sup> century, were defeated by citizen activism.

Fairfax development can be described in terms of well-defined urban planning principles. Below is an overview of relevant concepts that currently experience renewed interest throughout the country, in our efforts to address climate change, strive for social equity, and create economically viable communities with a sense of place.

## TRANSIT-ORIENTED DEVELOPMENT

Historically and currently, Transit-Oriented Development (TOD) represents the functional integration of land use and transit by creating compact, mixed-use communities



within walking distance of a transit facility. TOD brings together people, jobs and services, and makes it efficient, safe, and convenient to travel on foot, by bicycle, transit, or car.

Understanding the design principles involved with the creation of successful TOD is an important aspect of preserving the historic nature of the Town, as Fairfax strives to manage future growth while preserving the area's natural resources.

TOD design principles include:

- Housing densities that support transit, public amenities, and community businesses.
- Mix of uses to support pedestrian activity.
- Enhanced transit station areas.
- Convenient connections to transit stations for pedestrians and bicyclists.
- Enhanced transportation networks.
- Managed amount and location of parking.
- A complete sense of place at each transit station.

## TRADITIONAL NEIGHBORHOOD DESIGN



Another important **historic element** of the Town is the pattern of development commonly referred to as Traditional Neighborhood Design (TND). TND by definition creates “complete” neighborhoods or towns. In other words, TND offers a range of housing types, with humane public spaces and amenities within walking distance of residence, and a network of well-connected streets and blocks. Understanding the design principles involved with the creation of successful TND is an important aspect of preserving the historic nature of the Town as Fairfax strives to manage future growth while preserving the area's historic neighborhoods.

TND design principles include:

- Variety of lot sizes.
- Variety of home types and styles.
- Mix of land uses.
- Compact development.
- Good connectivity within and between neighborhoods.

## PRINCIPLES FOR FUTURE LAND USE DECISIONS

In addition to the general principles outlined in the introduction of the General Plan the Town of Fairfax will apply the principles of TOD and Traditional Neighborhood Design to all development decisions in the future.

## GOALS, OBJECTIVES, POLICIES, AND PROGRAMS


The goals for this Element are:


- **Goal LU-1: Preserve scenic and natural resources.**
- **Goal LU-2: Preserve open space.**
- **Goal LU-3: Restore natural habitats in Fairfax, including creeks and water-courses.**
- **Goal LU-4: Minimize potential for wildfires and impacts from other natural catastrophes.**
- **Goal LU-5: Manage future growth while preserving the area's natural resources.**
- **Goal LU-6: Annex developed and undeveloped lands where advantageous to the Town.**
- **Goal LU-7: Preserve **human-centered scale and sense of** community.**
- **Goal LU-8: Preserve community diversity through affordable housing opportunities primarily along transit corridors.**
- **Goal LU-9: Preserve and restore local historic buildings, features, and sites.**



**GOAL LU-1: Preserve scenic and natural resources.**

***Objective LU-1.1: Limit development to preserve and enhance the community's unique natural and scenic resources.***

 **Policy LU-1.1.1: New development outside of the town's boundary shall be limited and of a scale that preserves the significant scenic and natural resources and **natural environment qualities** of the areas adjacent to the Town.**

Program LU-1.1.1-1: Identify and pre-zone lands outside the Town's boundaries that are considered subject to development for the purpose of maintaining  **land use practices that respect the Town's natural environment.**

Responsibility: Planning and Building Services, Planning Commission, Town Council in coordination with LAFCO  
Schedule: Year 3-5

**Policy LU-1.1.2: Additional park areas should be created in existing neighborhoods where practicable.**

Program LU-1.1.2-1: Identify opportunities for creating park facilities in the community.

Responsibility: Planning and Building Services, Public Works  
Schedule: Ongoing

**Policy LU-1.1.3: Existing public easements will be utilized to develop a system of pathways as a potential recreational, circulation, and public safety resource.**

Program LU-1.1.3.1: Identify, catalog and map public easements. (See Circulation Element including Appendix C-A, Safety Element, Open Space Element Objective OS-3.1.)

Responsibility: Fairfax Volunteers, Open Space Committee, Planning Commission, Town Council  
Schedule: Year One

***Objective LU-1.2: Limit development on hillside and ridgeline parcels to preserve and enhance the scenic qualities of the Town.***

**Policy LU-1.2.1: Identify the Visually Significant Areas within the FPA where development will be limited.**

Program LU-1.2.1.1: Evaluate existing Visually Significant Areas on the Visual Resources Map and update as appropriate.

Responsibility: Open Space Committee, Planning and Building Services  
Schedule: Year One

Program LU-1.2.1.2: Update the Fairfax Visual Resources Map to identify Visually Significant Areas within the FPA.

Responsibility: Open Space Committee, Planning and Building Services  
Schedule: Year One

**Policy LU-1.2.2: New or renewed development in Visually Significant Areas shall be designed and sited to have the least visual impact as seen from the majority of the Town.**

Program LU-1.2.2.1: Develop Design Guidelines for visual impact analysis procedures, including requiring computer simulations.

Responsibility: Planning and Building Services, Design Review Board, Planning Commission  
Schedule: Year 3-5

**Policy LU-1.2.3: New and renewed development shall be designed and located so as to minimize the visual mass. The Town will require exterior materials and colors that blend the exterior appearance of structures with the surrounding natural landscape, allowing for architectural diversity.**

Program LU-1.2.3.1: Develop Design Guidelines for visual impact analysis procedures, including computer simulations.

Responsibility: Planning and Building Services, Design Review Board, Planning Commission  
Schedule: Year 3-5

**Policy LU-1.2.4: No roads or streets shall be permitted to traverse a ridge, except as deemed necessary specifically for emergency access and egress.**

Program LU-1.2.4.1: Develop Design Guidelines for roads, streets and drainage facilities built in the hills.

Responsibility: Planning and Building Services, Public Works, Planning Commission

Schedule: Year 3-5

**GOAL LU-2: Preserve open space.**

Objectives, Policies and Programs for this goal are included within the Open Space Element.

**GOAL LU-3: Restore natural habitats in Fairfax, including creeks and watercourses.**

Objectives, Policies and Programs for this goal are included within the Conservation Element.

**GOAL LU-4: Minimize potential for wildfires and impacts from other natural catastrophes.**

***Objective LU-4.1: Limit threats from wildfires and other natural disasters to the health, safety, and welfare of Town residents.***

**Policy LU-4.1.1: New and renewed development shall include a wildland fire protection component, consistent with the Safety Element and the fire management programs of the Ross Valley and Marin County Fire Departments and Fire Safe Marin.**

Program LU-4.1.1.1: Develop a set of application submittal requirements for fire management, as required by the Ross Valley Fire Department.

Responsibility: Planning and Building Services, Public Works, Ross Valley Fire Department

Schedule: Year One

**Policy LU-4.1.2: New and renewed development shall comply with all federal, state, and local regulations pertaining to development in flood zones.**

Program LU-4.1.2.1: Develop a set of application submittal requirements for flood zones.

Responsibility: Planning and Building Services, Public Works  
Schedule: Year One

**Policy LU-4.1.3: New and renewed development shall comply with all regulations encompassed in the California and Uniform Building Codes intended to reduce potential damage and threats to the public's health, safety, and welfare in the event of an earthquake.**

Program LU-4.1.3.1: Develop a set of application submittal requirements for geotechnical analysis and earthquake retrofits.

Responsibility: Planning and Building Services  
Schedule: Year One

**Policy LU-4.1.4: New and renewed development shall be designed to minimize runoff in a manner that does not cause undue hardship on neighboring properties.**

Program LU-4.1.4.1: Develop site development guidelines for site hydrology analysis and drainage.

Responsibility: Planning and Building Services, Public Works  
Schedule: Year Two

**GOAL LU-5: Manage future growth while preserving the area's natural resources.**

***Objective LU-5.1: Permit new and renewed development and extension of urban services in a manner than preserves the area's natural and cultural resources.***

**Policy LU-5.1.1: New and renewed development shall occur primarily as infill development.**

Program LU-5.1.1.1: Identify and catalog all potential infill development sites within the Town.

Responsibility: Planning and Building Services

Schedule: Year One

**Policy LU-5.1.2: Development shall be discouraged in areas not served by existing utilities.**

Program LU-5.1.2.1: Prepare a map indicating the extent and capacity of existing and approved utilities in the Planning Area. Maintain this map as an accessible exhibit at the public counter.

Responsibility: Public Works, Planning and Building Services

Schedule: Year Two

**GOAL LU-6: Annex developed and undeveloped lands where advantageous to the Town.**

***Objective LU-6.1: Provide for orderly annexation within the Fairfax Planning Area where provisions for services and utilities exist.***

**Policy LU-6.1.1: Pre-zone parcels within the FPA that should be annexed to the Town.**

Program LU-6.1.1.1: Identify, catalog and prioritize areas within the FPA that should be pre-zoned.

Responsibility: Planning and Building Services, Planning Commission, Open Space Committee, Town Council in coordination with LAFCO

Schedule: Year 3-5

Program LU-6.1.1.2: Pre-zone parcels deemed necessary to incorporate into the Town in conformance with the goals, objectives and policies of the General Plan.

Responsibility: Planning and Building Services, Planning Commission, Town Council in coordination with LAFCO

Schedule: Ongoing

**Policy LU-6.1.2: Preview and if necessary comment on all development proposals within the Town's Urban Service Area Boundary.**

Program LU-6.1.2.1: Coordinate with Marin County Community Development Agency for review of development proposals in the unincorporated portions of the Town's Planning Area.

Responsibility: Planning and Building Services in coordination with Marin County CDA

Schedule: Ongoing

**Policy LU-6.1.3: Development proposed on properties contiguous to the Town Limits and pre-zoned by the Town should be annexed into the Town prior to any decisions on each development proposal.**

Program LU-6.1.3.1: Approval of development in pre-zoned areas outside the Town Limits shall require annexation according to LAFCO procedures.

Responsibility: Planning and Building Services

Schedule: Year Two



**GOAL LU-7: Preserve a human-centered scale, mixed use, and sense of community.**

***Objective LU-7.1: Preserve and enhance the community's small-town scale and sense of community.***



**Policy LU-7.1.1: The existing **village-like qualities** of the commercial center of the Town, designated as the Town Center Area, shall be maintained and enhanced. Ad-ditional commercial development outside of the designated Town Center Area shall be discouraged except for limited neighborhood-serving uses.**

Program LU-7.1.1.1: Map and describe the Town Center Plan Area as the commercial core of the Town.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Year One



Program LU-7.1.1.2: Rezone All Commercial Highway (CH) Zone to Central Commercial (CC) Zone and revise the CC Zone as appropriate.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Year One

Program LU-7.1.1.3 Revise Zoning Ordinances, as necessary, to allow limited neighborhood-serving commercial uses to be developed outside the core area by Conditional Use Permits.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Year One



**Policy LU-7.1.2: New and/or renewed development in the Town Center Area should preserve and enhance the village-like qualities of the Town Center Area in the mix of land uses, architectural styles and ornamentation, materials, colors and textures.**

Program LU-7.1.2.1 Develop and adopt general and area-specific Design Guidelines for residential and commercial projects.

Responsibility: Planning and Building Services, Design Review Board, Planning Commission, Town Council

Schedule: Year 3-5

**Policy LU-7.1.3: A combination of commercial and residential land uses that are consistent with established building height limits should be encouraged on the same parcel in the Town Center Area.**

Program LU-7.1.3.1: Encourage applicants with development proposals to incorporate mixed-use elements into their project plans.


Responsibility: Planning and Building Services, Planning Commission

Schedule: Ongoing

**Policy LU-7.1.4: Amenities and improvements proposed for implementation in the Town Center Area shall be consistent with the criteria for those items as outlined in the Town Center Plan, relative to landscaping, lighting, sidewalks, street furniture, public art and ornamentation, and general guidelines pertaining to signs and banners.**

Program LU-7.1.4.1: Develop Design Guidelines and Development Standards to be used by project applicants.

Responsibility: Planning and Building Services, Design Review Board, Planning Commission, Town Council  
Schedule: Year 3-5

 **Policy LU-7.1.5: New and renewed residential development shall preserve and enhance the existing *characteristics* of the Town's neighborhoods in diversity, architectural *style*, size and mass.**


Program LU-7.1.5.1: Develop Design Guidelines and Development Standards to be used by project applicants.


Responsibility: Planning and Building Services, Design Review Board, Planning Commission, Town Council  
Schedule: Year 3-5

**Policy LU-7.1.6: New and renewed residential development outside of the Town Center Area should be compatible with, and subordinate to, the topography, wildlife corridors and habitat, natural vegetation pattern, hydrology, and geotechnical characteristics of the area.**

Program LU-7.1.6.1: Develop an Environmental Checklist and Development Standards for use by project applicants.

Responsibility: Planning and Building Services, Design Review Board, Planning Commission  
Schedule: Year One

 ***Objective LU-7.2: Preserve, maintain, and enhance in a sustainable manner, the existing *design aesthetic*, scale, and quality of life in Fairfax's residential neighbor-hoods.***

 **Policy LU-7.2.1: New and renewed development shall be compatible with the general *design* and scale of structures in the vicinity.**

Program LU-7.2.1.1: Develop and adopt general and area-specific Design Guidelines for residential and commercial projects.

Responsibility: Planning and Building Services, Design Review Board, Planning Commission  
Schedule: Year 3-5

**Policy LU-7.2.2: To the extent feasible natural features including the existing grade, mature trees, and vegetation shall be preserved for new and renewed development.**


Program LU-7.2.2.1: Develop and adopt general and area-specific Design Guidelines for residential and commercial projects.

Responsibility: Planning and Building Services, Design Review Board, Planning Commission  
Schedule: Year 3-5

**Policy LU-7.2.3: Traffic and parking concerns related to new and renewed development shall be addressed in a manner that does not result in undue hardship or significant negative impacts on properties and infrastructure in the vicinity.**

Program LU-7.2.3.1: Develop and adopt general and area-specific Design Guidelines for residential and commercial projects.


Responsibility: Planning and Building Services, Design Review Board, Planning Commission  
Schedule: Year 3-5

 **Policy LU-7.2.4: Home offices should be accommodated in residential units in the Town's neighborhoods to the extent that offices will not negatively impact neighborhood quality of life, residential uses or vehicular circulation or parking patterns.**

Program LU-7.2.4.1: Approve business permits that do not impact neighborhood quality of life, residential uses or vehicle circulation and parking.



Responsibility: Planning and Building Services, Planning Commission  
Schedule: Ongoing

 **Policy LU-7.2.5: In the event of a natural disaster, destroyed neighborhoods including the Town Center shall be rebuilt with a scope, scale and design aesthetic consistent with the previously existing structures and features.**

Program LU-7.2.5.1: Develop and adopt a definition and measurement of wide-scale neighborhood destruction.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year One



Program LU-7.2.5.2: Develop and adopt an ordinance to preserve **scope, scale and design aesthetic** in rebuilt structures when wide-scale destruction has occurred.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year Two

Program LU-7.2.5.3: Adopt an extension of the existing 1-year non-conforming rebuild exemption to 5 years when wide-scale destruction has occurred.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year One

Program LU-7.2.5.4: Develop neighborhood-specific profiles of structures and natural features.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year Two

**GOAL LU-8: Preserve community diversity through affordable housing opportunities primarily along transit corridors.**

***Objective LU-8.1: Maintain an economically diverse population by providing a variety of choices in the type, size, cost, and location of new housing.***

**Policy LU-8.1.1: The Town of Fairfax shall facilitate the development of key housing opportunity sites to provide for the development of affordable housing as identified in the Housing Element.**

Program LU-8.1.1.1: Inventory all sites in the Planning Area that afford opportunities for developing affordable housing, with adoption of each revision of the Housing Element (see **Appendix LU-C**).

Responsibility: Planning and Building Services.  
Schedule: Ongoing

Program LU-8.1.1.2: Implement the programs included in the adopted Housing Element.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Ongoing

Program LU-8.1.1.3: Change the zoning designation for 10 Olema (the former Mandarin Gardens restaurant site) from Limited Commercial to Planned Development District.

Responsibility: Planning and Building Services; Planning Commission; Town Council

Schedule: Year One

Program LU-8.1.1.4: Change the zoning designation for 2626 Sir Francis Drake (Christ Lutheran Church) from Residential UR-7 to Planned Development District.

Responsibility: Planning and Building Services; Planning Commission; Town Council

Schedule: Year One

Program LU-8.1.1.5: Change the zoning designation for the School Street Plaza area from Limited Commercial to Planned District Development; thereby making it possible to accommodate a mix of uses including housing and/or a new school at the site.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Year One

**Policy LU-8.1.2: The Town of Fairfax shall permit construction of well-designed second units consistent with state law, zoning requirements, and building codes, parking requirements and street capacity.**

Program LU-8.1.2.1: Establish a classification for second units with parking restrictions, accessible without use of an automobile.

Responsibility: Planning and Building Services, Public Works, Planning Commission, Town Council

Schedule: Year Two

**Policy LU-8.1.3: The Town of Fairfax shall limit the size of new Second Units to maintain affordability.**

Program LU-8.1.3.1: Develop sizing guidelines for residential Second Units.

Responsibility: Planning and Building Services, Public Works, Planning Commission, Town Council

Schedule: Year Two

**Policy LU-8.1.4: The Town will consider zoning changes within 300 yards (1,200 feet) of transit routes that encourage Transit-Oriented Development.**

Program LU-8.1.4.1: Review current zoning along the Sir Francis Drake Boulevard corridor, and rezone areas as appropriate, to support transit-oriented development.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Year Two

<p><b>GOAL LU-9: Preserve and restore local historic buildings, features, and sites.</b></p>
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***Objective LU-9.1: To identify, protect, preserve and restore buildings, features, and sites of historic value in Fairfax.***

**Policy LU-9.1.1: The Town of Fairfax shall undertake a historic survey and maintain an inventory of buildings, features, important eras, and sites of local, regional, and national significance.**

Program LU-9.1.1.1: Inventory and record historic buildings, features and sites in the Fairfax Planning Area.

Responsibility: Planning and Building Services, Fairfax Historical Society

Schedule: Year Two

**Policy LU-9.1.2: The Town of Fairfax shall ensure the preservation of historical resources pertaining to pre-European settlement, including those of the Miwok tribe.**

Program LU-9.1.2.1: Inventory and record pre-European resources in the Planning Area.

Responsibility: Planning and Building Services, Fairfax Historical Society

Schedule: Year 3-5

**Policy LU-9.1.3: The Town of Fairfax shall chronicle and preserve buildings, features, and sites related to the community's music-related, 1960's era history.**

Program LU-9.1.3.1: Inventory and record music-related (1960's era) buildings, features and sites in the Town.

Responsibility: Planning and Building Services, Fairfax Historical Society

Schedule: Year 3-5

**Policy LU-9.1.4: Structures designated as historic which are noteworthy in terms of age, individual style, notable architect or builder, on the site of an historic event, associated with a famous person, industry or activity that is part of local history, shall be preserved and the long-established **historic nature** of the Town Center should be enhanced. The overall physical **attributes** of the Town Center should be protected from damage or substantial change.**



Program LU-9.1.4.1: Develop a plan, with implementation programs and funding sources, to preserve historic structures.

Responsibility: Planning and Building Services, Fairfax Historical Society

Schedule: Year 3-5

# CIRCULATION ELEMENT

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## INTRODUCTION

The Town of Fairfax is basically built out, with few opportunities for significant growth. The primary infrastructure, the elements of the circulation network, including the roads and streets, pedestrian and bicycle ways, and utilities are in place. Therefore, the overarching objective for the Circulation Element is to recognize and understand the opportunities and constraints presented by the established infrastructure, and how best to use the various elements to provide a safe and efficient environment for the entire community while maintaining the Town's quality of life. There are a few opportunities for land use changes and density increases in the Town Center area.

The Town's commitment to reducing greenhouse gas emissions and energy costs will require some basic and fundamental changes in how people and goods are transported to, from, and through the Town. This will be particularly true if, and/or, when automobile use is "right-priced" through the elimination of public subsidies for gasoline production,

roadway and infrastructure construction. It will also be true when auto-related health care expenses (both direct and indirect) and fees for environmental degradation (such as carbon dioxide (CO<sub>2</sub>) emissions) are applied to private automobile use. Likewise, by truly privatizing the cost of auto use, mass transit systems will become more economically viable at lower thresholds of housing densities which should result in making transit more politically viable to the public at large.

Sir Francis Drake Boulevard, Center Boulevard, Broadway and Bolinas Road are the major roads to and through the town. All other streets in Fairfax are local streets. They provide access to residences and neighborhood functions. Most local streets in the Fairfax Planning Area were built before the Second World War and many are in hilly areas. Many do not meet minimum current standards for width, curve radius, sight distance and on-street parking. However, the reduction in travel speeds for automobiles necessitated by these design features is compensated by the enhanced sense of place that narrow curving streets promote.

The trail system used for pedestrian recreation and circulation is also useful for evacuation, and accordingly should be mapped and maintained by the town, or by neighborhood or volunteer organizations. Trail locations and status should be made available to neighbors. The Safety Element and the Pedestrian and Bicycle Master Plan (Appendix C-B) discuss this aspect of pedestrian mobility in more detail.

Pedestrian access to Fairfax town center is relatively good. Residents are not as fortunate when it comes to inter-community travel, or when commuting to San Francisco and other employment centers in the region. There are no transit options within Fairfax outside of the central corridors with the exception of Whistlestop Wheels. Non-automobile links to the rest of Marin County and the Bay Area are improving but still limited, with average waits between buses of 30 minutes or greater. More effective, frequent and convenient transit service is needed.

Fairfax is well known as the birthplace of mountain biking. The Town can enhance this unique history by encouraging a shift from the personal-use motor vehicle to non-polluting forms, such as biking, walking, and public transit. According to the Pedestrian and Bicycle Master Plan, bicycling in Fairfax fits into a number of niches: commute, school, and recreation, with of bicycle use more than three times the state average with more potential for increased bicycle use for many types of trips, and a current trend toward increased bicycle use.

Fairfax can promote the pedestrian mode through encouragement of programs like its “Feet First” campaign.

The Marin County Fire Department contracts with the California Department of Forestry and Fire Protection, for fire suppression on MMWD property that covers a large portion of the Planning Area south of the Town limits. The Marin County Fire Department has indicated that certain local roads in Fairfax do not afford fire fighters quick access to fires.

Transportation and land use are inextricably linked. Low-density land use generally dictates the use of an automobile, while higher density and mixed use patterns generally translate into higher transit usage and pedestrian activity. Transit stations and bus routes present opportunities for higher density development. The Town recognizes the relationship between transportation and land use and supports walking, bicycling, and reduced dependence on cars.

The real costs of transportation are typically much greater than the costs borne by the actual users. Few of these costs are paid by the users on a per-trip or per-mile basis. For instance, drivers do not pay directly for the impacts of pollution, the cost of enforcing safety laws, or the land or materials needed for new roads and parking. These costs and other impacts on society should be considered as future transportation decisions are made.

Traffic congestion can be reduced by eliminating the need to travel, or, at least, eliminating the necessity of traveling alone. A variety of strategies can reduce auto use, including carpooling, fees, increased emphasis on electronic information services, and educating residents and those who work in and visit Fairfax to use transportation alternatives and to change their transportation habits. Computer and telephone will provide an increasing share of personal and business services, such as library book renewal and retail purchases. Private delivery services can reduce the need for “errand-running” trips. Telecommuting can also reduce trips and may ultimately enable some households to reduce the number of cars that they own.

Public education to encourage residents to consciously plan to make fewer vehicle trips each week can help decrease automobile use. The Safe Routes to Schools program removed many cars from the roads as more children walk and ride to schools. In conjunc-

tion with improved transportation options, transportation education can help reduce individual vehicle trips and increase the demand for transit options.

Other modes of transportation to further these goals would be electric bicycles, the Zip-Car, or shared-car arrangements, possibly implemented on a neighborhood basis. This could provide for errand-running and short trips, affording relief from the cost of maintaining a personal-use motor vehicle.

Because bicycles are sensitive to poor pavement quality and roadway debris, which increase bicycle travel time and the risk of accidents, more attention and effort must be given to maintain roadway shoulders, bicycle lanes, and off-road paths. Sidewalks and other pedestrian amenities require periodic cleaning and maintenance, especially in high pedestrian traffic areas.

## STATE LAW REQUIREMENTS FOR CIRCULATION ELEMENT

One of the seven State-mandated elements of a local general plan, the Circulation Element contains adopted goals, policies, and implementation programs for the planning and management of existing and proposed thoroughfares, transportation routes, and terminals, as well as local public utilities and facilities, all correlated with the Land Use Element of the general plan.

The circulation element is more than a transportation plan. It is an infrastructure plan addressing the circulation of people and goods, including energy, storm drainage, and communications. By statute, the circulation element must correlate directly with the Land Use Element. The Circulation Element also has direct relationships with the Housing, Open-Space, Noise and Safety Elements, and, as in Fairfax, with the optional Town Center Element.

The Circulation Element addresses a community's physical, social, and economic environment as follows:

- **Physical.** The circulation system shapes the physical settlement patterns, and has major impacts on air quality, plant and animal habitats, environmental noise, energy use, community appearance, and other environmental components.

- **Social.** By driving the pattern of human settlement, the circulation system affects community cohesion, and quality of life. The circulation system should serve all segments of the population, including the disadvantaged, the young, the poor, the elderly, and the disabled.
- **Economic.** The vitality of the community's economy is directly affected by the circulation element. The efficiency of a community's circulation system can either contribute to or adversely affect its economy.

## **COORDINATING CIRCULATION ELEMENT, LAND USE ELEMENT, AND TOWN CENTER ELEMENT**

The Circulation Element, the Land Use Element, and the optional Town Center Element represent the core for the General Plan. These three elements are closely aligned. In as much as the Town has been, to a great extent, built out, any changes to the mosaic of land uses can cause corresponding changes to the circulation systems. The State Planning Law requires that the Circulation Element contain the components of the Town's infrastructure that relate to the movement of people, goods and services, including their location and relationship to the land uses represented by the Land Use Element. Changes made to the Land Use Element or the Town Center Element as a result of the update of the General Plan should be reflected in the Circulation Element.

## **OVERVIEW OF CIRCULATION ISSUES**

Following numerous public workshops, the General Plan Advisory Committee (GPAC) identified key constraints and opportunities unique to Fairfax:

### **Circulation Network**

- An opportunity to better utilize Elsie Lane/Bank Street to connect Bolinas Road to Broadway and Sir Francis Drake Boulevard.
- The Dominga/Inyo/Pacheco corridor is currently over-used by motor vehicles to avoid the congestion at Bolinas Road and Broadway, which is a great concern within this neighborhood. Traffic calming techniques, and turning restrictions during rush hour should be considered.

- There is a lack of bicycle lanes other than some stretches of Sir Francis Drake Blvd. Bicycle lanes should be included on at least the following streets: Bolinas Road, Cascade Canyon, Porteous, Dominga, Forrest, Creek, Manor, Scenic, Olema, Kent, Landsdale, Park, and Spruce, parts of Sir Francis Drake Boulevard and, Broadway, and Center. Lack of right of way is a factor on many of these routes.
- Lansdale is a bicycle route parallel to a major street (Center) that could be dedicated primarily for bicycles and pedestrians; this should be considered. (See the Pedestrian and Bicycle Master Plan in Appendix C-B.)
- Connecting bicycle Route 20 (following Sir Francis Drake Boulevard) to Bicycle Route 24 (leading to the San Rafael Transit Terminal, Cal Park Hill Tunnel, and the Larkspur Ferry Terminal) should be considered.
- Bicycle routes: there are major and minor bicycle routes described in the Bicycle/Pedestrian Plan, as well as areas in which gaps exist, and strategies are detailed therein for improvement of this situation.
- Constraints for some residents to walk or bike to the Town Center Area is a community concern.
- The current and potential location of crosswalks should be analyzed.
- The dominance by motorized vehicles is a concern: for example, Bolinas Road has had the sidewalks severely narrowed to make room for the current two traffic lanes and two parking lanes.
- The network of pedestrian ways, including hill trails, which are identified and mapped within the Pedestrian and Bicycle Master Plan in Appendix C-B, should be improved and utilized.
- Safe Routes to Schools has identified a number of issues, which are incorporated in the Pedestrian and Bicycle Master Plan in Appendix C-B.
- Widening of U.S. 101. If this proceeds it could lead to less regional traffic along Sir Francis Drake.
- Serving the needs of visiting recreational bikers accessing Mt. Tam trails through Fairfax.
- Center Boulevard-Broadway-Bolinas Road as the Town's "main street" Urban Design.
- Widen sidewalks along Bolinas Road and Broadway.

- The location of street furniture should be properly designed.
- Design improvements to the Parkade should be considered.
- The two disconnected downtown areas on either side of Sir Francis Drake should be better connected.

## Parking

- Impacts of parking on narrow downtown streets are a problem.
- Impacts of parking on narrow hillside residential streets are a problem.
- Parking restrictions should be considered.
- Festival parking days need to be planned.
- There is a lack of bicycle parking facilities in the Town Center area, including Fair Anselm, Town Hall, and at the bus stops.

## EXISTING CONDITIONS

### Roadway Network

Fairfax is served by Sir Francis Drake Boulevard, a Marin County regional arterial roadway and Center Boulevard, Broadway, and Bolinas Roads, arterial roadways serving central Fairfax (Town Center). All other roadways in Fairfax are local streets. **Figure C-1, Existing Roadway Network**, focuses on the Town Center Roadway Network and Existing Lane Geometrics and Control. All but one of the intersections illustrated in this figure are all-way stop or side street stop sign controlled; Sir Francis Drake Boulevard/Claus Drive is signalized.

**Table C-1, Major Streets Classifications**, provides classification of major streets in Fairfax (arterial and local). Arterials carry regional trips and traffic between areas of the Town while providing access to major traffic generators. Collector streets link neighborhoods to arterial streets and carry through traffic for short segments in residential and commercial areas, while local streets provide direct access to parcels and residences. Many streets in the Town Center serve both collector and local street functions. All two-way roadways are two-lane, though on many streets, especially on the hillsides, it is impossible to pass oncoming traffic at the narrowest points.



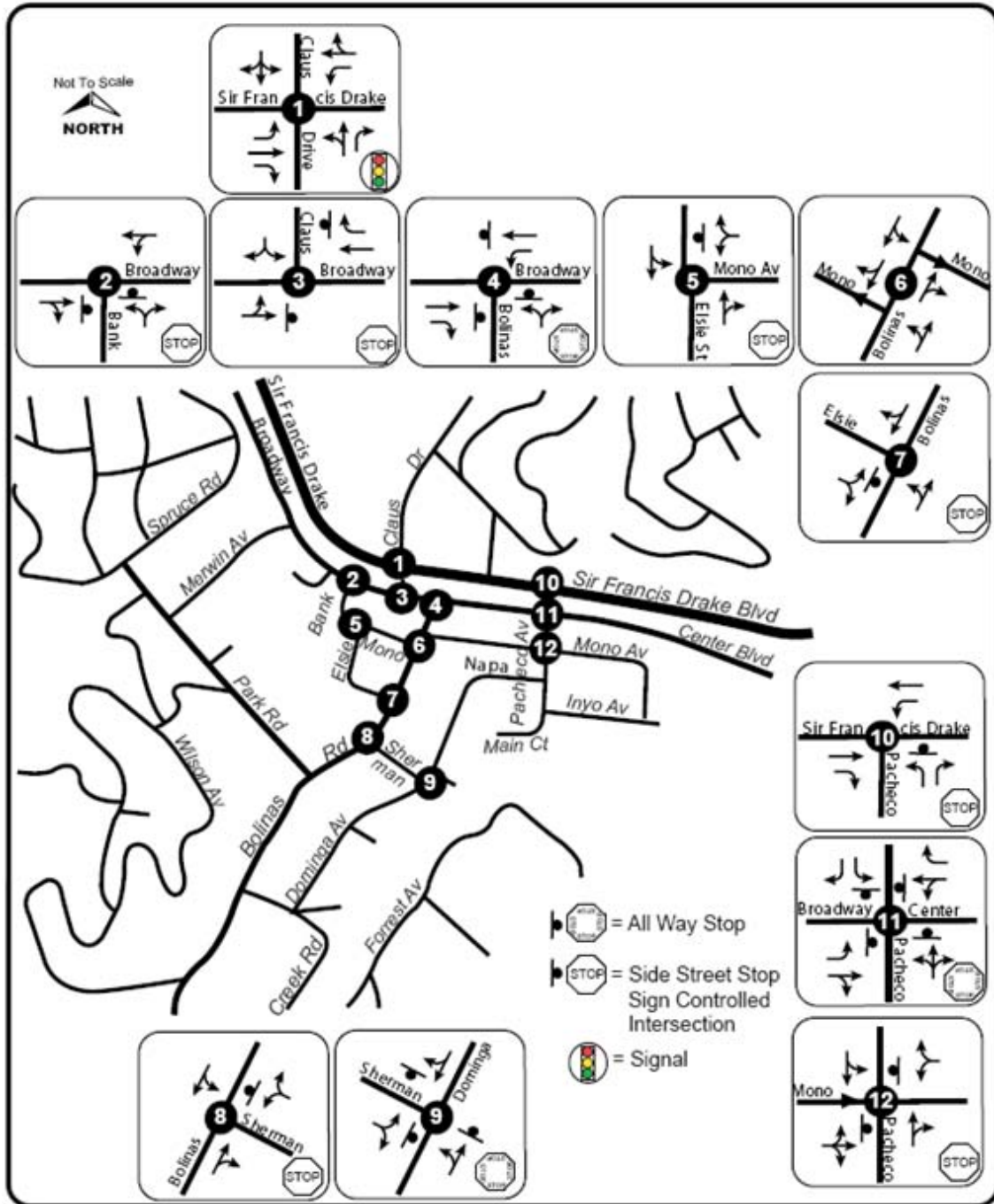


Figure C-1 Existing Roadway Network

**TABLE C-1 ROADWAY CLASSIFICATION**

Roadway
<b>Arterial</b>
Sir Francis Drake Boulevard
<b>Broadway</b>
Center Boulevard
Bolinas Road
<b>Collector/Local</b>
Pacheco Avenue
Bank Street
Claus Drive
Elsie Lane
Mono Avenue
Dominga Avenue
Sherman Avenue
Napa Street
Park Road
Inyo Avenue
Merwin Avenue
Spruce Road
Willow Avenue
Creek Road

Source: Crane Transportation Group.

### Volumes

**Figure C-2, Weekday AM Peak Volumes, and Figure C-3, Weekday PM Peak Volumes,** present existing (2007) intersection approach-departure volumes during the weekday AM and PM peak hours. Weekday AM peak period (7:00 to 9:00) and PM peak period (4:00 to 6:00 p.m.) turn movement traffic counts were conducted by Crane Transportation Group in January and February 2007 at 12 intersections in the Town Center. The peak traffic hour occurred between 7:45 to 8:45 a.m. and 4:15 to 5:15 p.m. at most locations.

It should be noted that traffic volumes are affected by a) school attendance, and b) regional commuter patterns, including traffic attempting to by-pass Highway 101.

### Intersection Operation

Transportation engineers and planners commonly use a grading system called level of service (LOS) to measure and describe the operational status of the local roadway network. Level of service is a description of



*A view along Broadway*

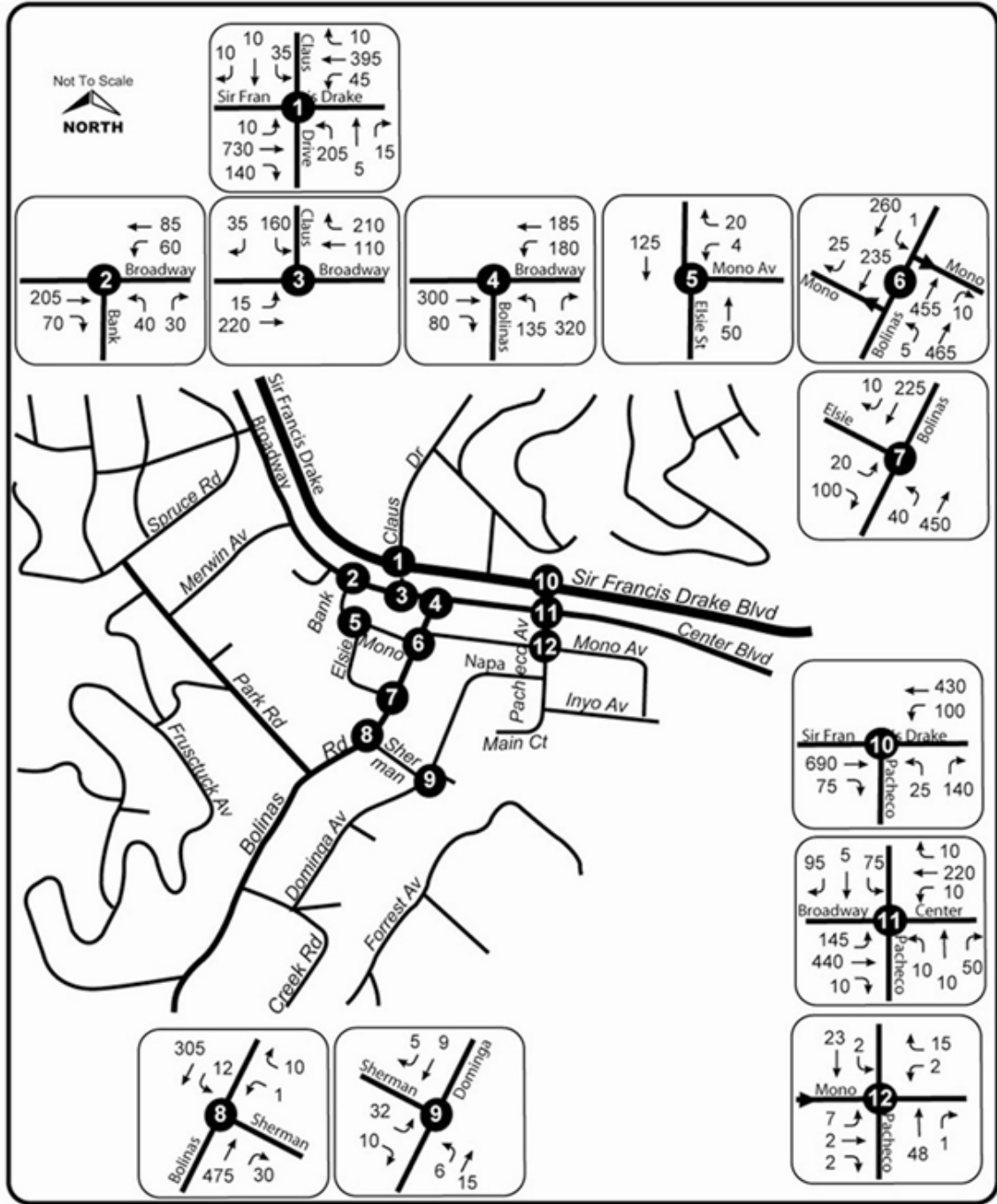


Figure C-2 Weekday AM Peak Volumes

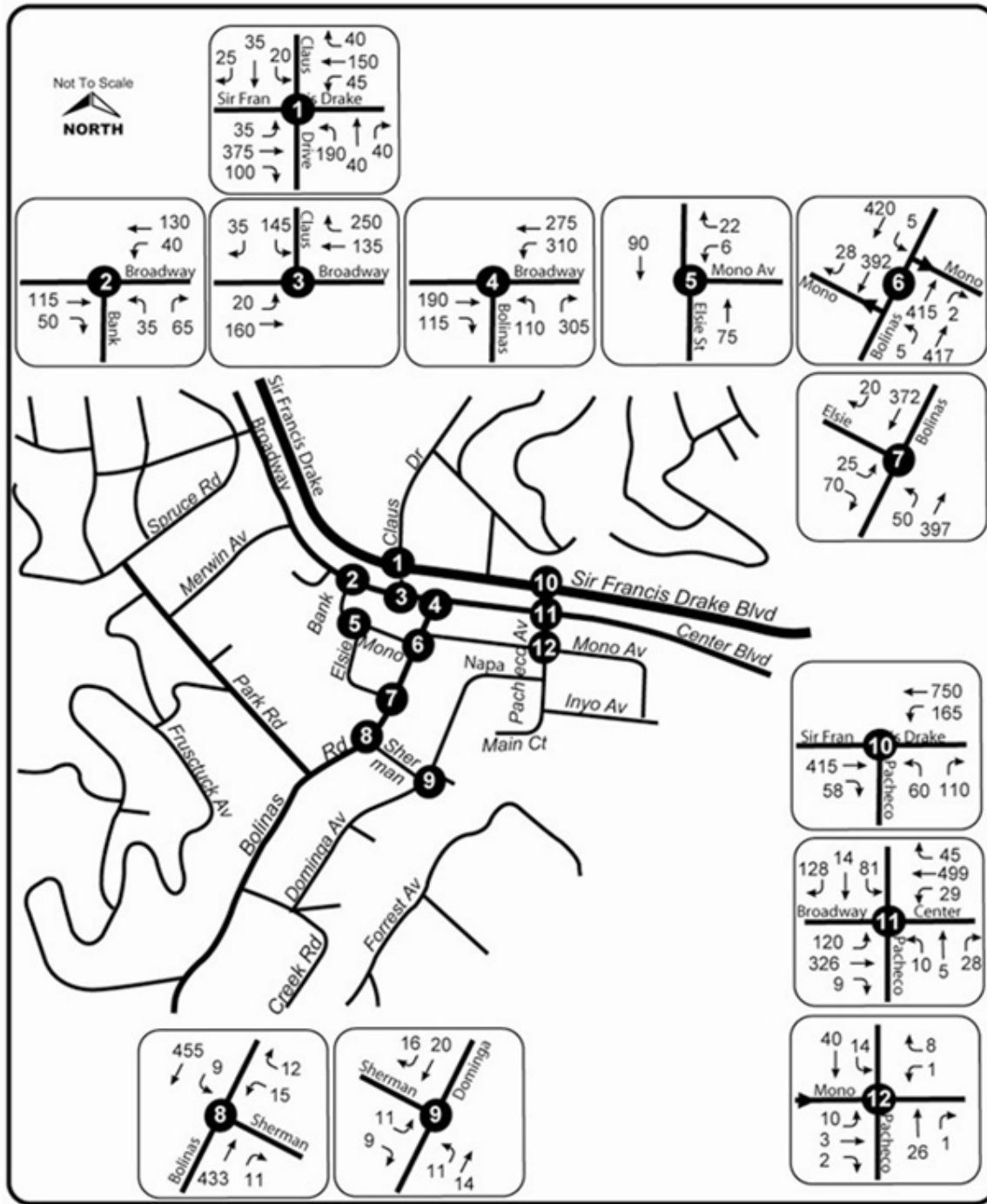


Figure C-3 Weekday PM Peak Volumes

the quality of a roadway facility's operation ranging from LOS A (indicating free-flow traffic conditions with little or no delay) to LOS F (representing over saturated conditions where traffic flows exceed design capacity, resulting in long queues and delays). Intersections, rather than roadway segments between intersections, are almost always the capacity controlling locations for any circulation system. **Figure C-4, Intersection Operation**, indicates the level of service measurements for the major elements of the Town's roadway system.

#### *Signalized Intersections*

For signalized intersections, the 2000 *Highway Capacity Manual* (Transportation Research Board, National Research Council) methodology was utilized. With this methodology, operations are defined by the level of service and average control delay per vehicle (measured in seconds) for the entire intersection. For a signalized intersection, control delay is the portion of the total delay attributed to traffic signal operation. This includes delay associated with deceleration, acceleration, stopping, and moving up in the queue. **Table C-2, Signalized Intersection Level of Service Criteria**, indicates the conditions that generally describe the level of service used to gage intersections in the downtown area of Fairfax.

#### *Unsignalized Intersections*

For unsignalized (all-way stop-controlled and side-street stop-controlled) intersections, the 2000 *Highway Capacity Manual* (Transportation Research Board, National Research Council) methodology for unsignalized intersections was utilized. For side-street stop-controlled intersections, operations are defined by the level of service and average control delay per vehicle (measured in seconds), with delay typically represented for the stop sign controlled approaches or turn movements. For all-way stop-controlled intersections, operations are defined by the average control delay for the entire intersection (measured in seconds per vehicle). The delay at an unsignalized intersection incorporates delay associated with deceleration, acceleration, stopping, and moving up in the queue. **Table C-3, Unsignalized Intersection Level of Service Criteria**, identifies the general level of service conditions for the some of the intersections in the downtown area, as well as the more important intersections in other parts of the Town.

#### *Problematic Intersections*

The intersections of (1) SFD/Claus/Broadway, (2) SFD/Pacheco/Broadway-Center, and (3) Willow/ SFD/Pastori/Center/Lansdale are challenging at present, and safety issues need to be addressed in the Town Center Plan.

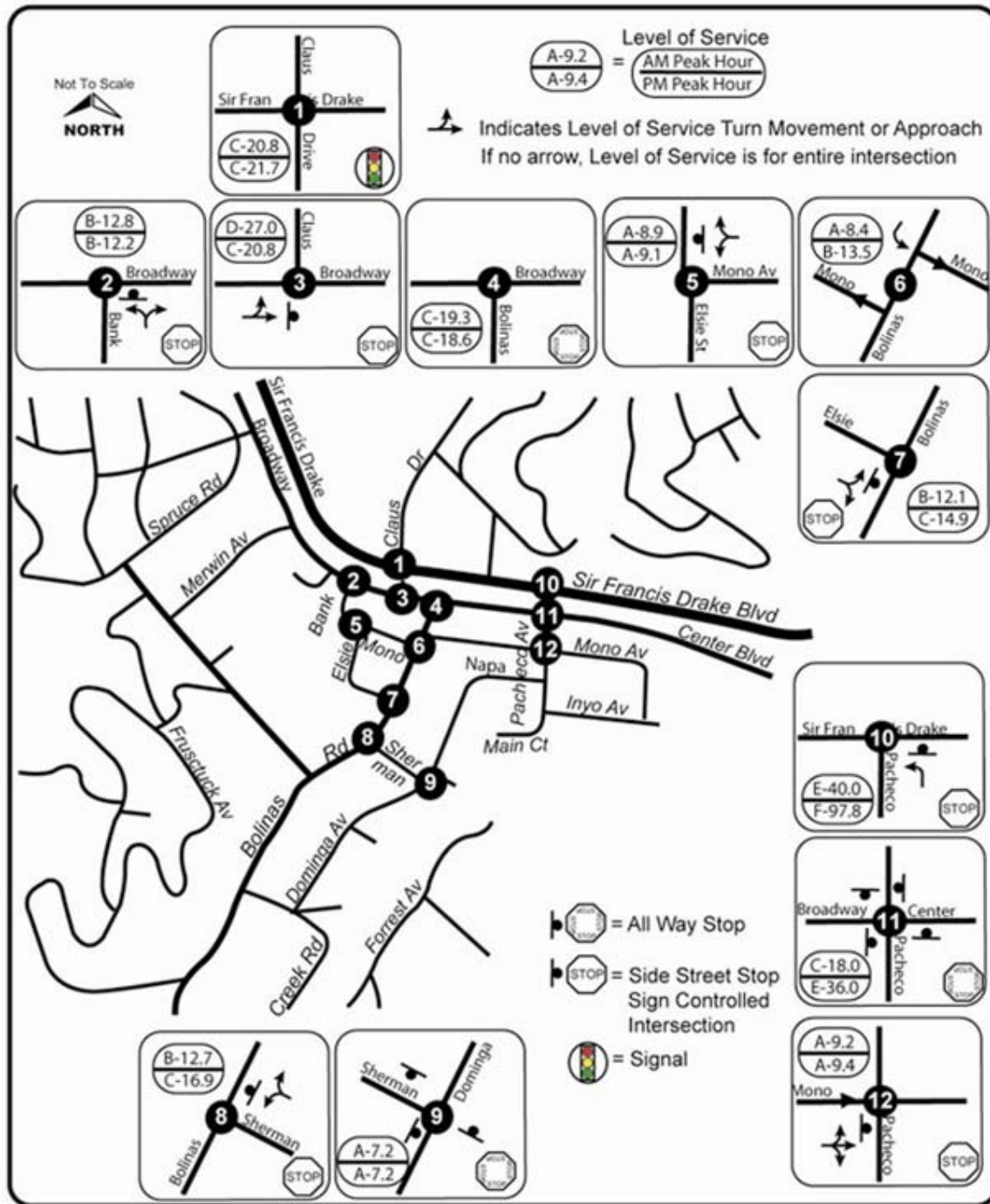
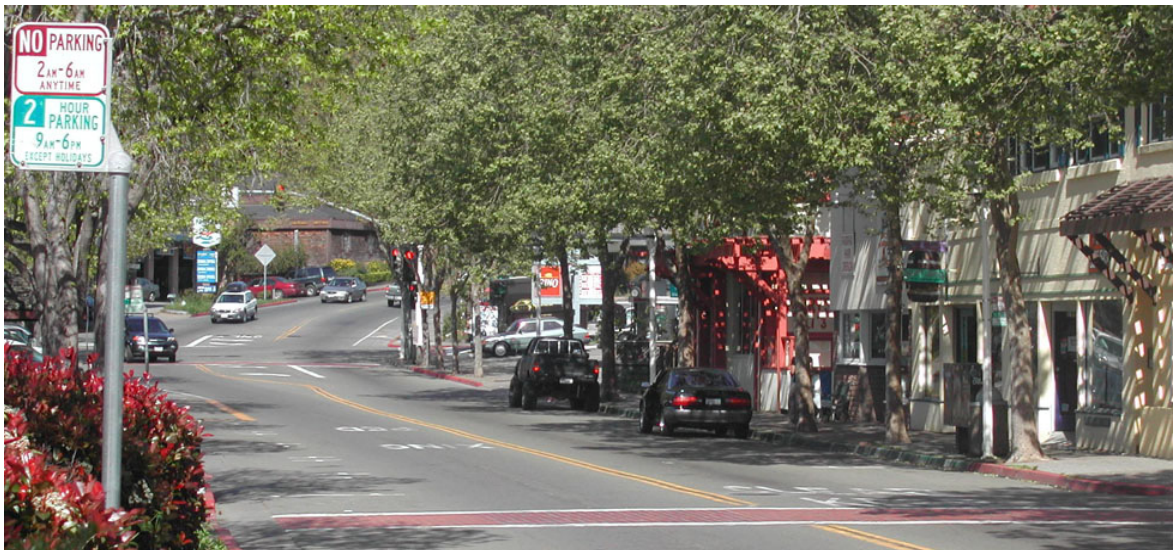


Figure C-4 Intersection Operation

**TABLE C-2 SIGNALIZED INTERSECTION LEVEL OF SERVICE CRITERIA**

<b>LOS</b>	<b>Description</b>	<b>Average Control Delay (Seconds Per Vehicle)</b>
A	Operations with very low delay occurring with favorable progression and/or short cycle lengths.	< 10.0
B	Operations with low delay occurring with good progression and/or short cycle lengths.	10.1 to 20.0
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	20.1 to 35.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, and/or high volume-to-capacity (V/C) ratios. Many vehicles stop and individual cycle failures are noticeable.	35.1 to 55.0
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	55.1 to 80.0
F	Operation with delays unacceptable to most drivers occurring due to oversaturation, poor progression, or very long cycle lengths.	> 80.0

Source: 2000 Highway Capacity Manual (Transportation Research Board, 2000).



*San Francisco Drake Boulevard*

**TABLE C-3 UNSIGNALIZED INTERSECTION LEVEL OF SERVICE CRITERIA**

LOS	Description	Average Control Delay (Seconds Per Vehicle)
A	Little or no delays	< 10.0
B	Short traffic delays	10.1 to 15.0
C	Average traffic delays	15.1 to 25.0
D	Long traffic delays	25.1 to 35.0
E	Very long traffic delays	35.1 to 50.0
F	Extreme traffic delays with intersection capacity exceeded (for an all-way stop), or with approach/turn movement capacity exceeded (for a side street stop controlled intersection)	> 50.0

*Intersection of Broadway and Bolinas*

Source: 2000 Highway Capacity Manual (Transportation Research Board, 2000).

The Town of Fairfax considers LOS D to be the minimum level of operation at both signalized and unsignalized intersections. It was found that currently, most intersections evaluated were operating at acceptable levels during the AM and PM peak hours. The locations operating unacceptably were the Sir Francis Drake Boulevard/Pacheco Avenue intersection operating at LOS E during the AM peak hour and LOS F during the PM peak hour, and the Pacheco Avenue/Center Street/Broadway intersection operating at LOS E during the PM peak hour. **Table C-4, Intersection Level of Service Weekday AM and**



**PM Peak Hours**, indicates the level of service for the downtown intersections during the period January-February 2007.

Present analysis is based upon current conditions. The changes that might impact the level of service operation of intersections would include addition of bicycle lanes and infrastructure (which might adversely affect level of service operation), and the proposed town center reconfiguration (which might improve level of service operation).

## Parking

Public parking in the Town of Fairfax is accommodated in several parking lots as well as on-street in the Town Center and on-street in residential areas.

### *Downtown Parking Issues*

Town Center public off-street parking lots consist of the Parkade lot (62 spaces), Mono Avenue lot (22 spaces), Pavilion lot (approximately 25 spaces), and a small lot accessible via Broadway located just west of Claus Drive (seven spaces). **Figure C-5, Town of Fairfax Downtown Parking Areas**, illustrates the locations of approximately 130 on-street, parallel parking spaces in the downtown area as well as eleven 90-degree spaces located along the west side of Elsie Lane, and six angled spaces located on the south side of Broadway west of Bolinas Road. There is a potential to increase the number of on-street, parallel parking spaces in the Town Center through a program of selective re-striping.

Additionally, with implementation of the Town Center Plan, there is a potential for additional parking spaces as part of the Elsie-Bank corridor design. This would include re-design of parking areas along Elsie Drive between Bolinas Road and the Mono Avenue parking lot, and within the Mono Avenue lot). Figure C-5 also indicates locations of on-street parking with time limits (shown in green), on-street commercial loading (shown in yellow on the east side of Bolinas Road at Broadway and on the south side of Broadway at Bolinas Road) and a bus loading zone on the south side of Sir Francis Drake Boulevard just east of the Parkade entrance. Red indicates on-street areas where parking is prohibited. **Table C-5, Parking Spaces in Downtown Fairfax**, indicates the number and location of parking spaces in the downtown area.

**TABLE C-4 INTERSECTION LEVEL OF SERVICE WEEKDAY AM AND PM PEAK HOURS –  
JANUARY TO FEBRUARY 2007**

<b>Intersection</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
<b>Signal</b>		
Sir Francis Drake Blvd./Claus Drive	C-20.8 <sup>a</sup>	C-21.7
<b>All-Way-Stop</b>		
Broadway/Bolinas Road	C-19.3 <sup>b</sup>	C-18.6
Sherman Avenue/Dominga Avenue	A-7.2 <sup>b</sup>	A-7.2
Broadway/Center Blvd./Pacheco Avenue	C-18.0 <sup>b</sup>	E-36.0*
<b>Side Street Stop Sign Control</b>		
Broadway/Bank Street	B-12.8 <sup>c</sup>	B-12.2
Broadway/Claus Drive	D-27.0/C-16.8 <sup>d</sup>	C-20.8/C-16.7
Mono Avenue/Elsie Lane	A-8.9 <sup>e</sup>	A-9.1
Mono Avenue/Bolinas Road	A-7.8/A-8.4 <sup>f</sup>	A-8.6/A-8.3
Elsie Lane/Bolinas Road	B-12.1 <sup>g</sup>	B-14.9
Sir Francis Drake Blvd./Pacheco Avenue	E-40.0* <sup>h</sup>	F-97.8*
Mono Avenue/Pacheco Avenue	A-9.2/A-8.7 <sup>i</sup>	A-9.4/A-8.6
Bolinas Road/Sherman Avenue	B-12.7 <sup>j</sup>	C-16.9

Note: \* Intersection with unacceptable operation.

<sup>a</sup> Signalized level of service—average vehicle delay (in seconds).

<sup>b</sup> All-way-stop level of service—average vehicle delay (in seconds).

<sup>c</sup> Side street stop sign controlled level of service—average vehicle delay (in seconds) – Bank Street northbound approach to Broadway.

<sup>d</sup> Side street stop sign controlled level of service—average vehicle delay (in seconds) – Claus Drive southbound approach to Broadway/Broadway westbound approach to Claus Drive.

<sup>e</sup> Side street stop sign controlled level of service—average vehicle delay (in seconds) – Mono Avenue westbound approach to Elsie Lane.

<sup>f</sup> Side street stop sign controlled level of service—average vehicle delay (in seconds) – Bolinas Road northbound left turn to Mono Avenue /Bolinas Road southbound left turn to Mono Avenue.

<sup>g</sup> Side street stop sign controlled level of service—average vehicle delay (in seconds) – Elsie Lane eastbound approach to Bolinas Road.

<sup>h</sup> Side street stop sign controlled level of service—average vehicle delay (in seconds) – Pacheco Avenue northbound left turn to Sir Francis Drake Boulevard.

<sup>i</sup> Side street stop sign controlled level of service—average vehicle delay (in seconds) – Mono Avenue eastbound approach to Pacheco Avenue/ Mono Avenue westbound approach to Pacheco Avenue.

<sup>j</sup> Side street stop sign controlled level of service—average vehicle delay (in seconds) – Sherman Avenue westbound approach to Bolinas Road.

Source: Crane Transportation Group, Year 200 Highway Capacity Analysis Methodology.

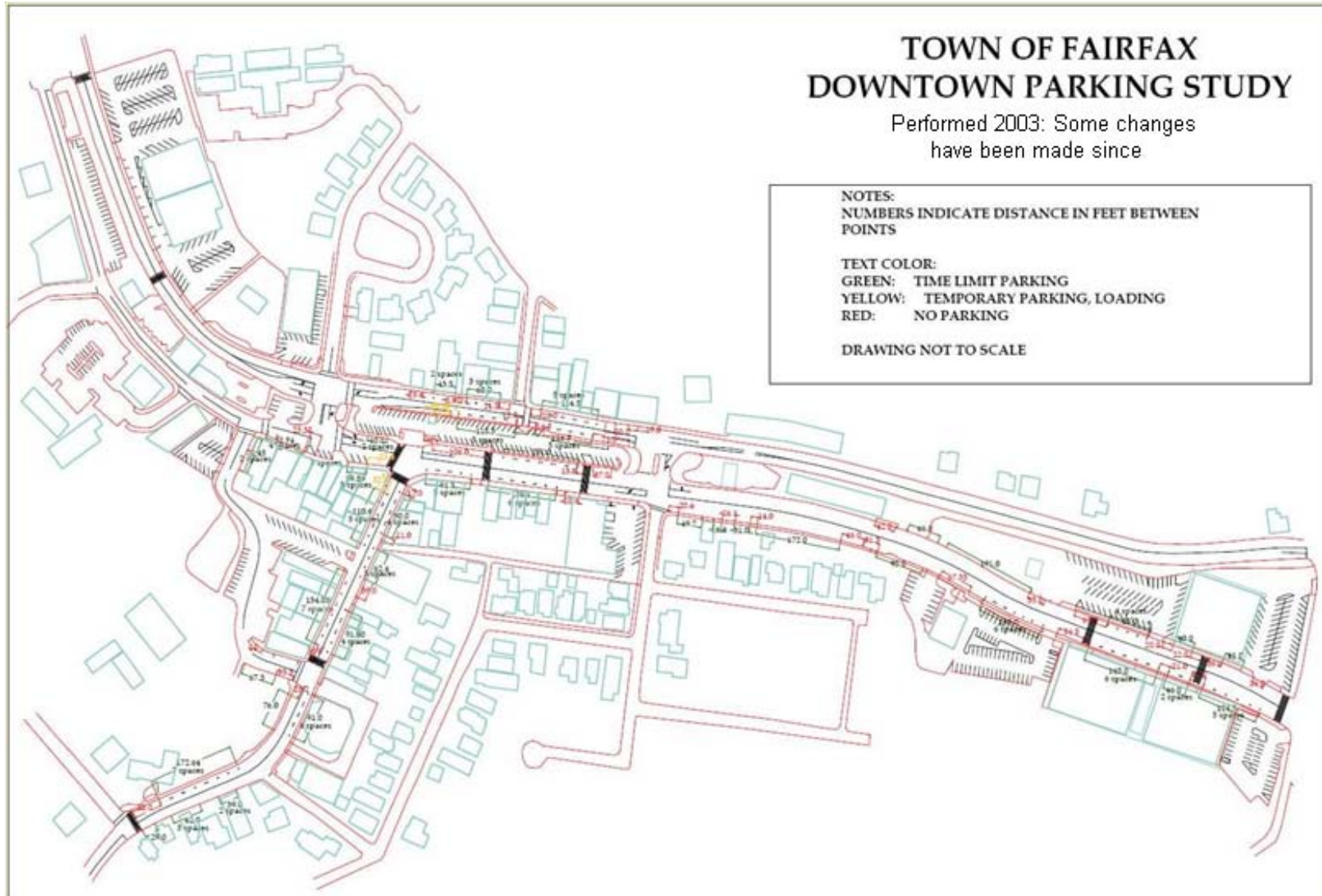


Figure C-5 Downtown Parking Areas

**TABLE C-5 PARKING SPACES IN DOWNTOWN FAIRFAX**

<b>Location</b>	<b>Spaces</b>	<b>Disabled</b>	<b>Potential*</b>	<b>Notes</b>
<b>Fair-Anselm Center</b>				
<i>On-Street</i>	36			
<i>Private</i>				
South of Albertson's.	51	2		
North of Albertson's	64	2	25	
Post Office	17	1		
South Fair Anselm	44	2		
North Fair Anselm	54	2		
<b>Broadway</b>				
<i>On-Street</i>	27		9	
<i>Private</i>				
Library	28	2		
Lumber Yard	42	1		
Peri's	16	1		
Theater	32	2		
Bank of America	20			
School Street Plaza	60	2		
<b>Bolinas Road</b>				
<i>On-Street</i>	42		5	
Mono Lane Lot	28	1		
<i>Private</i>				
7/11 Store	9			
Fairfax Square	17	2		
Cleaners	3			
Across from Mono Lane	12			
<b>Elsie Lane/Bank Street</b>				
<i>On-Street</i>	26			

**TABLE C-5 PARKING SPACES IN DOWNTOWN FAIRFAX (CONTINUED)**

<b>Location</b>	<b>Spaces</b>	<b>Disabled</b>	<b>Potential*</b>	<b>Notes</b>
Pavilion Lot	22			
<b>Sir Francis Drake Boulevard</b>				
<i>On-Street</i>	22			
Parkade	79	2		
<i>Private</i>				
Fairfax Market	87	4		
M&G Burgers	11			
Good Earth	23	1		
<i>Total Street</i>	<i>287</i>			
<i>Total Private</i>	<i>585</i>			
<b>Grand Total</b>	<b>872</b>	<b>27</b>	<b>31</b>	

Note: \*Potential spaces include eliminating gaps between street spaces and clearly marking all street spaces.  
Source: LAK & Associates, 2010.

In addition to public parking areas there are private parking lots in the Town Center serving a bank (Bank Street/ Broadway – 19 spaces), a grocery (Claus/Sir Francis Drake Boulevard – 25 spaces) and the Fairfax Theater (Broadway/Pacheco – 20 spaces) that add significantly to the downtown parking supply.

Although there has been no formal survey, parking is observed to be available in the downtown during most hours of the day and evening on weekdays and weekends. Merchants in the Town Center report that, in general, parking is available most of the time within a reasonable walking distance. Exceptions can occur during a Farmer's Market or special events in progress. Merchants generally support the concept of maintaining the existing parking supply rather than lose spaces to projects such as landscaping portions of the Parkade.

There are no officially designated park-and-ride lots in Fairfax. Commuter park-and-ride lots are located outside the Town, at locations served by Golden Gate Transit. However, transit riders have utilized the Pavilion parking lot as a local park-and-ride lot for years, albeit without official sanction.

### *Residential Street Parking*

Parking in residential areas is in short supply in many locations in Fairfax. This reflects a roadway system built in a time before families had multiple vehicles, and the dense use of residential properties in Fairfax, with numerous small lots supporting secondary dwellings. Converting garage space to other uses is also common. Therefore, it is important to enforce parking requirements in residential areas.

Many streets do not accommodate two-way traffic if vehicles are parked on both sides of the street. However, due to residential parking demand exceeding supply, curbside parking and parking along roadway shoulders on both sides of narrow streets is often the practice. Residents are observed to tolerate the resulting street width that supports only one-way access, requiring vehicles to yield and take turns passing through narrow sections. However, emergency vehicle access can be impeded, raising safety concerns. These problems are common on hills where roadways may be both narrow and steep. There has been no comprehensive survey to document the most severe areas of parking problems, nor any formal program of marking spaces to maximize use, or red-curb-ing to limit use.

### **Transit**

Golden Gate Transit runs the #24 into San Francisco AM and back to Fairfax PM. There is presently no direct transit connection from Fairfax to the Larkspur ferry: Marin Transit sponsored #29 provides service to the Ferry Terminal, but has no coordination with ferry departures and arrivals. Commuting to the East Bay requires getting to San Rafael and transferring to a #40/#42. To travel to Petaluma or northwards requires getting to San Rafael and transferring to a #80. Local transit to and through Fairfax is governed by the county-wide agency Marin Transit, which contracts with the Golden Gate Bridge Highway and Transportation District GGBH&TD to provide local bus service via the #23 connecting to the San Rafael Transit Center, and with West Marin Stage providing service via Fairfax to San Geronimo Valley and Point Reyes. Currently there is no neighborhood transit service, except for the limited service for the elderly and the disabled, by appointment, via Whistlestop Wheels. Other private and non-profit operators provide other specialized transportation.



*West Marin Stagecoach*

## **Bikeways and Urban Trails**

Attached to this Circulation Element is the Town's Pedestrian and Bicycle Master Plan (Appendix C-B) that was prepared, with frequent public involvement, during 2007-2008. The Master Plan recognizes the extensive



*Bike lane along Center Boulevard*

network of bicycle paths, lanes and routes, as well as the interlacing pattern of formal and informal pedestrian ways in the community. The primary intent and purpose of the master Plan is "to improve bicycle and pedestrian circulation transportation in Fairfax," which mimics the overarching goals for this Circulation Element. The Master Plan's three goals conform to the goals of Town's General Plan.

In addition to the community's work to prepare the Pedestrian and Bicycle Master Plan, a significant effort by the Town's volunteer organization (Fairfax Volunteers) investigated and mapped the trails, pedestrian rights-of-way, and easements that exist throughout Fairfax. The use



*Urban trail*

of these routes as evacuation opportunities during emergencies was also a valuable part of the study. The Safety Element of the General Plan describes this trail/lane system in greater detail. A map of these recreational trails is available at the Town of Fairfax website.

## Truck Routes

Fairfax truck routes provide access to the Town Center via Sir Francis Drake Boulevard, Broadway, Center Boulevard, and Bolinas Road. Many connecting roads are too narrow, or too occupied by on-street parking (or both), to accommodate large trucks as through traffic, or their turning movements. Currently, large delivery trucks must park in the downtown, then transfer items to smaller delivery vehicles able to negotiate narrow, curving Fairfax local streets.



*Truck parked in Downtown*



There is a need to identify appropriate truck staging areas for the Town for large delivery trucks, public works and private construction projects. **Figure C-6, Truck Routes**, shows Town of Fairfax truck routes.

## GOALS, POLICIES, AND PROGRAMS

***Vision Statement: Promote efficient and effective transportation.***

Major changes in travel behavior will be needed to reduce traffic congestion, greenhouse gas emissions, and air pollution in Fairfax.

The Town should promote the development and expansion of public and alternative transportation systems to better connect jobs, housing, schools, and shopping and recreational facilities. Consistent with the County-wide General Plan, Fairfax seeks to achieve at least 20 percent of trips made by walking or biking by 2020. Fairfax has also adopted a “complete streets” resolution, instructing staff to accommodate all modes of transportation within the public right of way. Therefore Fairfax will promote affordable and convenient transportation alternatives to encourage cycling and walking, reduce dependence on single-occupancy vehicles, conserve resources, improve air quality, and reduce traffic congestion.

In addition to reducing vehicle miles traveled, the personal automobile and light truck fleet will likely undergo technological changes in the coming years. At present it appears that electrification of vehicles, first as Plug-in Hybrids (PHEVs) and eventually also as fully electric vehicles (EVs), as well as electric bicycles, is on the horizon. These and other technological advances are driven by factors including greenhouse gas emissions, the cost of oil, and the desire to reduce dependence on foreign energy sources. Additional benefits of a greater market share of electric vehicles would also include less tailpipe emissions and less noise.

Transportation/public spaces will be used to enhance the pedestrian experience and promote community.

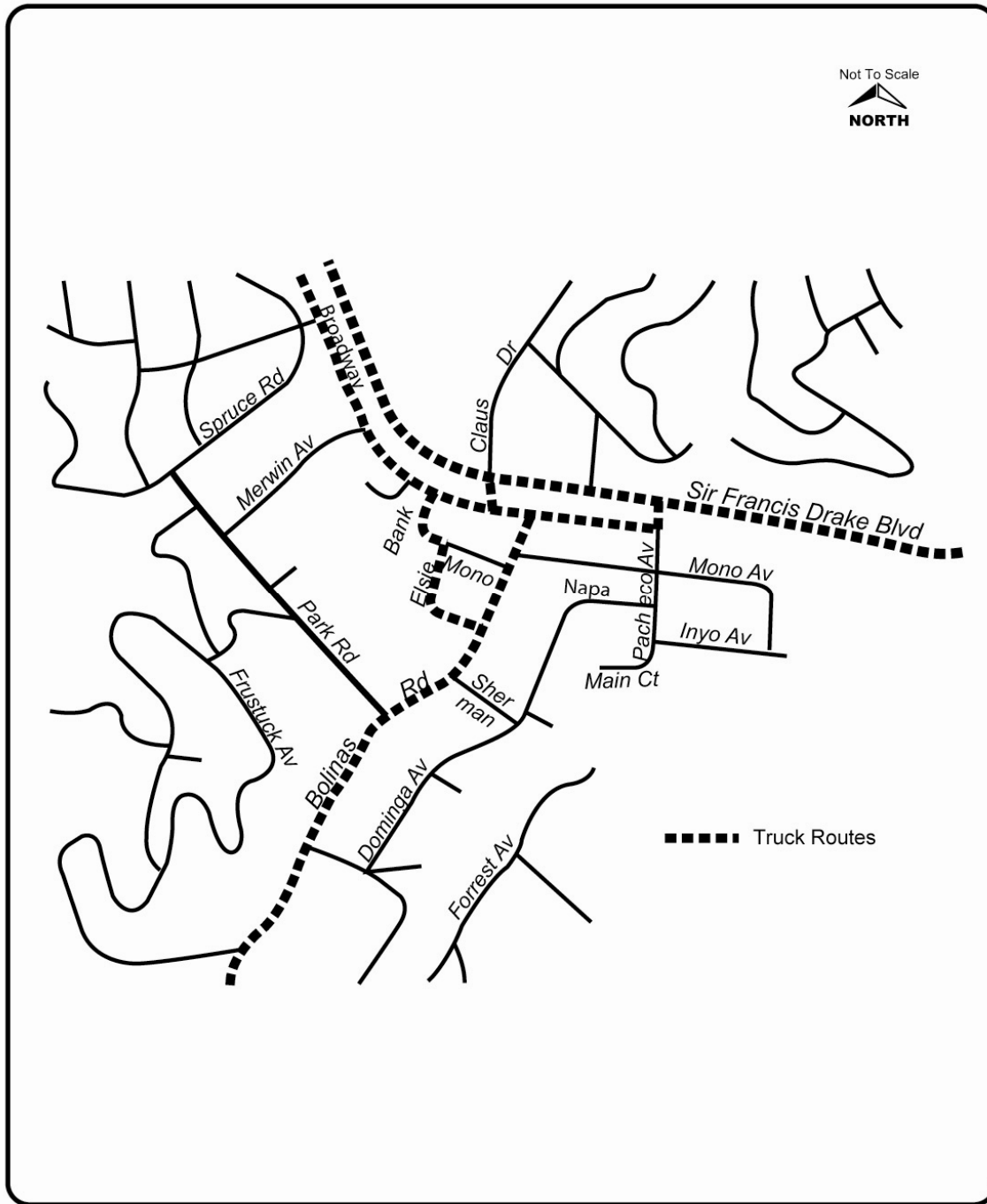


Figure C-6 Truck Routes

**GOAL C-1: Maintain Sir Francis Drake as a functional regional arterial.**

**Policy C-1.1: To the extent permitted by regional transportation plans, maintain the commercial and community function of Sir Francis Drake Boulevard in the Town Center.**

Program C-1.1.1: Participate in regional transportation planning program to maintain the commercial and community function of Sir Francis Drake Boulevard in the Town Center.

Responsibility: Planning & Building Services, Town Council  
Schedule: Ongoing

**Policy C-1.2: To the extent allowed by law, continue to make safety the first priority of Town-wide transportation planning. Prioritize pedestrian, bicycle, and automobile safety over vehicle level-of-service.**

Program C-1.2.1: Review the design and location of bicycle and pedestrian crossings along Sir Francis Drake Boulevard In consultation with the Pedestrian & Bicycle Master Plan, Chapter 5.

Responsibility: Planning & Building Services, Public Works, Police  
Schedule: Year One

**Policy C-1.3: Promote Pedestrian and bicycle circulation to ensure that automobile convenience does not compromise bicycle and pedestrian safety and convenience.**

Program C-1.3.1: Review the design and location of bicycle and pedestrian crossings along Sir Francis Drake Boulevard In consultation with the Pedestrian & Bicycle Master Plan, Chapter 5.

Responsibility: Planning & Building Services, Public Works, Police  
Schedule: Year One

Program C-1.3.2: Pursue implementation of recommendations in the Pedestrian & Bicycle Master Plan to promote safe pedestrian and bicycle circulation

Responsibility: Planning & Building Services, Police, and Public Works  
Schedule: Year 3-5

**Policy C-1.4: Maintain, as funding permits, the Town’s bicycle and pedestrian corridor from Olema to Pacheco on Broadway and from Pacheco to Pastori on Center Boulevard.**

Program C-1.4.1: Pursue implementation of recommendations in the Pedestrian & Bicycle Master Plan to promote safe pedestrian and bicycle circulation

Responsibility: Planning & Building Services, Police, and Public Works  
Schedule: Year 3-5

**Policy C-1.5: Participate in the Non-Motorized Pilot Program study of the San Rafael – San Anselmo – Fairfax corridor.**

Program C-1.5.1: Participate in regional transportation planning program to maintain the commercial and community function of Sir Francis Drake Blvd in the town center.

Responsibility: Planning & Building Services, Town Council  
Schedule: Year One *The San Rafael-San Anselmo-Fairfax Corridor Study was completed in March 2010.*

**Policy C-1.6: Preserve Center Boulevard and the Parkade for future use as a light rail corridor with bicycle and pedestrian paths.**

Program C-1.6.1: Participate in regional transportation planning program to maintain the commercial and community function of Sir Francis Drake Boulevard in the town center.

Responsibility: Planning & Building Services, Town Council  
Schedule: Ongoing

**Policy C-1.7: Coordinate the timing of traffic signals with adjacent jurisdictions.**

Program C-1.7.1: Coordinate the timing of traffic signals at Willow Avenue and Sir Francis Drake with traffic signals at Kent and Sir Francis Drake Boulevard and Butterfield and Sir Francis Drake Boulevard.

Responsibility: Police and Public Works  
Schedule: Year One

**Policy C-1.8: Ensure amenities to support public transportation.**

Program C-1.8.1: Coordinate with regional transit authorities to maintain and enhance public transportation amenities.

Responsibility: Public Works

Schedule: Ongoing

**GOAL C-2: Promote the safe use of collector streets by automobiles, cyclists and pedestrians.**

**Policy C-2.1: Vigorously and consistently enforce speed limits and other traffic laws for all modes of transportation.**

Program C-2.1.1: Re-evaluate speed limits in residential neighborhoods to promote a safe and livable community.

Responsibility: Public Works

Schedule: Year One

Program C-2.1.2: Develop an enforcement and educational program to increase compliance with existing traffic laws and promote a safe and livable community.

Responsibility: Police

Schedule: Year One

**Policy C-2.2: Maintain the street, sidewalk and pathway network through a regular maintenance program.**

Program C-2.2.1: Repave streets on a regular basis, and require any pavement that has been damaged or dug up to be returned to a safe and serviceable condition. Take advantage of repairing or resurfacing projects to upgrade existing pedestrian or bicycle infrastructure and to install bicycle lanes or shared lane markings.

Responsibility: Public Works

Schedule: Ongoing

Program C-2.2.2: Promote existing program of Town sharing cost of sidewalk repair/improvements with property owners.  
 Responsibility: Public Works, Planning Commission, Town Attorney  
 Schedule: Year 3-5

**Policy C-2.3: Encourage the safe use of bicycles for commuting and recreational use.**

Program C-2.3.1: Include Class II bike lanes on collector streets, and where no room is available for bike lanes, use shared lane markings, “share the road” signage and wider shoulders.  
 Responsibility: Public Works  
 Schedule: Year One

**Policy C-2.4: Encourage pedestrian use of trails and other pedestrian oriented rights of way as an effective means of accessing downtown as well as various neighborhoods, and open space See Appendix C-A for a list of trails.**

Program C-2.4.1: Provide benches for resting at the top intersection of trails between streets.  
 Responsibility: Public Works  
 Schedule: Year One

Program C-2.4.2: Provide a marking system at intersections of trails with streets.  
 Responsibility: Public Works  
 Schedule: Year One

Program C-2.4.3: Improve steep trails with steps.  
 Responsibility: Fairfax Volunteers  
 Schedule: Ongoing

Program C-2.4.4: Provide maps showing trails and status online.  
 Responsibility: Fairfax Volunteers, Town Manager  
 Schedule: Year One

**Policy C-2.5: Comply with State and Federal Regulations related to universal accessibility and Americans with Disabilities Act (ADA).**

Program C-2.5.1: Review the Town network of collector streets for compliance with state and federal regulations regarding facilities and improvements that provide disabled access.

Responsibility: Public Works  
Schedule: Year One

Program C-2.5.2: Develop and implement a program for compliance with state and federal regulations regarding facilities and improvements that provide disabled access within the network of Town collector streets.

Responsibility: Public Works  
Schedule: Year 3-5

Program C-2.5.3: Incorporate the needs of people with disabilities during the planning and implementation of public improvement projects.

Responsibility: Public Works, Planning & Building Services  
Schedule: Ongoing

**Policy C-2.6: Promote safe use of the collector streets for pedestrians and cyclists.**


Program C-2.6.1: Provide continuous sidewalks where possible and prioritize these locations where it is most feasible to provide them.

Responsibility: Public Works  
Schedule: Year Two

**Policy C-2.7: Where possible maintain or expand pedestrian and bicycle oriented rights of way between collector streets in appropriate locations so as to enable and encourage safe use.**

Program C-2.7.1: Inventory existing right of way easements as well as sites where existing connectivity is not secured.

Responsibility: Fairfax Volunteers, Planning & Building Services  
Schedule: Ongoing



**GOAL C-3: Maintain the narrow and curving streets of Fairfax neighborhoods as part of the Town's distinct sense of place, with flexible street standards to preserve **distinct neighborhood streetscape qualities.****

In addition to policies C-2.1 through C-2.4 and their related programs, adopt the following policies and programs,

**Policy C-3.1: Since many local streets in Fairfax do not have sidewalks, ensure that speed limits are set to reduce danger to children and other pedestrians.**

Program C-3.1.1: Identify specific streets that would benefit from traffic mitigation measures, and develop plans for these streets. (Also see Program C2.1.1)


Responsibility: Public Works  
Schedule: Year One

**Policy C-3.2: Upgrade local streets to optimal traffic engineering standards only where there is a demonstrated public safety need to do so.**

Program C-3.2.1: Conduct periodic public meetings to review and prioritize street maintenance projects and determine roadway improvement programs and schedules.

Responsibility: Town Council  
Schedule: Ongoing

**Policy C-3.3: Ensure that local streets created to serve new development are designed to resemble those serving similar areas, provided that they meet public safety requirements.**

Program C-3.3.1:  New streets shall have pavement markings, including cross walks, shared lane markings, pedestrian oriented lane markings and signage consistent with existing town standards and **design aesthetics**.

Responsibility: Public Works  
Schedule: Ongoing

**Policy C-3.4: Avoid major increases in street capacity unless necessary to remedy severe traffic congestion or critical neighborhood traffic problems or where necessary for emergency vehicle access. Where capacity is increased, balance the needs of motor vehicles with those of pedestrians and bicyclists.**



Program C-3.4.1: Conduct periodic public meetings to review and prioritize street maintenance projects and determine roadway improvement programs and schedules.

Responsibility: Town Council

Schedule: Ongoing

**GOAL C-4: Ensure access by emergency service vehicles and public evacuation. See also the Safety Element.**

**Policy C-4.1: Coordinate with both the Ross Valley Fire Department and the Marin Municipal Water District to ensure safe conditions on roads. Identify evacuation routes for all areas of Town.**

Program C-4.1.1: Prepare and distribute an emergency evacuation route map for the Town, utilizing the existing neighborhood street system. As part of the mapping process, also indicate the locations of paths, lanes, steps and unimproved rights-of-way, which also may provide unimproved emergency egress in the event that emergency evacuation routes are not available.

Responsibility: Public Works, Fire Department, Police Department

Schedule: Year One

Program C-4.1.2: Identify alternatives to evacuation routes for residents to consider in the event of an emergency.

Responsibility: Public Works, Fire Department, Police Department

Schedule: Year One

**Policy C-4.2: Coordinate with the Ross Valley Fire Department to identify standards, needs and opportunities for emergency vehicle turn-outs and turn-arounds on town streets.**

Program C-4.2.1: Prepare and implement a neighborhood street “marked space” parking plan that restricts on-street parking to safe areas wide enough to allow passage of emergency vehicles.

Responsibility: Ross Valley Fire Department, Public Works

Schedule: Ongoing

**GOAL C-5: Consider pedestrian and bicycle facilities as an integral part of a complete circulation network that provide affordable, healthful and ecological means of transportation.**

**Policy C-5.1: Improve and maintain the existing network of sidewalks and bike paths, bike lanes, pavement markings (cross walks, shared lane markings).**

Program C-5.1.1: Create and improve network per the recommendations set out in the Pedestrian and Bicycle Master Plan as most currently updated.  
Responsibility: Public Works  
Schedule: Ongoing

Program C-5.1.2: Create connecting paths for pedestrians and bicycles where dead-end streets prevent through circulation in new developments and in existing neighborhoods (e.g. east-west corridors, steps, lanes and paths, and Safe Routes to Schools).  
Responsibility: Public Works  
Schedule: Year 3-5

Program C-5.1.3: Improve and maintain bicycle and pedestrian infrastructure.  
Responsibility: Public Works  
Schedule: Ongoing

Program C-5.1.4: Encourage extensive educational programs for safe use of bicycles, mopeds, and motorcycles, including the Town sponsored bicycle education programs in the public schools and the bicycle traffic school program for juveniles.  
Responsibility: Fairfax Police; Planning & Building Services  
Schedule: Year One and ongoing thereafter

Program C-5.1.5: Prepare and implement a uniform bicycle directional and informational signage program.  
Responsibility: Public Works  
Schedule: Year 3-5

**Policy C-5.2: Improve accessibility and safety of pedestrian links, especially between the Public Library, Town Center (Bolin Road and Broadway), and Fair Anselm.**

Program C-5.2.1: Create connecting paths for pedestrians and bicycles where dead-end streets prevent through circulation in new developments and in existing neighborhoods (e.g. east-west corridors, steps, lanes and paths, and Safe Routes to Schools).

Responsibility: Public Works  
Schedule: Year 3-5

Program C-5.2.2: Complete a pedestrian/bicycle route alternative to Sir Francis Drake east/west through town.

Responsibility: Planning & Building Services; Public Works  
Schedule: Year 3-5

Program C-5.2.3: Complete the route of the east/west bicycle corridor through Fairfax (Route 20).

Responsibility: Planning & Building Services; Public Works  
Schedule: Year One

**Policy C-5.3: Expand the network of pedestrian trails and bicycle facilities to serve neighborhoods, taking into account safety concerns caused by steep grade residential streets and substandard roads in the hills.**

Program C-5.3.1: Create connecting paths for pedestrians and bicycles where dead-end streets prevent through circulation in new developments and in existing neighborhoods (e.g. east-west corridors, steps, lanes and paths, and Safe Routes to Schools).

Responsibility: Public Works  
Schedule: Year 3-5

Program C-5.3.2: Develop a pedestrian path system in the neighborhoods that re-spects the **natural environment setting** of the Town.

Responsibility: Public Works  
Schedule: Year 3-5

**Policy C-5.4: Preserve and make continuous the network of bicycle and pedestrian routes that allows the traversing of the downtown area along quiet back streets and alleys. (Town Center Element Policy TC-3.2.15)**

**Program C-5.4.1:** Create connecting paths for pedestrians and bicycles where dead-end streets prevent through circulation in new developments and in existing neighborhoods (e.g. east-west corridors, steps, lanes and paths, and Safe Routes to Schools).

Responsibility: Public Works

Schedule: Year 3-5

**Program C-5.4.2:** Promote pedestrian and bicycle circulation within new development areas and provide connections to all areas of Town.

Responsibility: Planning & Building Services

Schedule: Ongoing

**Policy C-5.5: Link the Fairfax bike path networks with the countywide system.  
(Update map for bike kiosk.)**

**Program C-5.5.1:** Prepare and implement a uniform bicycle directional and informational signage program.

Responsibility: Public Works

Schedule: Year 3-5

**Program C-5.5.2:** Coordinate with the county and surrounding communities and other agencies to establish and maintain off-road bicycle and pedestrian paths and trails, utilizing creek, utility, and railroad rights-of-way.

Responsibility: Planning & Building Services

Schedule: Ongoing

**Policy C-5.6: Develop facilities, services, and programs that encourage and promote walking and bicycling.**

**Program C-5.6.1:** Encourage extensive educational programs for safe use of bicycles, mopeds, and motorcycles, including the Town sponsored bicycle education programs in the public schools and the bicycle traffic school program for juveniles.

Responsibility: Fairfax Police; Planning & Building Services

Schedule: Year One and Ongoing thereafter

Program C-5.6.2: Implement the recommendations of the Safe Routes to Schools program as part of the Circulation, Land Use and Town Center Elements.

Responsibility: Planning Commission, Town Council  
Schedule: Year One

Program C-5.6.3: Provide increased bicycle parking in heavily used areas, particularly downtown.

Responsibility: Public Works  
Schedule: Year One

**Policy C-5.7: Encourage pedestrian-friendly design features, such as sidewalks, street trees, on-street parking, public spaces, gardens, outdoor furniture, art and interesting architectural details.**

Program C-5.7.1: Establish a pedestrian priority program that identifies and ranks circulation needs and safe street crossings.

Responsibility: Public Works, Police Department  
Schedule: Year One

Program C-5.7.2: Future designs for Center Boulevard/Broadway-Bolinas Road as the Town's "main street" should improve walkability.

Responsibility: Public Works, Police Department  
Schedule: Year One

**Policy C-5.8: Bicycle and pedestrian oriented development should be encouraged in the Town Center Planning Area. (Town Center Element Policy TC-3.2.1)**

Program C-5.8.1: Create a bicycle staging area including bathrooms, showers and lockers, possibly in partnership with local businesses. (Town Center Element Policy TC-3.2.16)

Responsibility: Public Works, Planning Commission, Town Council  
Schedule: Year 3-5

**Policy C-5.9: Create safe, direct, pedestrian crossings across the Parkade and between the Parkade and surrounding shops and services.**

Program C-5.9.1: Stripe the Parkade surface to connect the Broadway steps to the Sir Francis Drake Boulevard pedestrian crossing.

Responsibility: Public Works

Schedule: Year One

<p><b>GOAL C-6: Promote less reliance on single-occupant vehicles.</b></p>
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**Policy C-6.1: Make land use decisions that encourage walking, bicycling, and public transit use; particularly ensuring existing and future bus service.**

Program C-6.1.1: Encourage infill, redevelopment, and reuse of vacant or underutilized parcels employing minimum density requirements that are appropriate to support transit, bicycling, and walking.

Responsibility: Planning & Building Services

Schedule: Ongoing

Program C-6.1.2: Promote mixed-use development to provide housing and commercial services near employment centers, thereby reducing the necessity of driving.

Responsibility: Planning & Building Services

Schedule: Ongoing

Program C-6.1.3: Locate higher density development along transit corridors and near multi-modal transit stations.

Responsibility: Planning & Building Services

Schedule: Ongoing

**Policy C-6.2: Consider the use of additional parking fees and tax revenues to fund alternative transportation projects.**

Program C-6.2.1: Develop a managed parking program.

Responsibility: Town Council

Schedule: Year One

**Policy C6.3: Support the development and expansion of comprehensive, effective programs to reduce auto use at both the local and regional level and promote and**

**encourage improved transit options, including restoring the light rail vehicle system; particularly by privatizing (through “right-pricing”) the true cost of auto use, whereby mass transit systems will become more economically viable at lower thresholds of housing densities.**

Program C-6.3.1: Encourage infill, redevelopment, and reuse of vacant or underutilized parcels employing minimum density requirements that are appropriate to support transit, bicycling, and walking.

Responsibility: Planning & Building Services

Schedule: Ongoing

Program C-6.3.2: Promote mixed-use development to provide housing and commercial services near employment centers, thereby reducing the necessity of driving.

Responsibility: Planning & Building Services

Schedule: Ongoing

Program C-6.3.3: Locate higher density development along transit corridors and near multi-modal transit stations.

Responsibility: Planning & Building Services

Schedule: Ongoing

Program C-6.3.4: Create a long-term education program to change the travel habits of residents, visitors and workers by informing them about transportation alternatives, incentives and impacts. Work with the School District and private interests, such as the Chamber of Commerce, to develop and implement the program. Safe Routes to Schools, which originated in Fairfax and is now national, is an excellent example of this type of program.

Responsibility: Planning and Building, FCAC, working with Sustainable Fairfax

Schedule: Ongoing

Program C-6.3.5: Encourage telecommuting, satellite office concepts, and work at home options.

Responsibility: Planning & Building Services

Schedule: Ongoing

- Program C-6.3.6: Initiate a website to help carpoolers find rides, and maintain a "ride board" to encourage regular carpooling.  
Responsibility: Fairfax Volunteers; Town Manager  
Schedule: Year One
- Program C-6.3.7: Implement, as appropriate, the "local action list" of the Bay Area Air Quality Management District (BAAQMD) and work with the Congestion Management Program (CMP) and other jurisdictions to implement those actions that require a multi-jurisdictional effort.  
Responsibility: Town Council; Town Manager  
Schedule: Ongoing
- Program C-6.3.8: Pursue outside (federal, State, private) funding sources to promote alternative transportation projects.  
Responsibility: Town Manager, Public Works, Planning and Building Services; Town Council  
Schedule: Ongoing
- Program C-6.3.9: Develop an employee parking plan for the businesses in the Town.  
Responsibility: Planning and Building Services, Police Department  
Schedule: Year One

**Policy C-6.4: Encourage amenities, such as seating, lighting, and signage at bus stops to increase rider comfort and safety and protection from elements.**

- Program C-6.4.1: Provide and maintain clean, safe and comfortable places to wait for public transportation.  
Responsibility: Public Works  
Schedule: Ongoing
- Program C-6.4.2: Create an urban design plan for the Parkade, including consideration of a transit station and pedestrian and bicycle facilities.  
Responsibility: Planning & Building Services; Public Works  
Schedule: Year One



**GOAL C-7: Promote a shift from conventional to new vehicle designs, including electrification of transportation.**

**Policy C-7.1: Support state and federal legislation to reduce motor vehicle emissions, noise, and fuel consumption.**

Program C-7.1.1: Consider purchasing of electric or hybrid vehicles as part of the Town fleet.

Responsibility: Town Manager, Town Council

Schedule: Ongoing

Program C-7.1.2: As infrastructure changes are made, and as warranted by available transportation options, build infrastructure to support emerging options, such as charging stations for electric vehicles or plug-in hybrids.

Responsibility: Planning & Building Services

Schedule: Ongoing

Program C-7.1.3: As infrastructure changes are made, support the possibility of streetcars/Light Rail Vehicles (LRVs).

Responsibility: Planning & Building Services; Public Works

Schedule: Ongoing

**GOAL C-8: Improve circulation and safety in the downtown area.**

**Policy C-8.1: Promote better utilization of the Elsie Lane/Bank Street to connect Bolinas Road to Broadway and Sir Francis Drake Boulevard**

Program C-8.1.1: Develop a circulation implementation strategy as part of the Town Center Plan, as called for in the Town Center Element, utilizing the study and recommendations included in the Fairfax Town Center Traffic Concept developed by the GPAC and Crane Consulting (see Town Center Element Appendix TC-A).

Responsibility: Planning & Building Services

Schedule: Year One

# HOUSING ELEMENT

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*One of three site capacity drawings for workforce housing at 10 Olema Road.*

## INTRODUCTION

### Purpose of the Housing Element

Every jurisdiction in California must have a General Plan, and every General Plan must include a Housing Element as one of the seven Mandatory Elements. The Housing Element, as required by Government Code (GC) Section 65300, must be updated every five years. GC Section 65583 defines the contents of a Housing Element.

As defined by the law, the Housing Element presents a statement of the Town's housing goals, objectives and policies that serve to provide a framework for decision-making. The Housing Element also includes a program of action items that are intended to resolve specific housing problems and needs.

### Governmental Requirements

The GC identifies three required components of the Housing Element as being:

- An assessment of housing needs and an inventory of resources and constraints relative to meeting these needs (see GC Section 65583 (a)),

- A statement of the community’s goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing (see GC Section 65583 (b)), and
- A program that sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land use and development controls, the provisions of regulatory concessions and incentives, and the utilization of appropriate federal and State funding and subsidy programs when available (see GC Section 65583(c)).

State law also requires that every updated Housing Element be submitted to the State of California’s Department of Housing and Community Development (HCD) to ensure compliance with the State’s minimum requirements. This certification process is unique among the General Plan elements, as none of the other six mandatory elements require State certification.

All of the Elements of the General Plan, including the Housing Element, must be consistent, first with each other, and then with all the Town’s regulatory controls and development approvals, specifically the zoning ordinance. It is the Town’s intention to revise the Zoning Ordinance to be consistent with the updated 2010 General Plan, including the 2010 Housing Element, upon its adoption.

### **Regional Cooperation**

The 2010 Housing Element is based on a regional planning effort that involved the eleven towns and cities in the County, and the County of Marin, which resulted in the *Marin County Housing Element Workbook 2009*. The Workbook identified the housing needs in the County, and established an array of “best practices” to achieve commonly understood goals.

The *Marin County Housing Element Workbook 2009* provided a framework that was used to prepare this Housing Element for consideration by the community, the Planning Commission, GPAC, the Affordable Housing Committee and ultimately, the Town Council. Some of the material included in the *Workbook* was deemed not appropriate for the needs or traditions of Fairfax, and in those cases the Affordable Housing Committee

and GPAC developed strategies that were specific to the Town (particularly with regards to policies of “Tradition Neighborhood Design (TND) and “Transit-Oriented Development” (TOD) as articulated in the 2010 Land Use Element).

In addition, the Association of Bay Area Governments (ABAG) housing needs determination was analyzed based on information about recent housing construction trends in Fairfax and updated information about available housing sites. New information on housing conditions, needs and constraints to development were compiled where possible.

## Public Process

### *Countywide*

Public outreach utilized to develop the 2010 Housing Element follows the extensive community outreach effort utilized to complete the *2009 Marin Housing Workbook*. The development of the *Workbook* included an open, inclusive participatory process, involving numerous mailings, public meetings and forums. The mailing list developed during the preparation of the *Workbook* included 4,000 persons and organizations. All of the housing-related non-profits in Main County and individuals included on the Marin Housing Authority were included in the outreach program.

### *Local*

Public involvement is an essential component of the traditional fabric of the Fairfax community going back several generations. In keeping with that tradition, the Town Council created a far-reaching framework for public participation when approximately ten years ago it appointed a General Plan Advisory Committee (GPAC) to represent the community in the planning process that would result in an updated 2010 General Plan.

Importantly, the production of a draft Housing Element was given the highest priority at that time and resulted in the Town Adopted 2006 Housing Element which was not certified by the State. The 2010 Housing Element responds to State concerns with new specific strategies while capitalizing on the thorough public outreach process that has been conducted throughout the entire General Plan update process over the last decade.

The 2010 Housing Element establishes a framework of action items that responds to the current housing needs, as well as the future housing needs in the next five-years. Therefore, the 2010 Housing Element identifies the Town’s commitment to address the local housing needs.

### *General Plan Advisory Committee 2000 - 2010*

From the outset, the GPAC adopted a monthly meeting schedule, all of which were noticed public hearings, with opportunity for community comment as a scheduled item on every meeting agenda. Likewise, the GPAC conducted site visits to the few undeveloped, and underdeveloped, parcels within the Town Limits, including sites with reuse potential, infill and mixed-use opportunities, as well as transit-oriented sites in the Downtown Area.

Subsequent to the 2006 Housing Element rejection by the State, and in order to address State concerns over the adequacy thereof, the Town's Affordable Housing Committee has conducted "site capacity studies" on two primary opportunity sites for senior housing and workforce housing – both types of special needs housing that will include at least 50 percent very low income units; and likewise, worked in concert with the GPAC in their efforts to develop the draft Land Use Element that expands the Central Commercial (CC) Zone allowing housing on the second floor "by-right" and promotes TOD and Traditional Neighborhood Design (TND). The CC zone eliminates the requirement for a Conditional Use Permit for residential uses on the second floor.

Specifically identified needs in the community now include housing opportunities for extremely low, very low, low, and moderate income households, family housing, housing for special need groups (disabled, elderly, work force housing, and households headed by women) and the rehabilitation of existing housing, without displacing existing residents.

### **Basic Principles**

Initially, the GPAC addressed several questions, the answers to which resulted in the "action items" presented in the "Framework for Action" section of this Element. Those questions included:

- How can the new 2010 Housing Element be a realistic plan for action, and an improvement over the 1990 and the 2006 document?
- Who in the Town needs special housing opportunities?
- Where can additional housing be located?
- Who is going to be responsible for implementing the policies and programs included in the Housing Element?

That section specifically includes the policies and action-based programs that reflect the Town's commitment to provide housing opportunities to all members of the community –

including, and importantly people with special needs. One of the common components of the other housing elements prepared by the towns and cities in Marin County is the data on which the action oriented policies and programs are based.


The data that are relevant to Fairfax are found in Appendix H-B and serve as the background analysis for the following section on housing needs determination. Please note: Appendix H-A includes the relevant definitions that are commonly used in the Housing Element.

## HOUSING NEEDS DETERMINATION

### Housing Needs, Resources, and Constraints

State law requires the assessment of existing and projected housing needs and an inventory of resources and constraints relevant to meeting those needs, as outlined in GC Section 65583.

There are eight categories that apply to Fairfax that must be analyzed:

- Population and employment trends and existing and projected housing needs, including extremely low-income housing needs (GC Section 65583(a)(1)).
-  Household characteristics (i.e. ages, number of people per unit, and cost vs. ability to pay etc.) and Housing characteristics (i.e. housing stock condition) (GC Section 65583(a)(2)).
- Land suitable for development, including zoning, public facilities and services (GC Section 65583(a)(3)).
- A zone or zones where emergency shelters are allowed as a permitted use (GC Section 65583(a)(4)).
- Potential and actual governmental constraints and efforts to remove them (GC Section 65583(a)(5)).
- Potential and actual nongovernmental constraints (GC Section 65583(a)(6)).
- Special housing needs (GC Section 65583(a)(7)).
- Opportunities for energy conservation (GC Section 65583(a)(8)).



## Regional Housing Needs Allocation: ABAG

An important aspect of State Housing Element law is the idea of “regional fair share.” Every town, city, and county in the State of California has a legal obligation to address needs of the entire region. State law recognizes the regional nature of the housing market, and requires every town, city and county to plan for its fair share of the region’s housing needs.

For Fairfax and other Bay Area jurisdictions, the other regional housing and need is determined by the ABAG, based upon an overall regional housing need number established by the State. ABAG’s allocations are based on analysis of:

- Household growth (45 percent)
- Existing employment (22.5 percent )
- Employment growth (22.5 percent)
- Household growth near transit (5 percent )
- Employment growth near transit (5 percent )

The housing need is divided into the five income categories of housing affordability described in **Table H-1, Regional Housing Needs Determination (ABAG 2010)** (per State law) for 2007-2014, below, summarizes the housing need determination for all of the jurisdictions in Marin County. Fairfax’s share of the regional housing need for the seven-year period from 1999 to 2006 was 64 units; and now has grown to 108 units for the period from 2009 to 2014.

## Households and Housing Characteristics

The 2010 Housing Element analysis must consider current and projected household characteristics, the condition of the housing stock, and the potential impact on future housing needs. Extensive County data for household and housing characteristics and specific statistical information pertaining to the Town of Fairfax has been analyzed and information relative to the items outlined below is fully described in Appendix H-B.

This analysis must include:

- Housing conditions; number of units needing rehabilitation/replacement.
- Overcrowded households.
- Housing costs.

**TABLE H-1 REGIONAL HOUSING NEEDS DETERMINATION (ABAG 2010)**

	<b>Very Low &lt;50%</b>	<b>Low &lt;80%</b>	<b>Mod &lt;120%</b>	<b>Above Mod</b>	<b>Total</b>
Belvedere	5	4	4	4	17
Corte Madera	68	38	46	92	244
Fairfax	23	12	19	54	108
Larkspur	90	55	75	162	382
Mill Valley	74	54	68	96	292
Novato	275	171	221	574	1241
Ross	8	6	5	8	27
San Anselmo	26	19	21	47	113
San Rafael	262	207	288	646	1403
Sausalito	45	30	34	56	165
Tiburon	36	21	27	33	117
Unincorporated	183	137	169	284	773
Marin County	1,095	754	977	2,056	4,882

Source: ABAG, 2009.

- Housing unit by type.
- Vacancy rates.

## Housing Inventory

An inventory of the existing number of housing units by type and size along with a comparison to household size must be part of the 2010 Housing Element. Information pertaining to the items outlined below is described in Appendix H-B.

### Number of existing households

- Total households overpaying for housing.
- Lower income households overpaying.
- Total number of extremely low-income households.
- Total number of projected extremely low-income households.

## Special Housing Needs

An inventory and analysis of people with special needs is also required as part of the 2010 Housing Element. Included in Appendix H-B is information for the special needs populations listed below:

- Persons with disabilities.
- Elderly.
- Large households.
- Farm workers (seasonal and permanent).
- Female headed households.
- Homeless.

## Land Inventory, Zoning, and Public Facilities

A critical component of the 2010 Housing Element is the required analysis that must be conducted to determine what housing types and how many units could be developed under the current zoning. Land inventory should include not only vacant parcels but also parcels that currently have non-residential zoning but that are suitable for housing. Providing new housing in Fairfax will require creativity. There are few opportunities within the existing Town Limits, in terms of undeveloped land; and only a couple of realistic infill development opportunities within the Town Limits, or the Sphere of Influence (SOI). Much of the undeveloped or underdeveloped land is generally very steep, constrained by potential hazardous or environmentally sensitive conditions, such as unstable soils or flooding, or lacking in safe access. However, there are a few sites that exhibit development potential and have become feasible candidates for affordable housing opportunities; these are described in the Housing Opportunities section.

Fairfax is situated in a highly desirable setting, largely related to the forested hillsides that surround the community. Despite its natural beauty, however, the Town is in fact, very densely developed. With over 3,500 residents per square mile, and with most of the existing residences built on very small lots, there are few opportunities to provide additional housing through infill development within the Town's residential areas except through the use of "informal" second units that have traditionally provided very low income housing – though not officially recognized as such.

Fairfax is surrounded on three sides by vast areas of spectacular open space, providing the community with scenic vistas, as well as a rural ambience, despite the Town's loca-

tion in one of the nation's largest metropolitan areas. However, this protected open space amenity contributes to the Town's housing problem, as it acts as a constraint that limits the community's ability to expand, or significantly increase, the area that could be developed for housing through the traditional annexation process.

Within the existing town boundaries, Fairfax is very limited in terms of developable land. The Town is nearly built-out with all remaining undeveloped land, being either very steeply sloped or constrained from development for other reasons. Of the ten relatively large candidate sites located within the Town's SOI, most are on steep hillsides or exhibit environmental constraints. Five of the parcels have a zoning of Upland Residential (UR). Parcels in the UR zone are allowed a maximum one unit per seven to 10 acres; however, these parcels remain vacant because of the steep site conditions.

The 1990 Housing Element identified potential vacant lands that were estimated to yield 393 to 414 single-family units and 96 to 98 multi-family units. Subsequent evaluation, by Town staff, of the sites identified in the 1990 survey indicated that most of the sites were significantly constrained when environmental factors, such as excessive slope, flood hazards, and drainage problems, were considered. Construction activity indicates that only 71 units have been constructed or approved since 1990. Of those units, only 24 were considered multi-family or group residential. Future land considerations need to account for limitations due to the topography of the Fairfax area. Projections, predictions, and actual build-out numbers often reflect disparity; future Housing Element policies and programs need to realistically identify parcels suitable for development.

### **Establishing Criteria for Identifying Housing Sites**

When establishing criteria for identifying housing sites the following issues must be considered:

- General Plan designation
- Zoning designation
- Access
- Slope and topography
- Availability of public utilities and services
- Environmental factors, including cultural

*Site Inventory Information Required*

- Parcel identification (Assessor's Parcel Number, address)
- General plan and zoning designations
- Parcel size
- Location map
- Existing uses
- Environmental constraints
- Availability of utilities
- Estimated number of units possible (current or revised zoning)

*Calculate Residential Development Potential*

The calculations for Fairfax are based on:

- Applicable land-use controls and site improvement requirements.
- Existing development trends.
- Cumulative impact of development standards, including minimum lot coverage, height, setbacks, and parking requirements.

*Compare Development Potential to Regional Housing Needs Allocation*

According to the Regional Housing Needs Allocation (RHNA) prepared by ABAG, Fairfax's allocation for the seven-year period of 2007-2014 is 108. The complete Marin County release is shown in Table H-1.

*Alternative Methods of Identifying Sites*

HCD is authorized by State housing law (Section 65583.1) to allow identification of sites by a variety of means including the following:

- Redevelopment, Rezoning and Annexation
- Rehabilitation, Acquisition, or Subsidy

## **HOUSING CONSTRAINTS**

### **Government Policies and Procedures**

Government policies and procedures regulating development affect the availability and cost of new housing. Land use controls have the greatest direct impact, but development approval procedures, permit fees and building code requirements also affect housing

costs. This section addresses the relationship of present policies to the Town's ability to address unmet housing need.

In general, Fairfax's development requirements (review procedures and development standards) are similar to those of other jurisdictions in the County. The town's fees for discretionary permits are generally lower than those in other Marin County communities. It should be noted that, with few exceptions, almost all of the remaining land in Town has severe environmental and access constraints, which require specialized treatment under the Town's Hill Area Residential Development permit process (HRD). (The exceptions to above include the Christ Lutheran Church site, at 10 Olema, the School Street Plaza, and the areas currently zoned Highway Commercial (CH) that includes the areas of Fairfax/Good Earth Market areas and the old Albertson's Market and Fair-Anselm Plaza.)

One significant constraint to development is the time required for project approval. To reduce this problem, Town staff routinely advises project applicants to meet with neighborhood residents, including the Open Space Committee (as required by the Open Space Element), as part of the development process. In addition, the Town has codified its regulations, which may identify follow-up actions that can streamline the development review process.

## **Land Use Controls**

The specific land use policies of the Town of Fairfax are designed to encourage infill development and limit new construction in steeply sloped and wooded areas. Review of individual development applications includes consideration and mitigation of environmental, design, traffic and other impacts. In the past, the Town has helped facilitate the construction of affordable housing in a number of ways, which include allowing planned unit developments (PUD's) and clustered housing. Upon certification of the 2010 Housing Element by HCD, the Town proposes to rezone most of the CH properties to CC; which will allow residential units on the second floor to a minimum density of 20 units per acre "by-right" – rather than by Conditional Use Permit only as is the case under CH. The only exception is the small CH site at Park Street and Bolinas Road now occupied by a 7-11 store, across the street from Town Hall.

The Town enacted a second unit amnesty program, which to date has been underutilized by the community. Only two units have been processed to date (as of February 2010) due largely to the costly requirement for fire suppression sprinkler systems and/or parking

requirements. In the spring of 2010 the Town Council extended the Second Unit Amnesty Ordinance for another year and eliminated the sprinkler requirement (while still enforcing the other code and other fire safety measures).

Fairfax's land use designations, as identified in the Zoning Ordinance, have been relatively stable for many years. The predominant designations are residential (RS-6) and (RD5.5-7) allowing single-family residences and duplexes at densities of 8 to 14 units per acre. In fact, because most of the lots in Fairfax are legal, "non-conforming" due to exceptionally small size, the density in many areas of the community far exceeds the zoning designation. Due to steep slopes and related narrow roads, as well as a general lack of undeveloped land, increasing density beyond the current maximums in established residential areas would not result in an appreciable increase in the supply of housing. Duplexes are allowed in both primary residential zones and accessory second dwelling units are permitted by right on conforming residential lots.

The Opportunity Sites outlined in the "Housing Opportunities" section of this Element are the areas where the Town will focus attention in developing affordable housing. The Town has received inquiries from the current owners of four of the large parcels regarding developing affordable housing. The Town has completed or received architectural massing studies for four of the properties.

Land costs, construction costs, availability of parcels, and environmental constraints have the greatest constraining impact on the supply and affordability of housing opportunities. The land use controls and development standards contained in the Town Code, as well as other ordinances, policies and practices, do not affect the supply or affordability of housing opportunities in a negative way.

Fairfax traditionally encourages developers to submit proposals based upon architectural concepts that complement the Town's natural environment and development history. To this end, the Town has established a Design Review Board to evaluate all new residences and 50 percent remodels (as per Town Code Section 17.016.040B). These procedures will help to assure the quality development of the Town's few remaining large parcels.

Fairfax has also adopted standards increasing the required width for roads to serve new development; which, although necessary to provide fire protection to homes in remote hillside locations - increased the cost of development in outlying areas.

The Town has placed the municipal code on the Town web site and intends to develop additional materials to facilitate electronic inquiry into regulatory and design review policies, to inform applicants of local standards and preferences. Please note that all of the Town's building requirements are consistent with the Uniform Building Code (UBC) that is updated periodically.

#### *Permit Approval Process*

Like all local jurisdictions, the Town of Fairfax has a number of procedures and regulations it requires any developer to follow. A project proposed in Fairfax is involved in some combination of the following review processes: zoning, subdivision, design review, use permits and building permits. Undue delays in processing project applications increase a developer's costs. In Fairfax, nearly all permits are processed concurrently at the decision of the applicant and the Town.

For projects to be processed in a timely manner, several factors need to be addressed by the applicant: (1) the provision of complete applications and information on the project, (2) submittal of information or fees requested as soon as possible, (3) responding to Town policies and standards in project design, and (4) minimizing public controversy by meeting with neighborhood residents. Also, Town staff encourages pre-application conferences. The Open Space Element requires applicants to meet with the Open Space Committee.

Single-family custom home applications generally take less time to review than multiple-family proposals. When proposed single-family developments are not subject to special environmental constraints and are in conformity with existing zoning, it is possible to process the required building permits in approximately 3 to 4 months. Multiple-family projects require environmental review, public hearings and design review. In practice, Environmental Impact Reports (EIRs) are required for most multi-family developments. Such studies add 12 to 18 months to a project's approval. If an EIR is not required, Town permit processing could be accomplished in 3 to 4 months.

#### *Local Permit Fees*

Permit fees can vary substantially from site to site depending on site conditions, location and the type and design of development. While information on fees can give a general indication of permit expenses, the "minimum" cost associated does not take into account that much of the remaining land in Fairfax is subject to environmental constraints, such as steep slopes and drainage problems. Careful soils engineering and design studies and



associated permits are required depending on the site's characteristics. Minimum permit fees in Fairfax are comparable to fees charged by other cities in the County.

## **Regulatory Measures Analysis**

The following is a list of the regulatory controls faced by projects in Town:

### *Land Use Controls*

- *The opportunity for a range of housing types.* The Town's housing stock reflects a wide diversity of unit types and sizes. The available undeveloped and underdeveloped sites, including in-fill opportunities, would allow a range of housing types to be constructed. However, land availability, land costs, construction costs and developer interest directly affect the potential development.
- *Land use and density categories match with the local need for housing.* The CC zoning designation allows mixed-use development with 2<sup>nd</sup> floor residential allowed as a permitted use. In the Commercial Highway (CH) zone residential uses can be developed with Conditional Use Permit.
- *Growth limitations restrict housing development.* The Town of Fairfax does not have an Urban Growth Boundary or a growth management ordinance. There are a very limited number of undeveloped or underdeveloped parcels within the Town Limits and the SOI, most being very steeply sloped. The Town is surrounded by steep hill-sides and permanent open space that restricts housing development opportunities.

### *Project Mitigations that Do Not Affect the Site Capacity of Housing*

- *Open space requirements are compatible with housing standards.* The undeveloped and underdeveloped parcels in the Town are not constrained by open space requirements.
- *Parking requirements standards affect housing developments.* The parking requirements for dwelling units in the Town, including single-family and multi-family dwellings, and apartments are based on the number of bedrooms. Studio units, without a separate bedroom, are required to have one parking space. Units with one, or more, bedrooms are required to have two parking spaces. One parking space for guests is required when a legal on-street parking space is not available. These standards are minimal but do affect housing development by restricting useable land area. Site topography and the narrow streets in the Town can also have an effect on the useable

land area (and require enforcement of the parking standards). For the parcels to be re-zoned as CC or PDD, there will be an emphasis on pedestrian and bicycle transportation modes, and being centrally located next to services - and thereby, allowing for possibility of reduced parking requirements for affordable housing development.

- *There are no zoning and land use requirements that violate fair housing or other applicable laws.* Upon certification of the Housing Element the Town will adopt amendments to the zoning ordinance that address group homes, and requests for reasonable accommodations. These revisions will ensure that the Town policies do not pose illegal barriers to any population.

#### *Building Codes and Enforcement*

- *The maximum density can be achieved with current building standards.* The current building standards allow a development density that would meet the Town's housing needs and are consistent with the intent and purpose of the General Plan.
- There are no special seismic issues or requirements or roofing requirements that exist for fire safety.
- The Town codes allow for alternate building designs and materials.
- The Town codes incorporate universal adaptive design features to the extent such features are allowed by the UBC.
- The Town has adopted a second unit amnesty program that will allow for second units applying for the amnesty program to comply with the less restrictive Housing Code, e.g., room size, or overall unit size, rather than the UBC; and under subsequent annual extension in 2010 eliminated the fire sprinkler requirement.
- Rehabilitation is allowed using materials and methods as of the date of original construction, consistent with State Housing Law, unless a health or safety hazard would result to the extent allowed by the UBC.

#### *On- and Off-Site Improvement Requirements*

- *Reduced street widths, rights-of-way, and sidewalks are possible.* The Town Code establishes minimum standards for sidewalks and private streets. The Town uses the Marin County Standards for streets, curbs, gutters and sidewalks. The Town Council can approve alternative standards.

- *Higher density housing is proposed in areas where adequate infrastructure capacity currently exists.* The existing infrastructure either has adequate capacity or can be upgraded to serve developed, underdeveloped and infill sites that are identified in the Housing Opportunities section of this Element.
- *Off-site improvements are cost effective.* The Town's fee structure is based on a cost-recovery basis.
- *Non-profit and for-profit housing developers give input in reviewing minimum development standards.* The Town approves any new requirements in a Public Hearing and the development community is typically a primary contributor to the dialogue at such public hearings. In addition the Town maintains an e-mail list that notices numerous affordable housing advocates about upcoming Planning Commission agendas. The Housing Opportunities section of this Element includes strategies, policies and implementation programs for including housing providers in the planning and development process for affordable housing.

There are other potential funding sources for infrastructure so that impact fees for affordable housing developments can be reduced or eliminated. The Town is actively pursuing funds for both infrastructure and affordable housing projects. The Town has received grants to upgrade various elements of the infrastructure systems, and is currently implementing a number of improvement projects.

#### *Fees and Exactions*

- The Town's current fee schedule is less than that indicated by the HCD chart. The Town's fee schedule is the most affordable of Marin's cities and towns. (Fees updated November 2010.)
- *There are no fee waivers or other incentives that currently exist for affordable housing.* However, upon certification of the 2010 Housing Element by HCD, the Town proposes to allow a waiver of Planning and Building Staff fees (not consultant fees) if no variances are requested for mixed-use and residential projects which contain minimum of 20 percent of affordable of housing units.
- There are no conditions that merit a fee waiver to facilitate development.
- There are no fees that are paid upon certificate of occupancy. The fees are required for planning and approval purposes.

- *There is a periodic review process for fees and exactions.* The Town reviewed its fee structure in 2009 and determined that no upward adjustments were necessary at that time.

#### *Processing and Permit Procedures*

- *There is currently no expedited permit process for desirable developments.* However, upon certification of the Housing Element by HCD, affordable housing projects shall be eligible for fast-track processing to reduce financing costs and reduce the time to provide the needed units.
- Conditional use permits are currently required for multi-family developments in multi-planned and zoned areas or for affordable housing. Multiple dwellings and apartments at a density of not more than one living unit for each 4,356 square feet of land area are permitted in the RM Multiple-Family Residential Zone.
- Allowances are provided for the combined processing of certain applications. The Town typically processes all entitlements simultaneously.
- Design review requirements are not excessive.
- *Design guidelines are explicit and clear.* The Town has recently completed informational materials to assist Design Review applicants.
- *Planned Unit Developments (PUDs) are not required.* Project sites in the Town designated for affordable units will be rezoned either CC or Planned Development District (PDD).
- *Developers are encouraged and assisted to meet with neighborhood residents.* Town staff encourages not only developers, but also homeowners seeking to implement an extensive remodel to meet with the neighbors. Project applicants are required to have early contact with the Open Space Committee, per the Open Space Element.

#### *Urban Growth Boundaries and Growth Management*

The Housing Element looks at the relationship between all jurisdiction policies and what effects they have in achieving a jurisdiction's housing needs. Town staff met frequently with the adjacent jurisdictions and the county during the preparation of the Marin County Housing Element Workbook 2009 during the preparation of the Housing Element.

There are complementary policies to encourage and/or facilitate affordable housing development inside the SOI or infill areas. The Housing Element contains complimentary

policies. The Town's zoning code encourages mixed-use development in the CC and residences in the CH Districts by Conditional Use Permit.

- Upon adoption and certification of the 2010 Housing Element the CH will be rezoned to CC; allowing residential units on the second floor "by-right."
- *The Town does not have an Urban Growth Boundary.* The Town does not have an Urban Growth Boundary per se; however, the edges of the Town do contain very steep, environmentally sensitive parcels that are zoned for one unit per 8 acres and one unit per 10 acres.
- The overall strategies are presented in a way that clarifies how housing needs will be achieved with the growth management system.

Please note the Housing Opportunities section of this Element identifies all proposed in-fill opportunity sites.

### **Non-Governmental Constraints**

The high cost of land will continue to be a critical factor limiting the development of affordable housing in Fairfax. Land costs include the raw land purchase price, land financing costs and project approval costs. Total developable lot costs vary in relation to location, amenities and allowable lot size.

Land costs per square foot increase as allowable densities increase. However, the increase in land costs is rarely proportional to the greater density permitted. For this reason, land costs per unit tend to be lower for multi-family residential construction than for single-family homes.

#### *Land Costs*

The cost of land in Marin County is a severe constraint to the development of affordable housing without extraordinary support or subsidy programs, regardless of location. While the prices differ from parcel to parcel, the difference between residential and non-residential land is not significant.

#### *Building and Financing Housing*

The price of housing has risen since the late seventies at a much faster rate than household income. Contributing factors are the costs of land, materials, labor, financing, fees and associated development requirements, sales commissions, and profits. Another factor

has been the increasing perception of housing as a commodity for speculation – until just recently.

Rental construction has become increasingly costly due to the same factors as single-family houses. For these reasons, many developers prefer to use scarce land to build units for sale in order to realize an early profit and minimize risk. Units for sale also are easier to finance during construction.

The fact that most developers are not in the business of property management, further reduces the likelihood of rental property development. Some affordable rental housing funding sources add additional burdens of reporting and data collection require labor that is more costly; and often provoke neighborhood opposition, which adds additional costs and time to the development, and developer fees are restricted by the funding sources creating more disincentives.

Below is a summary of the costs associated with both a market rate and affordable housing project:

- *Land Cost:* Recent sales information for Marin County in general reveals that the land costs for a relatively level site can be above \$1,000,000 per acre. In March 2010 the average lot price in Fairfax was \$425,500.
- *Utility Connections and Improvements:* Includes municipal fees, hookup charges, off-site street improvements, bringing utilities to site.
- *On-Site Preparation:* Includes site stabilization and special drainage control, grading, special landscaping or tree preservation considerations, and all pre-building construction requirements.
- *Special Foundations:* Includes unique footing solutions, special parking solutions such as underground or “tuck” under parking garages, retaining walls or stepped foundations for hillsides.
- *Hard Construction Cost:* All labor and materials required over and above special foundation systems, includes decks, special roofing, heating, and electrical., but does not include “soft” costs.
- *Consultant Fees:* Includes architecture and engineering, civil and soils, land economics, environmental assessments and processing for special approvals or funding.

- *Construction Overhead and Margin:* Overhead can amount to about 5 percent and a contingency of at least 10 percent is also necessary for a private builder contractor, totaling 15 percent of total costs.
- *Total Hard and Soft Construction Costs:* Includes developer overhead and project contingency (15 percent), and consultants.
- *Builders Profit:* Comprises about 7 percent. When added to the 5 percent overhead, it totals 12 percent. Traditionally, this 12 percent cost under negotiated bid can be reduced to between 7 percent and 10 percent total. Can be as high as 20 percent for small projects.
- *Financing Costs:* Financing costs: are composed of three elements of cost: Construction loan points; the short-term construction loan interest; take out mortgage commitment fee; and, the long-term take out mortgage.
- *Sales and Marketing Expenses:* Includes Real Estate Sales Commission (4 to 5 percent) plus marketing, advertising, cost of qualifying and eligibility screening of potential residents (3 percent).

Financing for above moderate or market rate housing is not restrained for those who can qualify. For example, the income required for a \$315,000 mortgage (\$350,000 condominium with 10 percent, or \$35,000, down) at 7 percent interest is about \$96,000, and requires a monthly payment of \$2,400.

## **Evaluation of the 1990 Housing Element**

State Law requires the assessment of the following:

- Appropriateness of Goals, Objectives, and Policies (Section 65588(a)(1))
- Effectiveness of the Element (Section 65588(a)(2))
- Progress in Implementation (Section 65588(a)(3))

The 2006 Fairfax Housing Element has unsatisfactory evaluations in these categories; we seek to change that with the adoption and State Certification of the 2010 Housing Element.

Town staff prepared an assessment of the progress with implementation and effectiveness of the policies and programs contained in the 2006 Housing Element; and considered the State recommendations in order to eventually be certified. It is evident that the Town of Fairfax has not been successful in implementing policies and programs from the 2006

Housing Element in order to accommodate our current needs. In short, many of the policies and objectives proved unattainable. As a result, the 2010 Housing Element update must take into account the shortcomings of the 2006 Housing Element to ensure that the Town of Fairfax does not face fines and penalties from State and federal agencies, or challenges from housing advocacy groups.

The single program that was implemented was Policy H 8.5: Legalization of Existing Accessory Dwelling Units (ADUs) and Program H 8.B: Establish an Amnesty Program for Un-Permitted ADUs. However, due to stringent fire sprinkler requirements and/or parking requirements the Amnesty Ordinance – to date – has not been successful. In spring of 2010 Town Council Amended the Second Unit Amnesty Ordinance eliminating the need for fire sprinkler systems in order to bring units in to compliance; it is hoped that many informal units will take advantage of this revision and the time period extension.

## HOUSING OPPORTUNITIES

There are a limited number of potential housing sites in Fairfax that can accommodate the Town's identified need for low-income or affordable housing units. The Town of Fairfax has identified several sites that could be realistically targeted as potential sites for such housing.

The following illustrative pages of housing opportunity sites document the key parcels and/or sites that have been identified as potential low-income or affordable housing in-fill development sites. In considering these available sites, the Town determined the size, location, and current status of each site. The ideal sites should have good access and infrastructure availability, be centrally located or along transit routes and promote the principals of Transit Oriented Development (TOD) or TND as outlined in the 2010 Land Use Element.

The potential sites are currently zoned Commercial Highway (CH), Limited Commercial (CL), or UR-7 residential. The 2010 Housing Element recommends the rezoning of three to Planned District Development (PDD), that promotes a mix of uses including housing; and rezoning most CH to CC. Please note: Residential uses are permitted on the second floor in the CC zone "by-right", whereas they are only allowed by Conditional Use Permit in the CH and CL zones.



This 2010 Housing Element and Land Use Element are recommending that:

- Christ Lutheran Church be rezoned from UR-7 to PDD.
- 10 Olema-Mandarin Gardens site be rezoned from CL to PDD to provide greater site planning flexibility.
- School Street Plaza to be rezoned from CL to PDD, which promotes a mix of uses including housing; and leaves open the possibility of a new school on the site as well.
- Rezoning the Fairfax Market sites and the open parcel next to it including the strip shopping center to the west, and Good Earth market site from CH to CC.
- Rezoning the Fair-Anselm shopping complex, and the Center Oaks apartment building site from CH to CC to allow residential units on the second floor by right.
- Rezoning the east side commercial area on Sir Francis Drake Boulevard from CH to CC to allow residential units on the second floor by right.

Upon certification of the 2010 Housing Element, the proposed rezoning above will be brought before the Planning Commission and the Town Council for formal adoption.

Based upon the proposed zoning above, and through the relaxation of requirements in the Second Unit Amnesty Ordinance, at least 108 affordable dwelling units have the realistic potential to be built over the next five years.

Most other major sites in the community that are undeveloped or under-developed are steeply sloped and environmentally sensitive. These sites not only contribute to the rural nature of Fairfax but would also be extremely difficult to develop due to their site characteristics.

Given the high land costs and the difficulty for development, there have been no long term trends or changes in market conditions, nor are there any incentives or policies, that would facilitate redevelopment or reuse of existing buildings for residential purposes. However, the market has just recently seen a rapid drop in the value of residential and commercial properties – facilitating a “buyers” market – and perhaps a greater opportunity for non-profit housing providers.

The Marin Municipal Water District (MMWD) provides water to the Town. Sanitary District #1 is the service provider for wastewater. Both agencies have adequate capacity to

serve the sites identified in this section of the 2010 Housing Element. With the adoption of a “green building ordinances” – as called for in the 2010 Conservation Element (that promotes gray-water and water-efficient technologies) – the need for such energy intensive facilities will be reduced and/or eliminated.

This 2010 Housing Element also recommends the incorporation of green building technologies; reduced minimum unit size requirements (that allow for efficiency-sized apartments, and the reuse of small parcels); and urban “location-efficiency” placement through the use of historic TOD and TND – principals of sustainable urban design patterns as described in the 2010 Land Use Element.

Importantly, the Housing Opportunity Sites below have been identified as having a high potential to accommodate at least 108 new affordable housing units, especially for very low income households.

## **A FRAMEWORK FOR ACTION**

### **Responsibilities – “The Who”**

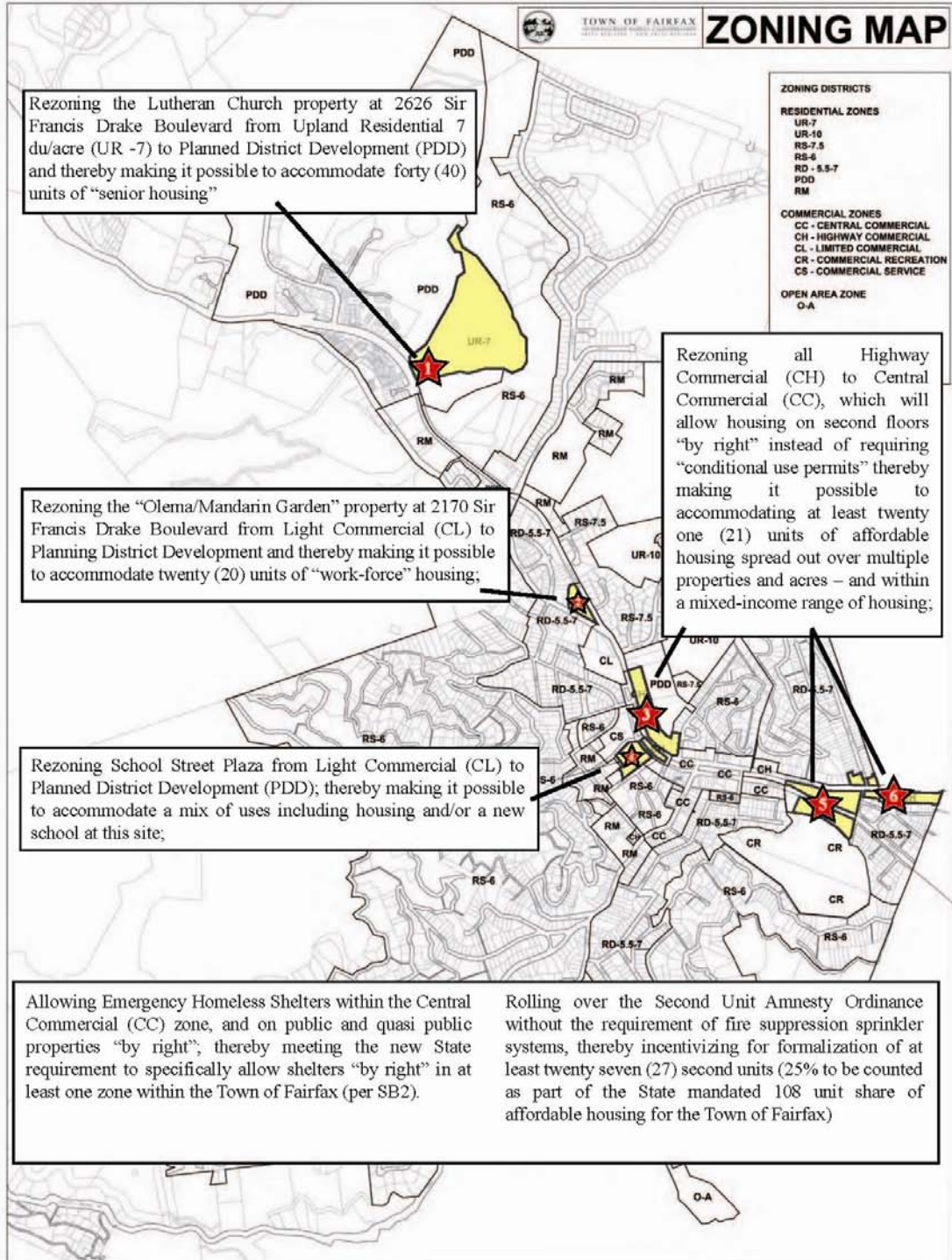
If the Housing Element is to be “actionable,” responsibilities must be assigned. The Planning Commission, or a subcommittee of the Planning Commission, shall be responsible for implementing the “programs” or action items defined in this Housing Element.

In addition to implementing the programs included in this section of the Housing Element, the action group will:

- Post notices for on-going activities and efforts in easily accessible locations, such as the Public Library or on the Town’s web site. Examples of useful information might include a calendar of events/meetings related to housing and land use planning issues, meeting minutes, outlines of currently active initiatives, and solicitations for public participation (Information Dissemination).
- Identify and maintain a publicly available list of locations that have been deemed possible, or likely, candidates for housing related development
- Organize, promote and hold two public housing information events per year. The goal of these events is to provide information relevant to the initiatives outlined in this

## Opportunity Sites

### Opportunity Site Master List - 6 Total Sites



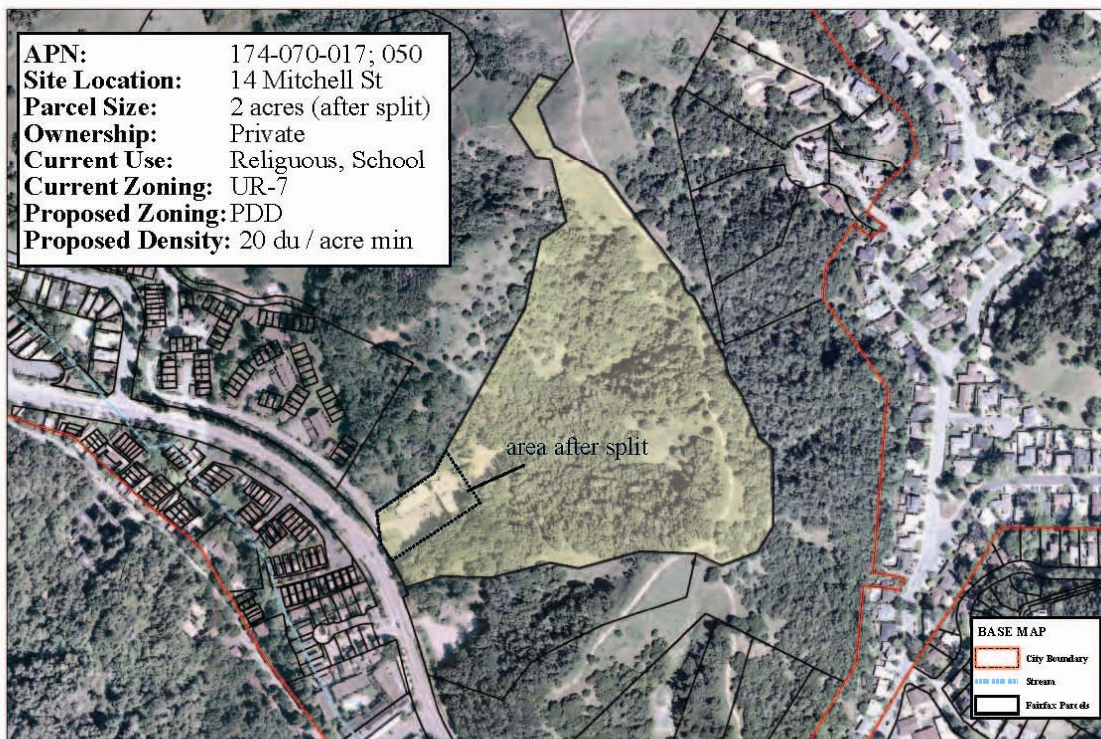
**Site #1: Lutheran Church Site**



**Locator Map**



**Site Photo**



**Site Description:**

The church, school and parking area occupy the lower portion of the site. Upslope of the church is the outdoor play area for the school. The remainder of the site is oak woodland open space. The lower portion of the site, including the area occupied by the buildings could be redeveloped to include new facilities for the church and school and up to 40 two-bedroom elderly residential units.

**Site #2: 10 Olema St**



**Locator Map**



**Site Photo**



**Site Description:**

The former restaurant is being used by the property owner as an artist’s studio. The residence is a rental unit, occupied by one family and configured as a duplex, with a second living space on the ground floor. This building is one of the oldest homes in Fairfax.

### Site #3: Westside Commercial (13 total parcels)



Locator Map



Site Photo



**Site Description:**

Shopping centers that houses the Women’s Fitness Center, Veterinary Office and parking lagoons adjacent to monolithic structures including the Fairfax Market. Three smaller parcels on the southside of Sir Francis Drake in the old railroad right-of-way including a restaurant, bank and gas station

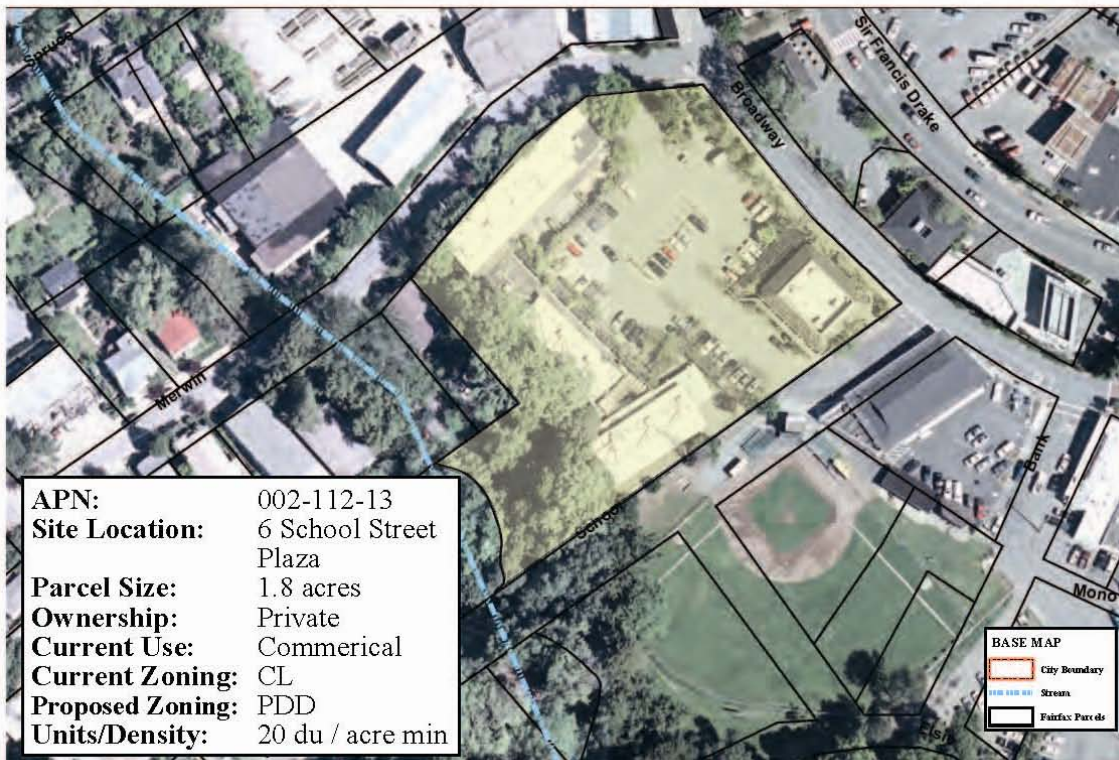
### Site #4: School Street Plaza



Locator Map



Site Photo



**Site Description:**

The former school site is being used by a variety of commercial businesses. The site includes a paved parking area. The property owner is interested in redeveloping the site, including creating some affordable units. The site is adjacent to the Town’s central park, and there are ongoing discussions about a new school at this site.

**Site #5: Fair Anselm - (8 total parcels)**



**Locator Map**



**Site Photo**

 An aerial photograph overlaid with parcel boundaries and street names. The site is highlighted in yellow. Streets shown include Sir Francis Drake, Center, Willow, Belle, Belmont, Kent, and Lansdale. A legend in the bottom right corner identifies City Boundary, Streams, and Fairfax Parcels.
 

<b>APN(s):</b>	<b>002-127-1 &amp; 2; 002-131-07, 09, 12-15</b>
<b>Site Location:</b>	Fair Anselm Shopping Center Parking lot
<b>Parcel(s) Size:</b>	6.38 Acres
<b>Ownership:</b>	Private
<b>Current Use:</b>	Commercial
<b>Current zoning:</b>	CH
<b>Proposed Zoning:</b>	CC
<b>Units/Density:</b>	20 du / acre

**Site Description:**

The shops and parking lot are underdeveloped. There is potential for two story mixed use development



**Site #6: Eastside Commercial - (21 total parcels)**



Locator Map



Site Photo



**Site Description:**

An eclectic mix of old homes, apartments, private pre-school and offices - with a strong sense of community; and an overall lack of parking which restricts some uses from occupying the commercial spaces and/or development.

2010 Housing Element. The events will be focused on two key audiences: the Fairfax community, and housing providers (those able to carry out a housing development activity). The two yearly meetings will include one meeting to provide a forum for community, private and volunteer groups interested in supporting the 2010 Housing Element initiatives, and one meeting to solicit the interest of housing providers. The primary goal of these meetings is to identify available opportunities in Fairfax and to create an environment conducive to identifying potential partnering entities to work with the Town toward accomplishing the initiatives outlined in the Fairfax 2010 Housing Element.

The Town will monitor the production of housing through an annual report to the Town Council on the units constructed each year and their affordability by income level. If the number of affordable units falls short of the expected number the Town will adopt additional revisions to the Zoning Ordinance and additional incentives to increase the likelihood that the new construction objectives contained in the 2010 Housing Element can be achieved.

## Housing Goals

Goals are general statements of values or aspirations held by the community in relation to each issue area. Goals are the ends toward which the jurisdiction will direct its efforts. The 2010 Housing Element responds to community needs and priorities through the following seven goals:

- **Goal H-1: Housing opportunities for a range of household types and incomes (including extremely low, very low, low, moderate, and above moderate incomes – as well as for homeless families and individuals).**
- **Goal H-2: Housing and programs for special needs populations; including senior, single-parent, family, work-force, and emergency homeless shelters.**
- **Goal H-3: Create transit-oriented housing in the Town Center area that is less dependent on automobile travel and, thereby minimizing traffic impacts to the greatest extent possible while providing support for transit.**
- **Goal H-4: Link housing and jobs in the community; include housing opportunities for Fairfax workers and public service employees.**

- **Goal H-5: Sustainable Affordable Housing. Well-designed, energy-efficient, affordable housing for a diverse population at compatible scales and in the appropriate (transit supportive) locations.**
- **Goal H-6: Create additional opportunities for the development of Accessory Dwelling Units.**
- **Goal H-7: Create efficient procedures for monitoring housing need achievements.**

## **Housing Programs**

Programs are the most dynamic part of the 2010 Housing Element. Programs or “implementation actions” represent specific actions that the jurisdiction or other identified entities will undertake to address policy issues and move closer to the community’s goals. These include ongoing programs sponsored by the jurisdiction, discrete time-specific actions, or further planning actions. Each program or implementation action is linked to a goal, objective, and policy and addresses one or more of the following:

- Land Use and Development Controls
- Regulatory Incentives
- Available Subsidies

### *Program Descriptions*

Each program or implementing action described in the five year action plan below must provide the following information in addition to the basic program description:

- Timeframe for Implementation
- Responsible Agencies (see also Responsibilities – “The Who” above)

### *Program Requirements*

State law requires that the Housing Element consider and address the following primary areas of housing need. These provide an overall structure for the consideration of alternative housing strategies, and subsequently for the organization and articulation of goals, objectives, policies, and implementing programs. These include:

- Identify actions that will make sites available during the planning period:
  - with appropriate zoning,
  - with appropriate development standards, and
  - with appropriate services and facilities.

- Available for a variety of housing types.
- Sufficient to meet the RHNA goals.
- Assist in the development of adequate housing to meet the needs of extremely low, very low, low, and moderate income households.
- Address and remove governmental constraints to the maintenance, improvement, and development of housing.
- Conserve and improve the condition of existing affordable housing.
- Preserve for lower income households assisted housing developments.
- Identify the agencies and officials responsible for program implementation.

## GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

**Goal H-1: Housing opportunities for a range of household types and incomes (including extremely low, very low, low, moderate, and above moderate incomes – as well as for homeless families and individuals).**

***Objective H-1.1: Create conditions that will foster the development of at least a total of 108 permanently affordable housing units to a variety of low income persons by 2015.***

***Policy H-1.1.1: Local Government Leadership.*** Establish affordable housing as an important priority for the Town, with the Planning Commission providing a leadership role working with community groups, other jurisdictions and agencies, and the building and real estate industry to implement the Housing Element action programs.

Program H-1.1.1.1: *Work with Housing Advocates.* The Planning Commission will coordinate with local businesses, housing advocacy groups, and the Chamber of Commerce, and participate in the Marin Consortium for Workforce Housing, to increase community understanding and support for workforce and special needs affordable housing.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-1.1.1.2: *Prepare Public Information Material.* The Planning Commission will prepare community information material to improve awareness of housing needs, issues and programs.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

Program H-1.1.1.3: *Conduct Community Outreach.* The Planning Commission will develop and implement a program providing public information and outreach to increase citizen awareness, including establishing a forum for discussion of housing issues. Specific actions include:

- Providing information pamphlets on housing issues and programs at public locations, and in community mailings.
- Distributing material to neighborhood groups and associations.
- Providing information to the community through articles in the newspapers.
- Working with unions, churches, businesses, new housing providers and other groups that might be mobilized to help support affordable and special needs housing developments.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

Programs H-1.1.1.4: *Shared Responsibilities.* The Planning Commission will establish partnerships and identify shared responsibilities with all sectors of the community, including the Town government, businesses, community groups, environmental organizations, the building and real estate industry, non-profit housing sponsors, the school district, faith-based organizations, and health and human services, to implement the 2010 Housing Element.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year Two

**Policy H-1.1.2: *Neighborhood Meetings.* Require developers of any major project (more than four units) to conduct neighborhood meetings with the community residents early in the process to understand local issues and concerns, and to facilitate a more efficient project review.**

Program H-1.1.2.1: *Establish Neighborhood Meeting Procedures.* The Planning Commission will establish Neighborhood Meeting Procedures that encourage developers to conduct neighborhood meetings with the residents early in the project approval process as a requirement of major residential development applications.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

**Policy H-1.1.3: *Equal Housing Opportunities.* The Town will ensure that no one seeking housing in Fairfax will experience discrimination because of race, color, religion, marital status, disability, age, sex, sexual orientation, family status, national origin, political party, or other arbitrary factors, consistent with the Fair Housing Act and State of California law.**

Program H-1.1.3.1: *Adopt an Anti-Discrimination Ordinance.* The Planning Commission will prepare, and the Council will adopt an Anti-Discrimination Ordinance.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year Two

Program H-1.1.3.2: *Respond to Complaints.* The Council will appoint an Equal Opportunity Coordinator with the responsibility to investigate discrimination complaints and report to the Council. The Town will refer such complaints to the appropriate authority.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

Program H-1.1.3.3: *Develop a Program to Broadly Disseminate Information on Fair Housing.* The Planning Commission will develop a program for distributing and displaying fair housing information. Display areas will include the traditional locations in the Town including the Town Hall, Post Office, Library, and the Women's Club, and will consider other locations, such as the Golden Gate transit vehicles, the markets, churches, community service centers, real estate and rental offices, and restaurants, cafes and coffee houses.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Programs H-1.1.3.4: *Identify Housing Programs and Funding Sources.* The Planning Commission and staff will explore available housing programs and funding sources that are applicable to Fairfax.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Goal H-2: Housing and programs for special needs populations; including senior, single-parent, family, work-force, and emergency homeless shelters.**

***Objective H-2.1: Housing opportunities for the Town's residents with special needs; including 40 units of senior housing and 20 units of work-force housing over the next five years and identify appropriate zones for Emergency Homeless Shelters.***

***Policy H-2.1.1: Senior and Workforce Housing.*** The Town Council will appropriately rezone properties suitable for “senior and workforce housing” on a case-by-case basis and seek to accommodate the growing number of seniors as identified in the needs analysis within the Fairfax community.

Program H-2.1.1.1: Rezone the Lutheran Church property at 2626 Sir Francis Drake Boulevard from UR 7 du/acre (UR-7) to PDD and thereby make it possible to accommodate at least 40 units of “senior housing.”  
Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

Program H-2.1.1.2: Rezone 10 Olema, the old “Mandarin Gardens” restaurant site, from CL to PDD and thereby making it possible to accommodate twenty (20) units of “work-force” housing.  
Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

**Policy H-2.1.2: *Rental Assistance Programs.* The Planning Commission will identify and publicize opportunities for using available rental assistance programs, such as the project-based and tenant-based Section 8 certificates programs, in coordination with the Marin Housing Authority, and pursue funding from the Marin Community Foundation, and continue to participate in the Rebate for Marin Renter’s Program.**

Program H-2.1.2.1: *Assist in the Effective Use of Rental Assistance Programs.* Develop and implement measures to make full use of available rental assistance programs. Actions include:

- Encourage owners of new apartment units to accept Section 8 certificates,
- Maintain descriptions of current programs at the Town Hall to distribute to interested individuals,
- Post notification of information regarding current programs at the usual places in the Town,
- Provide funding support, as possible and appropriate, and
- Coordinate with the Marin Housing Authority on rental assistance programs, including Shelter Plus Care, AB 2034, Housing Opportunities for Persons with AIDS (HOPWA), the Rental Assist Line, Rental Deposit Program, and Welfare to Work Program.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-2.1.2.2: *Engage in a Countywide Effort to Address Homelessness-related Needs.* Systematically work with other Marin County jurisdictions to provide housing options for the homeless in the Town.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Policy H-2.1.3: *Process Reasonable Accommodation Requests.* It is the policy of the Town of Fairfax to provide reasonable accommodation for persons with disabilities seeking fair access to housing in the application of its zoning laws, policies, and processes. A person with disabilities is someone who has a “physical or mental im-**



**pairment which substantially limits one or more of such person’s major life activities.”**

Program H-2.1.3.1: *Ensure Reasonable Accommodation.* Consistent with Senate Bill 250 (SB 520), reduce barriers in housing for individuals with disabilities. Enact the following:

- Revise the Town Code to include a Reasonable Accommodation procedure.
- Amend the Town Code to clarify that access ramps are allowed in setback areas.
- Develop guidelines encouraging the principles of universal design.
- Create an ordinance codifying same.
- Establish reduced parking requirements, particularly for disabled persons housing.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing.

Program H-2.1.3.3: *Assure Good Neighborhood Relations Involving Emergency Shelters and Residential Care Facilities.* Encourage positive relations between neighborhoods and providers of emergency shelters and residential care facilities. Providers or sponsors of emergency shelters, transitional housing programs and community care facilities shall be encouraged to establish outreach programs with their neighborhoods.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing.

**Policy H-2.1.4: *Group Homes.* A group home is a dwelling operated under State regulations that provides room and board for more than six individuals who as a result of age, illness, handicap or some specialized program, require personalized services or a supervised living arrangement in order to assure their safety and comfort. All group home facilities shall be regulated by the State of California. Additional requirements may be imposed by the applicable Building Code.**

Program H-2.1.4.1: Expand Conditional Use categories for group homes, through the following approach:

- Group homes shall be added as a Conditional Use to all residential zoning districts.
- Conditional Use permits require a public hearing/approval by the Planning Commission.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Policy H-2.1.5: *Identify Sites Where Emergency Shelters and Transitional Housing will be Allowed.* Consistent with SB 2 (GC Sections 65582, 65583, and 65589.5), the Planning Commission will establish zoning designations for emergency shelters and transitional housing facilities, and will define “emergency shelters” and “transitional housing facilities” in the Zoning Ordinance. The Planning Commission will establish procedures to encourage and facilitate the creation of emergency shelters and transitional housing; and link this housing to programs of the department of Health and Human Services whenever possible.**

Program H-2.1.5.1: *Identify, Rezone, and Provide Appropriate Standards for Homeless Shelters.* Amend the Town Code to allow the development of Homeless Shelters as a permanent, non-conditional use in the CC zone and Public and Quasi-Public Districts in the Town. Define reasonable development, parking and management standards.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-2.1.5.2: *Revise the Town Code to Allow Transitional and Supportive Housing.* Add to the Town Code definitions of transitional housing and supportive housing as a residential use. Simplify existing practices, clarify the zoning code, and prepare design guidelines if necessary.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-2.1.5.3: *Modify Residential Care Facility Zoning.* Town staff will prepare recommendations, for review and possible approval by the Planning Commission and the Town Council to modify the Zoning Ordinance to establish care facilities as a residential use as compared

to a commercial use. Apply inclusionary requirements, if any, to all licensed facilities. The Zoning Ordinance shall be amended to permit group residential uses in appropriate areas, in compliance with the General Plan, and with a review of the parking standards, as well as other applicable standards.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-2.1.5.4: *Encourage Housing for Special Needs Groups.* Continue to work with affordable housing providers and funders to construct or acquire a variety of types of affordable housing opportunities for individuals and groups with special needs and extremely low income households. Specific housing types include:

- Smaller units.
- Senior housing, including assisted living facilities.
- Larger units with three or more bedrooms for larger families.
- Units with special adaptations for people with disabilities; per California Title 24 standards.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-2.1.5.5: *Enable Group Residential Care Facilities.* Continue to comply with State and federal law by allowing group homes with special living requirements consistent with the Town Code.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-2.1.5.6: *Support Efforts to House the Homeless.* Support Countywide programs to provide a continuum of care for the homeless, including emergency shelter, transitional housing, supportive housing, and permanent housing.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-2.1.5.7: *Engage in Countywide Efforts to Address Homeless Needs.* Continue to actively engage with other Marin jurisdictions to provide additional housing and other options for the homeless.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Goal H-3: Create transit-oriented housing in the Town Center area that is less dependent on automobile travel and, thereby minimizing traffic impacts to the greatest extent possible while providing support for transit.**

***Objective H-3.1: Development at least 21 units of affordable housing within a convenient distance from transit access points, where reduced automobile usage and parking requirements are possible.***


**Policy H-3.1.1: *Transit-Oriented Development.*** The Planning Commission and Town Council will appropriately rezone areas to promote a mix of land uses that are transit supportive and complement the historic nature of the Town – as articulated in the 2010 Land Use Element.

Program H-3.1.1.1: Rezone all CH zones to CC zones, which will allow housing on second floors “by right” instead of requiring “Conditional Use Permits” thereby making it possible to accommodate at least 21 units of affordable housing spread out over multiple properties and acres, and within a mixed-income range of housing.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

**Policy H-3.1.2: *Transit-Oriented Development Density Bonus.*** The Planning Commission will establish land use arrangements and densities that facilitate energy-efficient public transit systems; and provide the following incentives for developments convenient to transit: (1) a density bonus, up to 25 percent above allowable, and (2) parking standards to be established on a case-by-case basis, depending upon

**the location and characteristics of the development. The following criteria shall be met for TOD:**

- **The site is within 600 feet of a transit station and/or services (i.e., the Town Center and the Parkade).**
- **Potential impacts are mitigated.**
- **Required inclusionary units, if any or housing density are provided.**
-  **The development provides an architectural design that is compatible with the surrounding neighborhood.**
- **The development allows for provision of transit improvements, or services, as appropriate and if feasible.**

Program H-3.1.2.1: *Identify and Designate Transit-Oriented Development Sites.* The Planning Commission will identify TOD sites. Such opportunity sites will be designated during the update of the Town General Plan and included in the Land Use and 2010 Housing Element; and if necessary, the Zoning Ordinance will be revised to accommodate the TOD sites.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Goal H-4: Link housing and jobs in the community; include housing opportunities for Fairfax workers and public service employees.**

***Objective H-4.1: A closer link between housing and jobs; by creating housing close to where people work and by establishing commercial, office and other non-residential use contributions for affordable “workforce” housing.***

**Policy H-4.1.1: *Link Housing with Jobs.*** The Planning Commission and Town Council will revise the Zoning Ordinance to conform to new housing opportunity at sites identified in the 2010 Housing Element.

Program H-4.1.1.1: Rezone School Street Plaza from CL to PDD thereby making it possible to accommodate a mix of uses including housing and/or a new school at this site.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

Program H-4.1.1.2: *Revise the Town's Zoning Ordinance.* Town staff will review, and if necessary, prepare a revised Zoning Ordinance for the entire Town, for consideration and action by the Planning Commission and the Town Council, to include:

- A zoning designation allowing Live/Work residential units in the CC zoned areas.
- Opportunities for in-fill housing.
- Waiving penalties for legalizing existing ADUs by bringing them up to code.
- Trading ADU use permit approval for contract to maintain such units for low-income residents for a specific amount of time.
- Create an Inclusionary Zoning Ordinance applying a fee to new development including single family residences and 50 percent remodels to create an affordable housing fund.
- Rezone all CH Districts to CC to encourage development of affordable housing units.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

Program H-4.1.1.3: *Acceptance of Live/Work Developments.* Town staff will prepare, for consideration and approval by the Planning Commission and the Town Council, flexible standards that provide opportunities for live/work developments, where housing can be provided for workers on-site and/or caretaker - or other types of housing can be provided.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-4.1.1.4: *Enact Density Bonus Zoning and Other Incentives.* Town staff will prepare amendments to the Zoning Ordinance, for review and approval by the Planning Commission and Town Council that will promote an increase in the supply of housing for very low, low, and moderate income households in the Town Center (CC zoned) areas.

Staff will consider the State’s density bonus law (GC Section 65915, et. seq.) when preparing amendments to the Town’s Ordinance. Evaluate the following:

- Implementing a density bonus program, including establishing simplified density bonus provisions, such as offering one bonus unit for each low income (ownership) or very low income (rental).
- Possible financially equivalent incentives, such as use of trust fund resources, expedited processing in every department, and waived or reduced fees.
- Update fee schedules to reduce and/or defer fees, to the extent possible, for affordable housing.
- Establish streamlined processing procedures, and other mechanisms to fit with funding requirements and to facilitate desirable affordable projects that have a significant portion of their total floor area committed to housing.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-4.1.1.5: *Facilitate Development at Key Housing Opportunity Sites.* Town staff will prepare revisions to the Zoning Ordinance, for review and possible approval by the Planning Commission and the Town Council, to facilitate the provision of affordable housing to make best efforts to meet the Town’s “fair share” of the regional housing need for lower income households. Facilitate the development of affordable housing by using potential non-municipal funding sources to assist in any other on- and off-site mitigation that may be required.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-4.1.1.6: *Review and Update Parking Standards.* Town staff will review and consider updating parking standards, for review and possible approval by the Planning Commission to allow for more flexible parking requirements to help facilitate in-fill, transit-oriented, and mixed-use development.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Policy H-4.1.2: *Density Bonuses and Other Incentives for Affordable Housing Developments.*** Support and expand the use of density bonuses, and other incentives, to help achieve housing goals while ensuring that potential impacts are considered and mitigated. Provide the following possible incentives for developments containing a significant percentage of very low or low-income units on-site:

- ***State Bonus Law.*** Offer density bonuses of at least 25 percent, and at least one other incentive consistent with the State Density Bonus Law (GC Section 65915, et. seq.) for developments that include, as a minimum: (a) 20 percent of the units for lower-income households, (b) 10 percent of the units for very low income households; or (c) 50 percent of the units for senior citizens.
- ***Parking.*** Sites within 300 meters of a transit stop may be permitted a reduction in parking required by current code, and tandem parking or off-site parking alternatives will also be considered.
- ***Relationship of Density to Floor Area and Lot Coverage.*** Provide flexibility in applying development standards (e.g., parking, floor area and setback), subject to the type of housing, size, and unit mix, location and overall design. Additional density, beyond the maximum permitted, may be appropriate where units are significantly smaller and would have less impact than the market norm. For example, if the norm is 1,200 square feet of overall space for a two-bedroom unit, two units, 600 square feet each, may be permitted.
- ***Reduced Fees.*** Waive or reduce fees on a sliding scale related to the levels of affordability, such as a rebate of all planning and building fees for affordable units based on the proportion of such units in the project.
- ***Coordination with Other Agencies.*** Coordinate with service providers and other agencies, as necessary, to create opportunities for the development to be built.
- ***Use of Housing Trusts.*** Use housing trust funds, as appropriate, to achieve greater affordability.



Program H-4.1.2.1: *Enact Density Bonus Zoning and Other Incentives.* The Planning Commission will amend the Zoning Ordinance to encourage an increase in the supply of well-designed housing for very low, low, and moderate-income households. The Planning Commission will evaluate the following:

- Implementation of a density bonus program, including establishing simplified density bonus provisions, such as offering two bonus units for each unit affordable to low income (ownership) or very low (rental), and
- Inclusion of financially equivalent incentives, such as use of trust fund resources, expedited processing by Planning and Building Services, and waived or reduced fees to the extent possible for affordable housing.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Goal H-5: Sustainable Affordable Housing. Well-designed, energy-efficient, affordable housing for a diverse population at compatible scales and in the appropriate (transit supportive) locations.**

***Objective H-5.1: One hundred and eight well-designed, energy efficient, affordable housing units for a diverse population at compatible scales and in the appropriate (transit supportive) locations by 2015.***

***Policy H-5.1.1: Resource Conservation and Renewable Energy Technologies.* The Planning Commission will promote development and construction standards that provide resource conservation by encouraging housing types and designs that use cost-effective energy conservation measures and fewer resources (water, electricity) and, therefore, cost less to operate over time, supporting long-term housing affordability.**

Program H-5.1.1.1: *Prepare Recommendations and Guidelines.* The Planning Commission will prepare informational materials, to be distributed to developers, architects and builders, listing and describing devel-

opment and construction standards for energy conservation via the adoption of a *Green Building Ordinance* (see 2010 Conservation Element).

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Policy H-5.1.2: *Innovative and “Non-Traditional” and “Traditional” Forms of Housing.* Provide opportunities and facilitate innovative approaches in financing, design, construction and types of housing to increase the supply of low and moderate-income housing. Examples include: co-housing, eco-housing, “traditional” forms of housing like “Yurts,” and other “non-traditional” forms of housing; manufactured housing; new construction or rehabilitation with self-help, or “sweat equity;” and for first time, very-low to moderate income homeowners; and cooperatives or joint ventures between public/private sectors, home owners, and/or non-profit groups in the provision of affordable housing.**

Program H-5.1.2.1: *Create Home-Sharing and Tenant Matching Opportunities.* The Planning Commission will work with non-profit groups to implement a homesharing/matching program for single-family dwelling owners with excess space and potential renters as a means of efficiently using existing housing stock. This effort will include:

- Analyzing the need for single parent shared housing to determine whether there are constraints that could be removed without adversely affecting single-family neighborhoods,
- Identifying potential owners, such as seniors who prefer to remain in their homes, or new buyers who could afford single-family homes with extra income potential,
- Identifying potential renters, such as tenants that do not have vehicles matched at locations that have limited parking facilities, and
- Revising the Zoning Ordinance to encourage “shared housing” by allowing a small meal preparation area in addition to a kitchen, particularly in large, underutilized dwelling units that are occupied by only one or two people.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Goal H-6: Create additional opportunities for the development of Accessory Dwelling Units.**

***Objective H-6.1: At least 27 units of well-designed, legal, second ADUs in all residential neighborhoods; applying reasonable parking and street capacity standards.***

**Policy H-6.1.1: *Continue the Second Unit Amnesty Ordinance.* The Town Council will consider extending the Second Unit Amnesty Program on a year-by-year basis; without the fire suppression system (i.e., sprinklers) requirement until at least 27 “informal” second units are brought into compliance.**

Program H-6.1.1.1: Rollover the Second Unit Amnesty Ordinance without the requirement of fire suppression sprinkler systems, thereby “incentivizing” formalization of at least 27 second units (25 percent of second units will be counted as part of the State-mandated 108-unit share of affordable housing for the Town of Fairfax).

Responsibility: Town Council, Planning Commission, Planning and Building Services  
Schedule: Year One

**Policy H-6.1.2: *New ADU Approach.* Permit construction of well-designed ADUs in both new and existing residential neighborhoods, consistent with parking and street capacity standards.**

Program H-6.1.2.1: *Development ADU Standards and Permit Process.* Utilize the following approach for ADU development standards and processing:

- Limit the size of ADUs; and minimize the smallest size requirement to maintain affordability.
- To the extent that State law prohibits discretionary review, the Town shall create guidelines and standards for applications for ADUs, to be reviewed at the ministerial level. Such guidelines and standards shall be consistent with AB 1866, amending GC Sections 65852.2, 65583.1, and 65915.

- Provide for a low cost design review process for units that meet required standards and guidelines that will enable approval of ADU applications, with proper noticing, at the staff level.
- Reduce per unit fees in recognition of the small size and low impacts of ADUs.
- Allow for well-designed and sited detached ADUs.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-6.1.2.2: *Allow ADUs in New Development.* Require some ADUs and/or duplexes as part of new single-family subdivision development where four or more new units are proposed.

Responsibility: Planning and Building Services  
Schedule: Ongoing

Program H-6.1.2.3: *ADU Affordability.* When local funding is used to assist in the construction of an ADU, require use agreements as a condition of approval to ensure that ADU rents are affordable to lower income households.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-6.1.2.4: *ADU Incentives.* The Town will create guidelines and incentives to ensure affordability of ADU's.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-6.1.2.5: *Modify Accessory Unit Development Standards and Permit Process.* Modify and update the ADU development requirements to:

- Establish ADUs as a permitted “use by right” when the single family lot, primary structure and ADU meet all the established zoning and building development and density standards, when adequate traffic safety and parking are available. Attached ADUs approved by right should be limited in size to a maximum of 700 square feet in floor area.

- Establish procedures for ADU applications that require review for ADUs that meet performance standards and design guidelines, and allow processing of the application at the staff level with appropriate public notice.
- Enact an ordinance that provides for the creation of ADUs related to single-family residences. The ordinance, as specified by Section 65852.2 of the GC, shall do any of the following:
  - Impose standards on ADUs that include, but are not limited to, parking, height, setbacks, lot coverage, architectural review, maximum unit size, and standards that prevent adverse impacts on any real property that is listed in the California Register of Historic Places.
  - Provide that ADUs do not exceed the allowable density for the lot upon which the ADU is located, and that the ADUs are a residential use that is consistent with the Town's General Plan and zoning designation for the lot.
  - Provide for the granting of a variance or special use permit for the creation of ADUs if said unit complies with all of the following:
    - A. The ADU is not intended for sale and may be rented.
    - B. The lot is zoned for single-family or multi-family use.
    - C. The lot contains an existing single-family or multi-family dwelling.
    - D. The ADU is either attached to the existing dwelling and located within the living area of the existing dwelling or detached from the existing dwelling and located on the same lot as the existing dwelling.
    - E. The increased floor area of an attached ADU shall not exceed 30 percent of the existing living area.
    - F. The total area of floor space for a detached ADU shall not exceed 700 square feet.
    - G. Requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other

zoning requirements generally applicable to residential construction in the zone in which the property is located.

- H. Local building code requirements that apply to detached dwellings, as appropriate.
- I. The owner of the property with an accessory unit must live in one of the units.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-6.1.2.6: *Fee In-Lieu/Second Dwelling Unit Program.* Fairfax will establish an affordable in-lieu housing fee. This fee will be imposed on all new homes, and major remodels and additions that result in a structure that exceeds over 2,000 square feet. The fee has a base rate of up to \$10,000 for new homes. In addition, a fee shall be imposed at the rate of \$1,000 per 100 square feet for each 100 square feet of floor area over 2,000 square feet. For houses with a square footage greater than 2,500 square feet, the fee shall increase to \$1,500 for each 100 square feet over 2,500 square feet.

The Affordable Housing Fee shall be used to create affordable housing units within the Town of Fairfax, in order to meet the Town's Affordable Housing obligation as determined by the State.

Property owners shall have the option of creating a new ADU on the site, as an alternative to paying the fee in lieu. The site must be suitable for creating an ADU and comply with applicable zoning regulations. The property must be deed restricted so that if an ADU is created, a deed restriction shall be recorded stipulating that the ADU shall be rented only to low- or moderate-income households.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

Program H-6.1.2.7: *The Affordable Housing Fund shall be Deposited in a Housing Trust or Other Similar Repository.* The Town will explore the following possible projects in order to create affordable housing.

1. Work with *Habitat for Humanity* (or, by a like kind "entity" or organization) to build 10-20 units of affordable housing in cottages in groups of two to six dwellings. These cottages will

be deed restricted and sold to those with 30 percent to 50 percent of median income. The homes will be built by Fairfax volunteers. The Town will assist in facilitating the purchase of the land and work with *Habitat for Humanity* to help “entitle” and build.

2. Town will consider buying-down the cost of units to make them affordable. A lottery system may be put in place to assist people in buying the affordable homes.
3. The Town will consider purchasing single family dwelling and converting them into a duplex. The duplex will be rented out as affordable living units and permanently deed restricted.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Goal H-7: Create efficient procedures for monitoring housing need achievements.**

***Objective H-7.1: Establish standardized methods for the effective and efficient management of housing data among jurisdictions in Marin.***

***Policy H-7.1.1: Housing Data Standards. The Planning Commission will establish methods to enable the effective and efficient management of housing data relevant to Fairfax.***

Program H-7.1.1.1: *Conduct an Annual Housing Element Review.* The Planning Commission will review the Town’s Housing Element annually, with opportunities for public participation, in conjunction with the State requirement for a written review by July 1 of each year (GC Section 65583(3)).

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year One

Program H-7.1.1.2: *Update the Housing Element.* The Planning Commission will update the Housing Element, as required by State law.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Year 3-5





# TOWN CENTER ELEMENT

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## INTRODUCTION

The Town Center Element contains strategies and policies that provide specific guidance to enhance the sense of place and the quality of life in the downtown area while promoting the economic base of the Town. Strategies are combinations of goals and objectives that include overarching statements of purpose with measurable targets for success. Policies are specific statements that give guidance to the Town's decision-makers. The policies are intended to implement the strategies.

The Town Center Element is implemented through design guidelines and specific development standards for both public and private projects subject to discretionary design review. Design guidelines are flexible recommendations that are intended to establish the aesthetic **look and feel** of the downtown area. An example of a design guideline is a palette of landscape materials from which specific items might be chosen to enhance the visual





quality of the downtown area streets. A standard is a fixed rule or measurement that defines the **physical qualities** of the urban form in the downtown area. Fixed measurements, such as building heights or sidewalk widths, are standards.



Projects of any kind that are proposed for development in the downtown area must be consistent with the Town Center Element, as well as the seven mandatory elements of the Town's General Plan. Town staff will report to the Planning Commission and the Council as to proposed actions conformance with the General Plan. Findings will include:

- Conformance with the land use designations specified by the Town Center Element;
- Conformance with the residential density and/or commercial use intensity parameters included in the Element;
- Provision of adequate on-site improvements consistent with the General Plan;
- Conformance with the development standards included in the Town Center Element, particularly regarding height limits; and
- Responsiveness to the bicycle and pedestrian policies included in the General Plan.

## REGULATORY FRAMEWORK

California Government Code (GC) Section 65300 requires each city and county to adopt a general plan “for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning. In this case, “city” and “town” are the same. The Fairfax General Plan defines the community’s goals for a reasonable planning horizon, both in the near future and long-term. The General Plan also includes policies developed through a public participation process that guide the land use mosaic that is the Town. As discussed in the State’s General Plan Guidelines, “the general plan serves to: Identify the community’s land use, circulation, environmental, economic, and social goals and policies as they relate to land use and development. Provide a basis for local government decision-making, including decisions on development approvals and exactions. Provide citizens with opportunities to participate in the planning and decision-making processes of their communities. Inform citizens, developers, decision-makers, and other cities and counties of the ground rules that guide development within a particular community.”

GC Section 65303 “enables a county or city to adopt any other element or address any other subjects, which, in the judgment of the legislative body, relate to the physical development of the county or city. Once adopted, an optional element carries the same legal weight as any of the seven mandatory elements and must be consistent with all other elements, as required by GC Section 65300.5.” The Town Center Element provides additional strategies and policies that are more specific, but still consistent with, the Land Use and Circulation Elements. In particular, the sections of the Town Center Element relate to the urban design pattern for the downtown area, the pedestrian, bicycle and vehicular circulation network, as well as parking, and the historic form and **architectural design**



**features of** the buildings and other structures.

## RELATIONSHIP TO OTHER ELEMENTS

The Fairfax General Plan contains seven mandatory elements (land use, housing, circulation, noise, conservation, open space, and safety) plus one optional element, this Town Center Element. GC Section 65300.5 requires that the elements of the Plan must comprise “an integrated, internally consistent and compatible statement of policies...” All of the elements are given equal status, and no one element has precedence over any other. Policies contained in one element, such as the bicycle policies in the Circulation Element,

must be consistent with similar policies in the Town Center Element. To avoid confusion, the wording may be identical.

The GC requires that the elements of a general plan be integrated and internally consistent, including background data and planning statements that result in strategies and policies.

The Town Center, Housing, and Land Use Elements of the Fairfax General Plan include statements and policies that form the basis for each element and the entire General Plan.

## **PUBLIC PARTICIPATION**

The primary contribution that GPAC brought to the Town Center Element recommendations was the gathering of a great deal of input from citizens and business people. Details on much of this process were presented to the Planning Commission on several occasions throughout the planning process. GPAC's activities included:

- Taking a survey at the 2003 Fairfax Festival comprising short and open-ended questions.
- Interviewing the majority of business owners and property owners within the downtown area.
- Conducting a complete parking space survey of the downtown area, measuring every space and creating a parking map of Fairfax.
- Conducting two Saturday charrettes (workshops) in the Women's Club to which all interested citizens were invited, both of which were very well attended, and both of which were designed to facilitate creative discussion and critique of ideas and, most especially, generation of new ones. The second of the two charrettes was organized to lead to a convergence of ideas, and a number of clear preferences emerged.
- Inviting a number of guests, with technical and planning expertise, to speak at GPAC meetings to contribute to the committee's understanding. In addition, all GPAC meetings were open and noticed. After the outreach activities, such as the charrettes noted above, GPAC meetings always had new attendees. The main source of new members has been the citizens who meet GPAC at public events and/or sat in on meetings. Potential members apply to and are interviewed by the Town Council.



*Historic image of the town center, the intersection of Bolinas and Broadway*

## ORGANIZATION OF THE TOWN CENTER ELEMENT

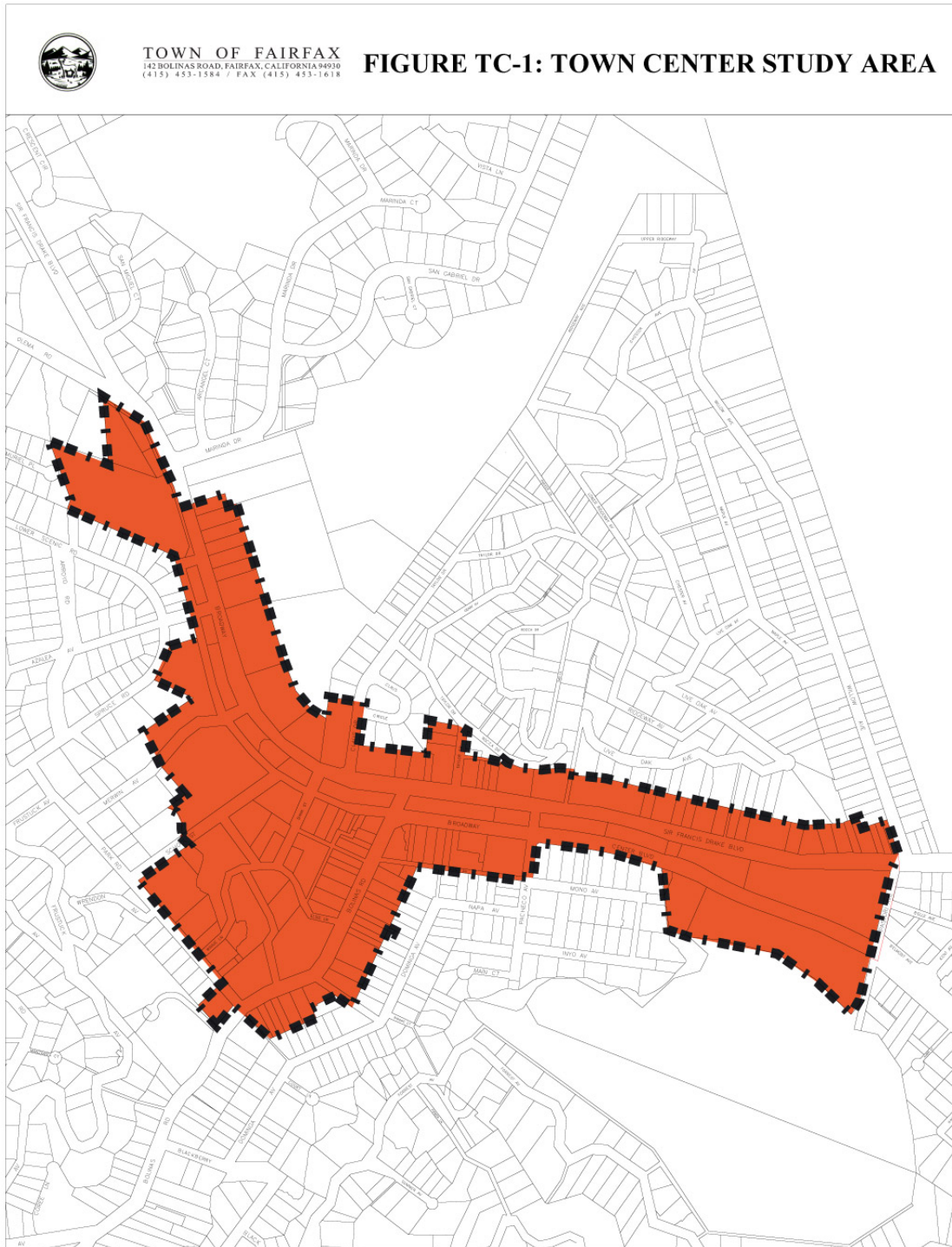
The Planning Area for the Town Center Element is defined as the area that includes the commercial core of the community along with public use areas, such as the Pavilion, Town Hall, the Women’s Club, Peri Park and the areas between these facilities, with Sir Francis Drake Boulevard, Center Boulevard, Broadway, Bolinas Road, and Bank Street to Elsie Street, as the main thoroughfares.

The commercial core, by itself, is referred to as “the downtown area” in this plan.

**Figure TC-1, Town Center Study Area**, indicates the extent of the area that represents the focus of this Element.







**Figure TC-1** Town Center Study Area

## EMERGING THEMES


The community universally values “the small-town feel” of the downtown and wish to preserve it. The downtown is more than a physical resource. It sets the spirit of the community and demonstrates and fosters the values of its citizens.

Issues that could use improvement have also emerged. Areas of the downtown could be linked together better, such as the area from the Post Office and Fair-Anselm to the Broadway Boulevard area near the Parkade, or the area where the north side of Sir Francis Drake Boulevard along the Parkade does not relate to the south side. Business owners along Bolinas Road universally felt that the activity along Broadway was not translating to business coming into their shops. Similarly, businesses on the east end of Center Boulevard also sought ways to visually define a town center from the viewpoint of motorists passing through on Sir Francis Drake to help support local merchants. Highlighting and restoring the Pavilion was supported by the community comments as well.

Automobile circulation and parking currently work fairly well in Fairfax, with the exception of the sometimes-cumbersome Bolinas-Broadway-Claus-Sir Francis Drake intersection. The community agrees that the best use of the center of town is for people to meet and enjoy themselves and that traffic and parking should be arranged to avoid conflict with this experience.

## SPECIFIC RECOMMENDATIONS

### Center Boulevard and Linking Downtown Areas

 During the same timeframe as the GPAC work on the Town Center Element, a proposal, also involving extensive citizen input, was developed and implementation begun on improvements to the portion of Center Boulevard extending from Pastori to the Fairfax Theater. GPAC recommended continuing this work and, in fact, extending the **design elements** and intent, as appropriate, to the rest of the downtown area. Key themes for this area include wide pedestrian lanes and bicycle infrastructure; landscaping and efficient location of crosswalks; traffic calming; and the linking of the east end to central downtown.

## Sidewalks

Widening and repairing sidewalks has been a key point of merchant feedback. As opportunities are presented, sidewalks should include room for street furniture and possible restaurant seating and for benches and lighting. Particular attention should be paid to making the area east of the Theater look inviting and safe for pedestrians. By drawing people east on Center, businesses are better supported and considerable opportunity exists for eventual public parking.

## Auto Circulation

The Bolinas-Broadway-Claus-Sir Francis Drake intersection sometimes works adequately now, but it is confusing, inefficient and prone to gridlock. Examination of this complex intersection currently in the very center of downtown leads to an interesting solution; simplifying this intersection, if possible, would save auto fuel, pollution, and land area taken up by asphalt. If the Fairfax Gas station property ever became available for other use, it would enable simplification of this intersection by rerouting Bolinas Road traffic, and enabling a possible expansion of the Parkade, for some combination of additional parking, a transit center, a small park, or a central visual feature. Furthermore, it would also enable the synergistic improvements detailed below.



Additionally the intersections at Sir Francis Drake – Pacheco – Broadway/Center and Sir Francis Drake – Pastori – Center - Lansdale are problematic, as discussed in the Circulation Element.

### **Bolinas Pedestrian Mall**

The above and other goals came together in a creative vision arising separately from several of the working groups at one of the Saturday workshops. Bolinas Road could eventually become a pedestrian-only area from Broadway to Elsie Lane. Traffic would be routed along the approximate route of present Bank Street to Elsie Lane. This idea would actually result in more parking through a re-engineering of the Pavilion lot, and would immediately make the Pavilion more central to the flow of traffic through the Town. It addresses the biggest request of citizens and merchants for a pedestrian-oriented town center expanding down Bolinas Road, and for a town center oriented toward the meeting of people and the enjoyment of the great weather and beautiful surroundings of Fairfax. Research has found that other communities have seen substantial benefit from the creation of pedestrian-only zones, with retail revenues increasing significantly in nearly every community.

Such a change would be accomplished in stages, starting intermittently with community events such as farmers markets and festivals, and continuing with preparation of the new circulation route. Businesses located between Bolinas Road and the new route would then orient additionally toward the new street; possibly the Town could help with this process, using grant money, as available. Temporary road closures for both lanes or one lane could be used to test the pedestrian concept. Similarly, a phasing plan, including identifying the necessary improvements to Elsie Lane, would have to be prepared and analyzed.

Before any changes would be made, detailed circulation, parking and economic impact studies would be required.

### **Residential Neighborhood Concerns**

Another effect of the traffic gridlock is the tendency for motor traffic to cut through the Dominga neighborhood via Sherman Avenue in order to avoid the Bolinas Road/Broadway intersection. This is especially true during the rush hour periods. This route is also popular with pedestrians and local cyclists seeking a quiet and safe way around downtown.



It is the intention of the General Plan to daylight the Town's creeks currently in culverts, where possible, without removing any of the existing residences or losing access to any building. This presents an opportunity for a novel solution, daylighting the section of creeks currently under public streets while still allowing pedestrian, bicycle and vehicular access to the existing residences. Where possible, street traffic could be restricted to one lane, with bridges connecting to the existing residences and other uses, with the second lane used to open the creek below. The quiet **residential atmosphere and visual aesthetic of the** neighborhood would be preserved and the natural amenity would be reinstated. Before any action would be taken, a detailed study of the possible opportunities, and potential impacts, both positive and negative, would be required.

The need for safe bicycle and pedestrian routes, particularly for children going to and from school, is adequately met and has continuity through most of Fairfax, with the exception of the above mentioned Bolinas-Broadway-Claus-Sir Francis Drake area and the downtown neighborhood defined by Pacheco, Mono and Inyo Avenues. In the latter area, bicyclists and pedestrians are shunted onto Center Boulevard, a main artery. Pacheco, Mono and Inyo Avenues terminate in dead ends. As the opportunities arise, provisions should be made to connect these streets to adjacent areas for bicyclists and pedestrians, but not for vehicular traffic.

### **Defining Features along Sir Francis Drake Boulevard**

There has been feedback suggesting that Fairfax could look more welcoming, eye-catching, accessible and well-defined to people driving along Sir Francis Drake Boulevard. Possibly a central visual feature (such as a fountain or public art in the Parkade area), or "Welcome-to-Fairfax" archways, or even simply a distinctive pavement treatment could address this, and thus draw more people into the town to support the local businesses.

### **Hillside Right-of-Way**

Opening of the existing pedestrian rights-of-way linking the downtown area with the hillside residential areas should be pursued. A key benefit of this action is safety in the event of a wildland fire or other catastrophic emergency. However, other very significant advantages include support of pedestrian and bicycle transportation, decreased congestion and need for parking downtown, greater likelihood of residents spending an afternoon in Fairfax rather than driving to another community, and the nurturing of the sense of com-

munity that everyone loves about Fairfax. Specifically, in terms of the Town Center Element, routes between the downtown area and hillside easements should be reclaimed, repaired and reopened for community use.

### **Bike Staging Area**

Fairfax is widely known as being a gateway for recreational bicycling, both on road and off. It is recommended that attention be paid to creating an area in which recreational bicyclists could prepare for their rides and regroup or clean up afterwards. Such an area would include bathrooms, showers and storage facilities. Advantages to the Town of such an area would be to encourage recreational bike users to visit Fairfax and, significantly, to stay and patronize downtown businesses before and after their rides. By having secured storage, bicyclists might be able to take public transportation to Fairfax, rather than feeling that they need a private vehicle to store their street clothes or their bikes and other equipment. Possible locations could be near Frogs, the Pavilion, or west of Fair-Anselm.

### **Parking Recommendations**

As described, GPAC created an inventory of the parking spaces in the downtown area, including a map. In addition, parking was a topic on which opinions were actively solicited in surveys of residents and during interviews with business owners. Responses to the latter did not indicate that the town was in need



of more parking, but did show a preference for a policy of losing no spaces overall, which has been GPAC's goal throughout these recommendations. One recommendation GPAC would make is that a parking lot be established near the downtown area that would be free, or nearly free, to merchants and their employees, probably through a nominal-cost permit for merchants. Also noted during the parking survey, a number of spaces could be added by merely restriping the existing ones. GPAC also recommends that the Parkade remain largely a parking area for the foreseeable future, although this objective could change with the likely alteration of the number of vehicles on the road as energy costs increase. On-street parking can be shifted to currently underused areas nearby. In particu-

lar, the recommended conversion of part of Bolinas Road to a pedestrian mall can be, at least, parking-neutral, and the eventual simplification of the Claus intersection could then lead to substantially more parking in an extended Parkade if needed. Hillside easements could lessen the number of residents who need to park downtown. A bike staging area could lessen the impact of recreational bicyclists on downtown parking.



### **Parkade Park**

An idea that was generated early in the GPAC process was the conversion of part or all of the existing Parkade to a green community space. Feedback on this idea was not enthusiastic, as it would lose a very useful parking area in order to create a park in an area surrounded by vehicular traffic that is therefore a less desirable location than the existing excellent town parks. GPAC does not propose this concept. Greening the edges of the Parkade may alleviate aesthetic concerns. This area is the historic location of the Fairfax train station, and the Town shall keep the option available for the return of light rail by not allowing development to occur in the historic right-of-way.

## GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

The four goals of this element are:



- **Goal TC-1: Develop a vision for the Town Center area of Fairfax.**
- **Goal TC-2: Maintain and enhance the historic **qualities** of the Town Center area.**
- **Goal TC-3: Define and implement a plan for the Town Center area.**
- **Goal TC-4: Actively seek out and review all available funding sources that might be used to implement the Town Center Element improvement program.**

### Goal TC-1: Develop a vision for the Town Center area of Fairfax.


***Objective TC-1.1: Work together as a community to develop a vision for the Town Center Area of Fairfax.***




**Policy TC-1.1.1: New and/or renewed development in the Town Center Planning Area shall preserve and enhance the **village-like nature** and pedestrian scale of the downtown area. Large, highly visible parking lots characteristic of strip**



**shopping centers are inconsistent with **the human scale development pattern of the Town Center area.****

Program TC-1.1.1.1: The Planning Commission should define the **village-like nature** and  the pedestrian scale of the downtown area of Fairfax.

Responsibility: Planning Commission, Town Council  
Schedule: Ongoing

Program TC-1.1.1.2: The Council should enact an ordinance restricting the development of strip shopping centers as being inconsistent with the  **development vision for the Town Center Area.**

Responsibility: Town Council  
Schedule: Year Two





**Goal TC-2: Maintain and enhance the historic **elements** of the Town Center area.**



***Objective TC-2.1: Work with the community to maintain and enhance the historic **elements** of the Town Center Area.***



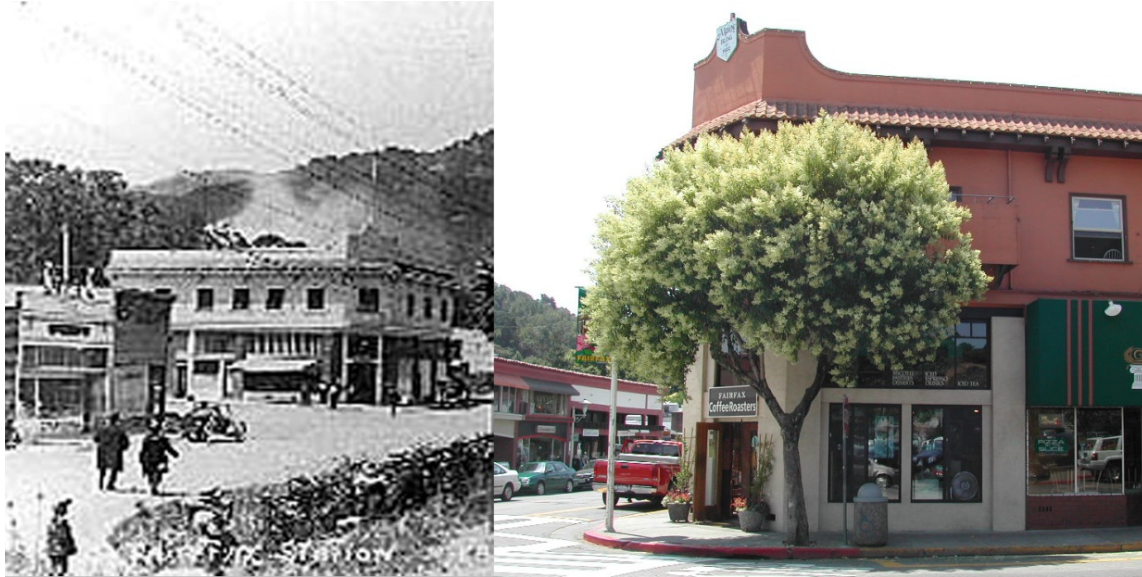
**Policy TC-2.1.1: New and/or renewed development in the Town Center Planning Area should be compatible with the architectural **aesthetic** of the downtown in terms of height, design treatment, colors, textures, and materials. Future buildings constructed in the downtown area shall be within the vertical form of the existing buildings that they might replace.**



**Program TC-2.1.1.1: Planning staff should prepare an inventory of the architectural **design** of the downtown area. The survey will consider building heights, design treatment, colors, texture, and materials. The historical significance of buildings will also be noted.**

**Responsibility: Planning and Building Services**

**Schedule: Year Two**



Program TC-2.1.1.2: The Planning Commission should define the architectural **design features** of the downtown area, in terms of height, design treatment, colors, textures and materials.



Responsibility: Planning Commission  
Schedule: Year 3-5

Program TC-2.1.1.3: The Council will enact an ordinance that requires new buildings constructed in the downtown area to be within the vertical form of the buildings they might replace.

Responsibility: Town Council  
Schedule: Year One

**Policy TC-2.1.2: Building heights for new and/or renewed development shall be appropriate for two-story buildings with architectural details compatible with the village-like nature of the Town Center Planning Area. Building height to allow for a residential level above a commercial space with a high first-floor ceiling.**



Program TC-2.1.2.1: The height restriction defined by the Land Use Element for the downtown area of 28.5 feet and not more than two stories, applies to the Town Center Element.

Responsibility: Planning Commission, Planning and Building Services, Town Council  
Schedule: Ongoing



**Policy TC-2.1.3: New and/or renewed development shall be compatible with the existing *scope, scale and design aesthetic* of the Town Center Planning Area. A **Significant Build-ings and Structures Plan** should be created by staff. This plan should inventory and establish policies for preservation of significant structures in the Town Center (see Conservation Element Policy CON-8.1.2 and Policy CON-8.1.4).**

Program TC-2.1.3.1: The Planning Department should prepare a Significant Buildings and Structures Plan that identifies and establishes policies for the preservation of significant structures in Town.

Responsibility: Planning and Building Services

Schedule: Year Two

Program TC-2.1.3.2: The Design Review Board and Planning Commission will consider the historic significance of buildings and structures when reviewing development applications in the downtown area. Refer to Conservation Element Goal 8, and to Land Use Element Goal 9.

Responsibility: Design Review Board, Planning Commission

Schedule: Ongoing

### **Goal TC-3: Define and implement a Town Center Plan.**

***Objective TC-3.1: Involve the merchants and property owners to strengthen and diversify the economic vitality of the Town Center area.***

**Policy TC-3.1.1: Mixed-use development is allowed in the Town Center Planning Area under Central Commercial zoning. The Town Center Plan, when created, shall be consistent with this zoning.**

Program TC-3.1.1.1: The Town shall prepare and adopt the Town Center Plan.

Responsibility: Planning Commission, Town Council

Schedule: Year Two

**Policy TC-3.1.2: New and/or renewed development in the Town Center Planning Area, as defined in the Town Center Plan when developed, shall be consistent with the Development Standards and Design Guidelines.**

Program TC-3.1.2.1: Planning staff shall prepare Development Standards and Design Guidelines for the Town Center Plan.

Responsibility: Planning and Building Services

Schedule: Year Two

Program TC-3.1.2.2: The Town shall review and approve the Development Standards and Design Guidelines for the Town Center Plan.

Responsibility: Planning Commission, Design Review Board, Town Council

Schedule: Year 3-5

***Objective TC-3.2: Create a strategic action plan for the Town Center, including an urban design program for the Parkade and a parking improvement program.***

**Policy TC-3.2.1: Bicycle- and pedestrian-oriented development should be encouraged in the Town Center Planning Area.**



Program TC-3.2.1.1: The Town shall consider bicycle and pedestrian related development a priority when reviewing development applications for the downtown area.

Responsibility: Planning Commission, Planning and Building Services

Schedule: Ongoing

**Policy TC-3.2.2: Sir Francis Drake Boulevard should serve as the primary east-west artery through the Town of Fairfax, including the Town Center Planning Area. Provisions should be made to support Marin County's designated east-west bicycle corridor, which passes through Fairfax along Center and Broadway. Appropriate measures should be utilized to create safe pedestrian and bicycle crossings of Sir Francis Drake Boulevard and to enhance overall cohesiveness of the Town Center Planning Area.**

Program TC-3.2.2.1: The Town shall consider bicycle and pedestrian crossing design and location as a priority along the Sir Francis Drake Boulevard corridor when developing the Land Use and Circulation Elements of the General Plan.

Responsibility: Planning and Building Services, Planning Commission, Town Council, Public Works  
Schedule: Year Two

Program TC-3.2.2.2: Town staff shall prepare a risk assessment for bicycle and pedestrian crossings along the Sir Francis Drake corridor.

Responsibility: Planning and Building Services, Police Department  
Schedule: Year One

**Policy TC-3.2.3: Broadway and Center Boulevard, and Bolinas Road should serve as secondary routes through the Town, primarily for local traffic, and utilizing appropriate design features to ensure safe pedestrian crossings, bicycle use, and an overall pedestrian-scale streetscape.**

Program TC-3.2.3.1: The Town shall consider bicycle and pedestrian crossing design and location as a priority along the Broadway and Center Boulevard corridor, and the section of Bolinas Road in the downtown area when developing the Land Use and Circulation Elements of the General Plan.

Responsibility: Planning Commission, Town Council  
Schedule: Year One

Program TC-3.2.3.2: The Town shall consider the Marin County Bicycle and Pedestrian Master Plan and the Fairfax Pedestrian and Bicycle Plan, 2001 in evaluating bicycle and pedestrian facilities.

Responsibility: Planning Commission, Town Council  
Schedule: Ongoing

Program TC-3.2.3.3: Town staff should prepare a risk assessment for bicycle and pedestrian crossings along the Broadway and Center Boulevard corridor and the section of Bolinas Road in the downtown area.

Responsibility: Planning and Building Services, Police Department  
Schedule: Year Two

**Policy TC-3.2.4: Shopping in the Town Center Planning Area should be made more attractive by creating safe and pleasant pedestrian routes, managing the parking supply for both cars and bicycles more efficiently, and developing and maintaining an attractive well-designed streetscape that encompasses landscaping and pedestrian amenities.**



Program TC-3.2.4.1: The Town shall prepare a pedestrian plan for the downtown area.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year One

Program TC-3.2.4.2: Town staff should prepare a risk assessment for pedestrian routes in the downtown area.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year One

Program TC-3.2.4.3: The Town shall prepare a vehicle and bicycle-parking plan for the downtown area.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year Two

**Policy TC-3.2.5: Bolinas Road should be evaluated as a pedestrian-only area from Broadway to Elsie Lane. See Appendix TC-A for further details.**

Program TC-3.2.5.1: If proven feasible, as a result of detailed analysis, the Town shall develop a strategy for creating a pedestrian only area from Broadway to Elsie Lane on Bolinas Road. The strategy should include a test program and means for successful re-routing of traffic to Sir Francis Drake Boulevard.

Responsibility: Planning and Building Services, Planning Commission, Town Council  
Schedule: Year Two

Program TC-3.2.5.2: The Town shall prepare a risk assessment for pedestrian crossings between the Parkade and the surrounding shops and services on Broadway and Sir Francis Drake Boulevard.

Responsibility: Planning and Building Services, Police Department  
Schedule: Year Two

**Policy TC-3.2.6: Any parking spaces removed as a result of streetscape-related improvements should be replaced in appropriate locations and lots in the surrounding vicinity.**

Program TC-3.2.6.1: The Town shall refine the parking space survey prepared by GPAC to provide guidance for the parking plan included in the Circulation and Town Center Elements.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year Two

Program TC-3.2.6.2: The Town shall prepare a no net-loss parking plan for the downtown area, including on-street and off-street spaces and lots.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Year Two

**Policy TC-3.2.7: Provide non-vehicular connections to residential neighborhoods where possible.**

Program TC-3.2.7.1: The Town shall prepare a non-vehicular circulation plan connecting the downtown area to the adjacent neighborhoods.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Year Two

**Policy TC-3.2.8: Promote locally-owned businesses.**

Program TC-3.2.8.1: The Town shall work with the Chamber of Commerce, and other business owners, to create an economic development plan for the downtown area.

Responsibility: Town Council, Chamber of Commerce

Schedule: Year Two

**Policy TC-3.2.9: Provide locations for public art.**

Program TC-3.2.9.1: The Town shall work with local artists to prepare a plan for locating public art in the downtown area.

Responsibility: Fairfax Volunteers, Chamber of Commerce

Schedule: Year Two

Program TC-3.2.9.2: The Town shall identify funding sources for implementing a public art program for the downtown area.

Responsibility: Fairfax Volunteers, Chamber of Commerce

Schedule: Year Two

**Policy TC-3.2.10: Soundproofing and provision for fresh air must be part of any residential development along the main streets.**



Program TC-3.2.10.1: Residential developments proposed for the main streets in the downtown area shall be required to incorporate soundproofing and fresh air access as part of the project design.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing

**Policy TC-3.2.11: Daylighting and creation of a buffer around the Town's creeks shall be considered. (Also see Conservation Element Objective CON-3.1, especially Policy CON-3.1.3, and Safety Element Program S-2.1.11.3.)**

Program TC-3.2.11.1: If proven feasible, as a result of detailed analysis, the Town should prepare a plan and program for restoring creeks in the downtown area by eliminating culverts and boxed channels.

Responsibility: Planning Commission, Fairfax Volunteers, Open Space Committee  
Schedule: Year 3-5

Program TC-3.2.11.2: The Town shall create a buffer area, as part of the plan for the downtown area, along the restored Fairfax Creek.

Responsibility: Planning Commission, Town Council  
Schedule: Year 3-5

**Policy TC-3.2.12: Recommendation of native plants and the use of drought-tolerant landscaping.**

Program TC-3.2.12.1: The Town shall create a palette of landscape materials allowed in the downtown area, including native and drought-tolerant plant types, and add it to the Design Guidelines being developed according to programs in Land Use Element Goal LU-1.2 and Goal LU-7.

Responsibility: Planning and Building Services, Design Review Board  
Schedule: Year 3-5

Program TC-3.2.12.2: All new projects proposed for the downtown area, whether public or privately sponsored, shall incorporate the use of native plants and drought-tolerant plant materials in their landscape plan.

Responsibility: Planning Commission, Planning and Building Services  
Schedule: Ongoing



**Policy TC-3.2.13: The Town shall consider purchasing or otherwise negotiating or insuring the availability of a staging area for town events and the parking of large trucks.**

Program TC-3.2.13.1: The Town shall work to secure a location for use as a staging area for town events and construction vehicle and equipment storage, and a transfer area serving large trucks unable to navigate Fairfax's narrow streets.

Responsibility: Public Works, Planning and Building Services

Schedule: Year One

**Policy TC-3.2.14: Consider siting renewable energy techniques on public property.**

Program TC-3.2.14.1: The Town shall prepare a plan and program for utilizing public property for the installation of renewable energy technology (also see Conservation Element Goal CON-1).

Responsibility: Public Works, Planning and Building Services

Schedule: Year One

**Policy TC-3.2.15: Consider preserving and making continuous the network of bicycle and pedestrian routes that would allow the traversing of the downtown area along quiet back streets and alleys.**

Program TC-3.2.15.1: The Town shall prepare a plan and program to make continuous the network of quiet streets and alleys for pedestrian and bicycle routes traversing the downtown area in conjunction with Program TC-3.2.7.

Responsibility: Public Works, Planning and Building Services, Planning Commission

Schedule: Year One

**Policy TC-3.2.16: Consider creating a bicycle staging area including structure for bathrooms, showers and lockers, possibly in partnership with local businesses.**

Program TC-3.2.16.1: The Town shall, as part of the Town Center Plan, identify a site, or alternative sites, for a bicycle staging area in the downtown area.

Responsibility: Public Works, Planning and Building Services, Planning Commission

Schedule: Year One

Program TC-3.2.16.2: The Town shall identify possible funding sources for creating a bicycle staging area.

Responsibility: Public Works, Planning and Building Services

Schedule: Year One

**Goal TC-4: Actively seek out and review all available funding sources that might be used to implement the Town Center Element improvement program.**

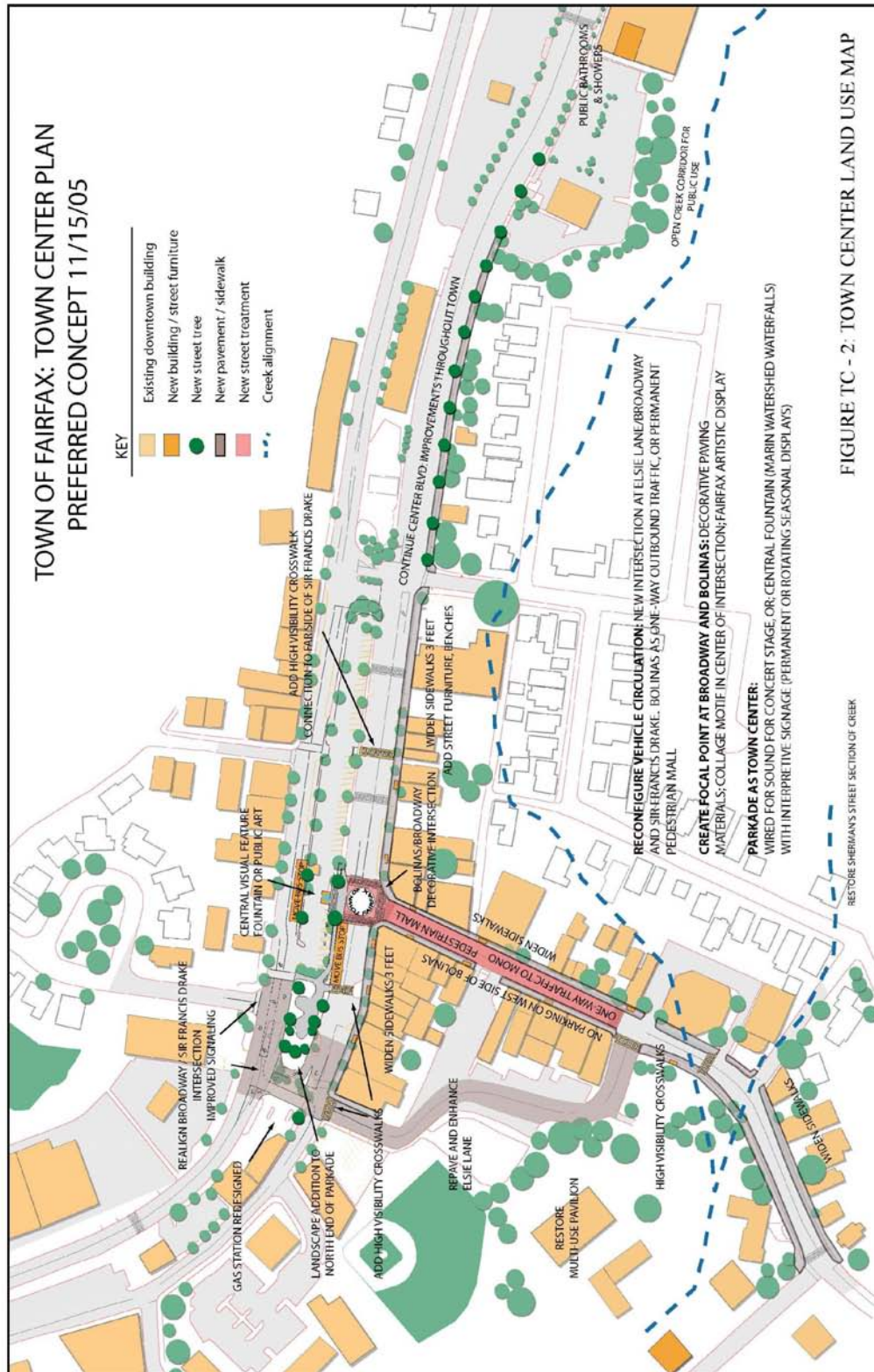


Figure TC-2 Town Center Land Use Map



# OPEN SPACE ELEMENT

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## INTRODUCTION

Fairfax is a town defined by open space. Open space not only exists within the town, it abuts most town boundaries and defines the views from Town Center, from most neighborhoods, and throughout the Fairfax Planning Area. The location of Fairfax within the Ross Valley, surrounded by undeveloped hillsides and ridges, gives the Town a very distinctive look and feel. Oak and redwood forest, diverse wildlife, streams, a variety of microclimates, and hiking, bicycling and horse trails are all characteristic of the open space in the Planning Area. Residents of the Town of Fairfax deeply value the open space areas within and around the Town, for a wide variety of esthetic, cultural and recreational reasons.



In 2004, the Town Council created a standing Open Space Committee to further long-term goals to acquire and maintain open space lands in the Fairfax Planning Area. The Open Space Element of the General Plan plays a major role in maintaining **what residents cherish about living in** Fairfax, and shaping the future of the town. Open space tends to vanish over time unless it is protected. This document outlines ways for the Town of Fairfax and its residents to consider existing open space areas, protect them from development, and expand protections for open space in the future.

This Open Space Element establishes a series of programs in support of these goals. The Open Space Committee, with the support of the Town, is directed by this Element to create an inventory of underdeveloped and undeveloped land parcels that have intrinsic open space value. The Committee will further evaluate and prioritize the parcels in this



inventory based on established criteria, and become involved in the formal review of any development projects concerning these parcels. Other programs support the identification of Visually Significant Areas that characterize the appearance of the town, and establish design guidelines for development within these areas, to ensure that future generations enjoy our current level of access to open space, and a sensory experience of Fairfax as a town encircled by natural hillsides and ridgelines.

### **State Requirements**

The Open Space Element is one of seven elements required by the State of California for the Town's general plan. Once adopted, all future development must be consistent with the Open Space Element. Section 65567 of the State Government Code states that:

*No building permit may be issued, no subdivision map approved, and no open space zoning ordinance adopted, unless the proposed construction, subdivision or ordinance is consistent with the local open space plan.*

The State also requires the preparation and adoption of an "Open Space Zoning Ordinance" (Government Code (CG) Section 65910), which provides a set of requirements designed to protect the Town's open space resources.

### **SETTING**

The Fairfax Planning Area (see Figure LU-4 in the Land Use Element) is visually and geographically defined by prominent ridgelines that separate it from adjacent communities in Marin County. The total Fairfax Planning Area encompasses slightly less than 10 square miles, of which about 15 percent is currently developed. The undeveloped areas are predominantly steep slopes and rolling hills, covered primarily by grassland and by several types of woodlands. The Town itself is located in two valleys traversed by the San Anselmo and Fairfax Creeks, with the commercial core situated at the confluence of these two watercourses.

There are three "gateways" to the Town and Fairfax Planning Area which provide physical and perceptible entrances to the Fairfax Planning Area defining the views that make Fairfax visually distinctive. These three gateways are located at: Sir Francis Drake Boulevard and Center Boulevard at the San Anselmo/Fairfax town limits, Sir Francis Drake Boulevard at the top of White's Hill Pass between White's Hill and Loma Alta,

and Bolinas Road at the Meadow Club. **Figure OS-1, Map of Visual Resources**, presents a map of Visual Resources, including a variety of ridges, hillsides, and forests that are highly visible from the three gateways and throughout the Fairfax Planning Area.

The Fairfax Planning Area is located in the headwaters of the Ross Valley watershed. As a result, decisions made by the Town of Fairfax concerning the maintenance, protection and enhancement of open space and the local ecology have an impact upon downstream communities, and ultimately the ecology of San Francisco Bay (see Figure OS-1).

## SOLVING THE OPEN SPACE CHALLENGE

Fairfax presently conveys an image that is in marked contrast to that of most communities in the Bay Area, where natural barriers between towns have repeatedly been violated by urban inroads. The open spaces between many Marin communities have been developed to the point that natural boundaries no longer exist. Loss of existing open space in the Fairfax Planning Area, whether formally preserved or not, will alter the fundamental and unique **natural, open space environment** of the Town.

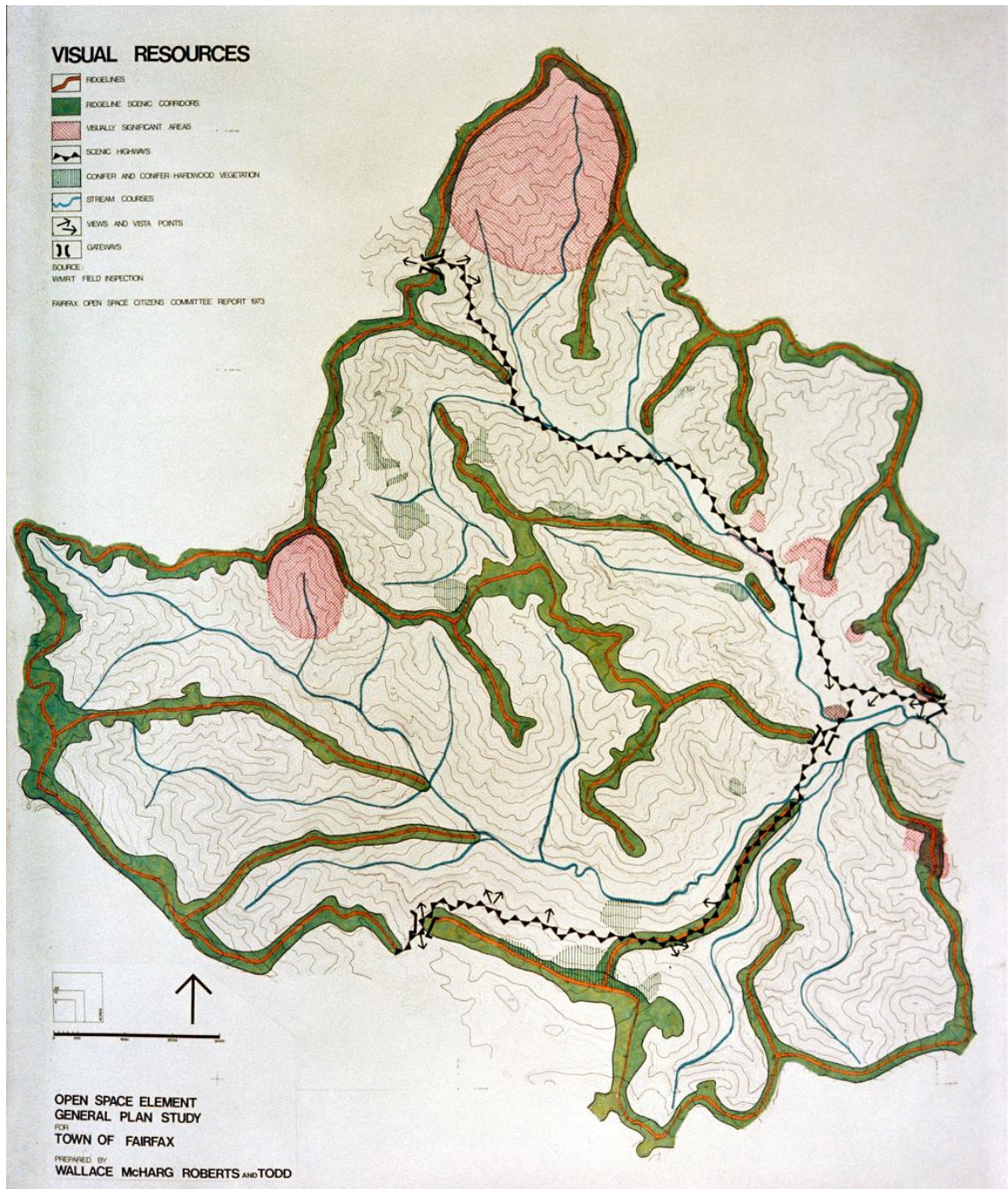


Multiple points of view arise and must be weighed and addressed when open space issues are considered:

- Town residents value the qualities of the town defined by open space, and often fundamentally oppose development activities;
- Property owners have the right to develop their properties according to Town Code and zoning ordinances;
- Ecological issues must be understood and addressed to preserve natural resources for future generations; and
- Safety issues, such as those associated with the wildfire/urban interface, flood-prone areas, and slope stability and erosion must be addressed.

In accordance with the California General Plan Guidelines, Chapter 4, this element establishes goals for four relevant issues. These are:

- Open space for the preservation of natural resources.
- Open space used for the managed production of resources.
- Open space for outdoor recreation.
- Open space for public health and safety.



**Figure OS-1** Map of Visual Resources

## REGULATORY FRAMEWORK AND TERMINOLOGY

### Open Space

California GC Section 65560 (b) defines open space as follows:

*“Open-space land” is any parcel or area of land or water that is essentially unimproved and devoted to an open-space use as defined in this section, and that is designated on a local, regional, or State open-space plan as any of the following:*

- 1. Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.*
- 2. Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.*
- 3. Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.*
- 4. Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.*
- 5. Open space in support of the mission of military installations that comprises areas adjacent to military installations, military training routes, and underlying*

*restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands.*

6. *Open space for the protection of places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.*

Subsections (1), (3), (4), and (6) of this definition are particularly relevant to the Fairfax Planning Area open lands. Within the Fairfax Planning Area, there are few open space areas used for the managed production of resources (subsection 2) and no military installations (subsection 5).

## **DESIGNATED OPEN SPACE**

Designated Open Space is real property that is protected from development and preserved in perpetuity as open space, through a formal instrument, or agreement, or other legally binding method. This designation may be established in several ways, including but not limited to:

- Land or interests in land that are owned by the Town of Fairfax, and are designated for open space purposes
- Land or interests in land that are owned by other public agencies, such as the Marin Open Space District, and that are dedicated to open space purposes
- Land or interests in land that are owned by private non-profit organizations, such as the Nature Conservancy or Greenbelt Alliance, and are protected as open space

Interests in land that preserve property for open space may also be in the form of a conservation, public access or open space easement, or may arise from binding restrictions on privately-held land that prevent the development of the land.

Designated Open Space does not have to be publicly accessible or available to the public for recreational purposes. For example the Marin Islands east of San Rafael are owned by various federal and State agencies, with restricted access to protect endangered species. As another example, the San Francisco Public Utilities Commission owns large tracts of open space watershed around the San Andreas Reservoir system west of San Mateo, California, that are not publicly accessible. For the purposes of this document, land areas that are protected from future development are considered Designated Open Space.

Much of what appears to be undeveloped or underdeveloped open space land within the Fairfax Planning Area is, in fact, privately held land that is not restricted to open space use. Much of this land may be assumed to be “designated open space” by the general public, when it is not. Even if development on those lands is constrained now, changes in technology, or the political or economic environment in the future may create opportunity for development that would affect the open space **quality** of these lands.



### **Fairfax-Designated Open Space**

Fairfax-designated Open Space is space owned by the Town of Fairfax or where an easement creating open space is held by the Town of Fairfax.

## **GOALS, OBJECTIVES, POLICIES, AND PROGRAMS**

The four goals of this element are:

- **Goal 1: Protect and preserve open space lands and native biotic resources within the Fairfax Planning Area;**
- **Goal 2: Manage, enhance, and restore open space to ensure long-term vitality and viability;**
- **Goal 3: Preserve the sensory qualities of open space for recreational, cultural, educational, and spiritual experiences.**
- **Goal 4: Balance the interests of public health and safety with the preservation of open space.**

**Goal OS-1: Protect and preserve open space lands and native biotic resources within the Fairfax Planning Area.**

Existing open space must be preserved to encourage an ecology that will thrive for decades and millennia. Some aspects of preservation are covered by the Conservation Element, especially issues relating to water management and native species preservation. This goal focuses on the practical planning decisions that will support the ecology and beauty of both designated and undesignated open space and is similar to, and aligned

with, Land Use Element Goal LU-1 where policies are established that preserve the scenic and natural resources of lands adjacent to town boundaries.

***Objective OS-1.1: Codify Open Space Committee by Town Ordinance to assist in the implementation of the objectives, policies, and programs of this Element.***

Program OS-1.1.1.1: Staff to draft an ordinance and present it to the Town Council.

Responsibility: Town Manager, Planning & Building Services, Town Council

Schedule: Year One

***Objective OS-1.2: Create an inventory of undeveloped and underdeveloped lands within the Fairfax Planning Area.***

Appendix OS-A represents a preliminary inventory of approximately 30 known parcels within the Fairfax Planning Area that are undeveloped or underdeveloped.

***Policy OS-1.2.1: Identify all significant undeveloped and underdeveloped parcels within the Fairfax Planning Area.***

Program OS-1.2.1.1: Create an inventory of undeveloped and underdeveloped land parcels within the Fairfax Planning Area, and make the inventory publicly accessible. This inventory shall take the form of a map and a list, with specific information as described below. The inventory shall include parcels within the Fairfax Planning Area that have open space qualities or conservation issues, parcels that are undeveloped or underdeveloped, parcels that are currently a town asset through acquisition or dedication, and parcels that may contribute significantly to General Plan goals for conservation, land use and open space as well as parcels that tie into the open space goals of the county, adjacent municipalities or larger green belts.

Each parcel or group of parcels shall be described in sufficient detail that the precise parcel(s) can be easily identified, by common name, address, and/or parcel number. The description of each parcel or group of parcels shall identify:

- APN numbers.
- Size in acres.
- Location within or outside of the Town of Fairfax boundary.
- Whether it is undeveloped or underdeveloped.
- Ownership, current use, easements, and zoning and the Town and/or Marin county general plan designation.
- Connection to existing open space, or potential for connection to open space.
- Existing trails and access.
- A brief description and inventory of flora, fauna, habitat visibility within the planning area, wildlife corridors, and water resources.
- A brief description of potential liability issues, particularly concerning fire risk, falling trees, and landslides.
- Possible significance of the site in the event of an emergency or natural disaster.

This inventory shall become part of the General Plan, replacing Appendix OS-A, and shall be updated as necessary.

Responsibility: Planning and Building Services, Planning Commission, Open Space Committee, Town Council

Schedule: Year One

Program OS-1.2.1.2: Notify the owners of all the parcels in the inventory that their parcel is in an inventory in the Fairfax General Plan, maintained by the Town of Fairfax. This notification should include:

- A statement that their parcel is valued by the Town of Fairfax for its open space and/or conservation potential should it ever become available for purchase.



- A copy of the approved Open Space Element.
- A request that they notify the Town of Fairfax if and when their property is ever offered for sale.

Responsibility: Planning and Building Services, Open Space Committee,  
Town Manager  
Schedule: Ongoing

**Policy OS-1.2.2: Educate the residents of Fairfax about the inventory of potential open space parcels in the Fairfax General Plan.**

Program OS-1.2.2.1: Publish the inventory of undeveloped/underdeveloped parcels on the Town of Fairfax website, <http://townoffairfax.org>.

Responsibility: Town Manager  
Schedule: Year One

**Policy OS-1.2.3: Educate the residents of Fairfax about ways that they can help create and preserve designed open space, by donating lands or granting easements to the town.**

Program OS-1.2.3.1: Create and publish information on the Town of Fairfax website <http://townoffairfax.org>, and the Open Space Committee website, about donations, easements, wills and trusts, and other methods by which Designated Open Space might be created.

Responsibility: Open Space Committee, Town Manager  
Schedule: Year One

***Objective OS-1.3 Prioritize the inventory of undeveloped and underdeveloped lands to identify parcels that connect or expand existing open space, create wildlife corridors, preserve endangered species, and/or contribute significantly to other objectives in the General Plan.***

The intent of this objective is to identify the special beauty or value of each parcel in the inventory, whether it is accessible by road or trail, whether it has special value from a conservation or ecological or recreational viewpoint, and whether it is inside one of the Visually Significant Areas shown on Figure OS-1.

**Policy OS-1.3.1: Evaluate each item in the inventory to identify the parcels that contribute the most to General Plan goals.**

Program OS-1.3.1.1: Organize the inventory created by Policy OS-1.2.1, so that the parcels that most significantly contribute to the objectives of the Open Space, Conservation and Land Use elements are easily identified. The evaluation shall be based on the information gathered for each parcel in Program OS-1.2.1.1. A qualitative description for each parcel will be provided for each item in the inventory, explaining the reason(s) that each parcel does or does not contribute to the objectives of the General Plan.

Responsibility: Open Space Committee

Schedule: Year Two

***Objective OS-1.4: Protect undeveloped and underdeveloped lands according to the list and priorities established by Objective OS-1.2 and OS-1.3 by converting them to Designated Open Space.***

**Policy OS-1.4.1: Any proposed development of a parcel in the inventory shall be reviewed by the Fairfax Open Space Committee.**

Program OS-1.4.1.1: Fairfax Planning and Building Services shall inform applicants proposing development of parcels in the inventory that their application will be reviewed by the Open Space Committee. Planning and Building Services will further encourage the applicant to contact the Open Space Committee before submitting their application and the Open Space Committee shall make a good faith attempt to meet with the applicant to discuss their application.

Responsibility: Planning and Building Services, Open Space Committee

Schedule: Ongoing

Program OS-1.4.1.2: The Fairfax Open Space Committee shall review each application for development of parcels in the inventory, and provide a written evaluation to the appropriate Planning and Building Services department. The evaluation shall be delivered before the end of the Planning Department's 30-day response window.

Responsibility: Planning and Building Services, Open Space Committee  
Schedule: Ongoing

**Policy OS-1.4.2: Encourage the creation of open space through clustered development on parcels in this inventory.**

Program OS-1.4.2.1: If development plans are presented to the Planning Commission for parcels on the inventory list, the commission should encourage clustered development on a small segment of the parcel, with provision of an easement on the undeveloped portion to create Designated Open Space.

Responsibility: Planning and Building Services, Planning Commission, Town Council  
Schedule: Ongoing

**Policy OS-1.4.3: Acquire parcels in this inventory if they become available for purchase if possible.**

Program OS-1.4.3.1: If high-priority parcels on the inventory list come up for sale or auction, the Town Council shall consider allocation of funds from any available sources to acquire the property and create additional Designated Open Space (see Appendix OS-B).

Responsibility: Planning and Building Services, Planning Commission, Town Council  
Schedule: Ongoing

**Policy OS-1.4.4: Acquire and encourage the acquisition of appropriate easements on parcels in this inventory, if possible.**

Program OS-1.4.4.1: Conservation and open space easements acquire development rights for the public, for all or part of a property, while ownership is retained by the property owner. If purchase is not feasible, the Town of Fairfax shall approach the owners of these properties to

investigate the possibility of creating Designated Open Space through acquisition of an appropriate easement.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Ongoing

**Policy OS-1.4.5: Dedicate all or part of privately owned parcels in the inventory for use as open space, whenever possible.**

Program OS-1.4.5.1: Property owners shall be encouraged to set aside land dedicated to open space as a condition to development of parcels in the inventory. While access to these open space lands may be restricted, the preservation of open space land in its natural state is valuable.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Ongoing

Program OS-1.4.5.2: Identify opportunities early in the planning process for transferring development rights between parcels to create dedicated open space. In some cases, mutual benefit can occur by transferring development rights from open space parcels to other parcels. This has the effect of creating or preserving open space while allowing for development elsewhere.

Responsibility: Planning and Building Services, Open Space Committee

Schedule: Ongoing

**Goal OS-2: Manage, enhance, and restore open space to ensure long-term vitality and viability.**

***Objective OS-2.1: Assess the status of Fairfax-Designated Open Space on an annual basis.***

**Policy OS-2.1.1: Periodically update the assessment of each Fairfax-Designated Open Space parcel at least once every five years, as it appears in the inventory established by Objective OS-1.2.**

Program OS-2.1.1.1: Review each parcel in the inventory that is Fairfax-Designated Open Space, updating the description and inventory of flora, fauna, including any special status species, safety issues, native and non-native species, habitat, and wildlife corridors, at least once every five years (see Conservation Element).

Responsibility: Town Manager, Open Space Committee  
Schedule: Year 3-5

Program OS-2.1.1.2: Identify any appropriate management practices for each parcel in the inventory that is Fairfax-Designated Open Space, based on the information obtained by Program OS-2.1.1.1.

Responsibility: Town Manager, Open Space Committee  
Schedule: Year 3-5

***Objective OS-2.2: Where native resources may be impaired, undertake the restoration of Fairfax-Designated Open Space.***

**Policy OS-2.2.1: Implement the management programs for Fairfax-Designated Open Space, identified by Program OS-2.1.1.2.**

Program OS-2.2.1.1: Under the direction of the Town Manager, the Public Works Director shall implement the management programs for Fairfax-Designated Open Space, as identified by Program OS-2.1.1.2.

Responsibility: Town Manager, Public Works Director  
Schedule: Ongoing

***Objective OS-2.3: Educate both residents and visitors about maintenance concerns associated with Fairfax-Designated Open Space.***

**Policy OS-2.3.1: Identify educational materials about maintaining open space appropriate for the Fairfax Planning Area.**

Program OS-2.3.1.1: Create an inventory of existing educational materials on open space maintenance, including pamphlets, presentations, events, resources, web sites, and other publications.

Responsibility: Town Manager  
Schedule: Year One

**Policy OS-2.3.2: Provide public access to educational materials to residents of the Town of Fairfax.**

Program OS-2.3.2.1: Add links to the Town of Fairfax website, <http://townoffairfax.org>, connecting to the materials identified by OS-2.3.1.1.

Responsibility: Town Manager  
Schedule: Year One

Program OS-2.3.2.2: Work with Fairfax schools to develop appropriate educational programs concerning open space maintenance.

Responsibility: Town Manager  
Schedule: Year One

Program OS-2.3.2.3: Identify and explore other educational means to communicate information to the residents of Fairfax concerning open space maintenance, for example, signage appropriate for specific parcels.

Responsibility: Town Manager, Open Space Committee  
Schedule: Year One

***Objective OS-2.4: Encourage the removal of non-native species that are detrimental to the environment.***

**Policy OS-2.4.1: Identify existing educational materials about non-native species in the Fairfax Planning Area.**

Program OS-2.4.1.1: Create an inventory of existing educational materials on these species, including pamphlets, presentations, events, resources, web sites, and other publications.

Responsibility: Open Space Committee  
Schedule: Year 3-5

**Policy OS-2.4.2: Provide public access to educational materials to residents of the Town of Fairfax.**

Program OS-2.4.2.1: Add links to the Town of Fairfax website, <http://townoffairfax.org>, connecting to the materials identified by OS-2.4.1.1.

Responsibility: Town Manager

Schedule: Year One

Program OS-2.4.2.2: Work with Fairfax schools to develop appropriate educational programs concerning native and non-native species in the Fairfax Planning Area.

Responsibility: Town Manager

Schedule: Year One

Program OS-2.4.2.3: Identify and explore other educational means to communicate information to the residents of Fairfax concerning the removal of detrimental non-native species in the Fairfax Planning Area.

Responsibility: Town Manager, Open Space Committee

Schedule: Year One

**Goal OS-3: Preserve the sensory qualities of open space for recreational, cultural, educational, and spiritual experiences.**

***Objective OS-3.1: Provide and maintain a system of recreational trails that will create access amongst and between downtown Fairfax, neighborhoods of Fairfax, and open space in the Fairfax Planning Area.***

**Policy OS-3.1.1: Identify and map the existing recreational trails in and between open space lands in the Fairfax Planning Area. This inventory will include trails that have been historically used by the public for recreation since 1950 and continue to be used.**

Program OS-3.1.1.1: Update the inventory of public trails, lanes, pathways and public rights-of-way identified in **Circulation Appendix C-A** to include trails throughout the Fairfax Planning Area, and maintain the contents as appropriate.

Responsibility: Town Manager, Planning and Building Services, with the assistance of Fairfax Volunteers and/or the Open Space Committee  
Schedule: Year 3-5

Program OS-3.1.1.2: Update the existing Fairfax Recreational Trail Map created by the Fairfax Volunteers, enhance the map to include trails throughout the Fairfax Planning Area, and update the contents as appropriate.

Responsibility: Town Manager, Planning and Building Services, with the assistance of Fairfax Volunteers and/or the Open Space Committee  
Schedule: Year 3-5

**Policy OS-3.1.2: Make the Fairfax Recreational Trail Map publicly available to the residents of Fairfax.**

Program OS-3.1.2.1: Add a link to the Town of Fairfax website, <http://townoffairfax.org> providing access to the Fairfax Recreational Trail Map.

Responsibility: Town Manager  
Schedule: Year 3-5

Program OS-3.1.2.2: Work with Fairfax schools to develop appropriate educational programs concerning recreational trails.

Responsibility: Town Manager  
Schedule: Year 3-5

Program OS-3.1.2.3: Identify and explore other means to make the Fairfax Recreational Trail Map available to the residents of Fairfax.

Responsibility: Town Manager  
Schedule: Year 3-5

**Policy OS-3.1.3: Maintain the trails on the Fairfax Recreational Trail Map by marking and improving the trails as appropriate.**



Program OS-3.1.3.1: Provide signage at the ends of trails identified on the Fairfax Recreational Trail Map.

Responsibility: Public Works and Fairfax Volunteers

Schedule: Year 3-5

Program OS-3.1.3.2: Improve the trails identified on the Fairfax Recreational Trail Map as appropriate.

Responsibility: Public Works and Fairfax Volunteers

Schedule: Year 3-5

***Objective: OS-3.2 Preserve the visual appeal of the natural landscape in the Fairfax Planning Area.***

**Policy OS-3.2.1: Maintain the Visual Resources Map.**

Program OS-3.2.1.1: Evaluate and update Visually Significant Areas reflected on the Visual Resources Map.

Responsibility: Open Space Committee, Planning and Building Services

Schedule: Year One

Program OS-3.2.1.2: Review the contents of the Visual Resources Map, at least once every five years, and update the contents as appropriate.

Responsibility: Planning and Building Services

Schedule: Year 3-5

**Policy OS-3.2.2: Discourage development of any man-made structure on the ridgelines and within the ridge zones within the Fairfax Planning Area.**

Program OS-3.2.2.1: Update Fairfax Ordinance 17.060 to clarify conditions surrounding development near ridgelines, and encourage the County of Marin to align the Marin County Ridgeline Ordinance, as it exists as of the date of approval of this General Plan, with the Fairfax Ordinance 17.060

Responsibility: Planning Commission, Town Council

Schedule: Year 3-5

**Policy OS-3.2.3: Prevent development from blocking or impairing existing views of Visually Significant Areas identified in Figure OS-1.**

Program OS-3.2.3.1: Review development applications to ensure that views of Visually Significant Areas are not negatively impacted.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Ongoing

***Objective OS-3.3: Constrain anthropogenic sound levels in and around open space areas so that natural sounds of flora and fauna are audible.***

**Policy OS-3.3.1: Constrain noise levels in Fairfax-Designated Open Space.**

Program OS-3.3.1.1: Revise Fairfax Town Code Chapter 8.20 to establish noise level restrictions for Designated Open Space at or below the restrictions for Residential and where possible Quiet Rural Areas (see Noise Element Table N-2).

Responsibility: Planning and Building Services, Planning Commission, Town Council  
Schedule: Year 3-5

**Goal OS-4: Balance the interests of public health and safety with the preservation of open space.**

***Objective OS-4.1: Create and preserve Designated Open Space to mitigate the threat of natural hazards.***

**Policy OS-4.1.1: Areas that are prone to landslides must remain as open space, or be developed with adequate engineering to mitigate the hazard.**

Program OS-4.1.1.1: Identify, and when appropriate designate, the areas that are prone to landslides that are in existing open space, and/or in the inventory established by OS-1.2.1.

Responsibility: Planning and Building Services, Open Space Committee  
Schedule: Year One

**Policy OS-4.1.2: Designated Open Space along creek channels and in flood-prone areas should be created whenever possible to mitigate flood hazards.**

Program OS-4.1.2.1: Identify, and when appropriate designate, the areas within the flood-prone areas that are in existing open space, or in the inventory established by OS-1.2.1.

Responsibility: Planning and Building Services, Open Space Committee  
Schedule: Year One

**Policy OS-4.1.3: Mitigate extreme wildfire hazard in open space areas by reducing fire risk and removing invasive non-native species.**

Program OS-4.1.3.1: Identify, and when appropriate designate, the areas that are at high risk of wildfires that are in existing open space, or in the inventory established by OS-1.2.1.

Responsibility: Planning and Building Services, Open Space Committee  
Schedule: Year One

***Objective OS-4.2: Minimize the visual and auditory impact of construction in open space areas.***

**Policy OS-4.2.1: Discourage utility structures in open space areas.**

Program OS-4.2.1.1: Require that the design, location and construction of utilities, in existing open space or parcels in the inventory established by OS-1.2.1, minimize harm to the area's environmental and visual qualities.

Responsibility: Planning and Building Services  
Schedule: Ongoing

# CONSERVATION ELEMENT

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## INTRODUCTION



The Town of Fairfax is endowed with areas of great natural beauty, abundance, and a vibrant, environmentally conscious community. It is also populated by a community that not only strives to protect these resources, but that endeavors to preserve and conserve resources across the country and around the planet through the impacts our local activities may have beyond our borders. Thus, the purpose of the Conservation Element of the Fairfax General Plan is two-fold:

- Identify the community's natural and cultural resources and develop policies and programs that will conserve them now and for future generations; and
- Identify areas where the community can conserve resources generally and develop policies and programs that will help our citizenry in reducing overall the negative impacts humans may have on the health of the planet.

## **REGULATORY FRAMEWORK**

Government Code (GC) Section 65302(d) requires that a general plan include a Conservation Element for the “conservation, development and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources.” The Element should include a consideration of the effect of development within the jurisdiction on natural resources located on public lands, and where water resources are implicated, efforts should be made to coordinate with the county-wide water agency and with all district and city agencies, including flood management, water conservation, or groundwater agencies that have developed, served, controlled, managed, or conserved water of any type for any purpose in the county or the Town.

### **Biological Resource Regulation**

There are numerous local, State, and federal agencies and laws that regulate biological resources, including the California Department of Fish and Game (CDFG), the National Marine Fisheries Service (NMFS), and the U.S. Fish and Wildlife Service (USFWS). These agencies and others provide significant information to the public concerning endangered and threatened plants and animals, including those with habitat in Marin County. The California Environmental Quality Act (CEQA) is the overriding State law that requires analysis of impacts on biological and natural area resources.

### **Waste Management Regulation**

The California Integrated Waste Management Act of 1989 required each city and county to divert 50 percent of its waste stream from landfill disposal by the year 2000. Diversion may include reducing the total amount of waste generated through source reduction, recycling, composting, and transformation programs. In 1992, Marin’s 11 cities and the County adopted a Single Source Reduction and Recycling (“SSR”) Element that determined current diversion rates, evaluated alternative diversion program, and set forth a course of action.

### **Climate Change**

Among the evolving regulations that affect local General Plans are State regulations that specifically address greenhouse gas (GHG) emissions and climate change.

### **Executive Order S-3-05**

Signed in 2005, Executive Order S-3-05 proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce the Sierra's snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To combat these concerns, the Executive Order established total GHG emission targets. Specifically, emissions are to be reduced to the 2000 level by 2010, to the 1990 level by 2020, and to 80 percent below the 1990 level by 2050. To comply with the Executive Order, the Secretary of the California Environmental Protection Agency created a Climate Action Team ("CAT") made up of members from various State agencies and commissions. CAT's first report, released in 2006, proposed achieving the targets by building on voluntary actions of California businesses, local government and community actions, as well as through State inventive and regulatory programs.

### **The California Global Warming Solutions Act of 2006**

The California Global Warming Solutions Act of 2006 recognizes that "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." It requires that GHG emissions be reduced statewide to 1990 levels by 2020. The reduction is to be accomplished through an enforceable statewide cap on GHG emissions that will be phased in starting in 2012. To effectively implement the cap, the Act directs the California Air Resources Board (CARB) to develop and implement regulations to reduce statewide GHG emissions from stationary sources.

### **State Attorney General**

The California State Attorney General's office has suggested that, by law, a General Plan must discuss climate change and include meaningful, tangible, enforceable, and funded policies, implementation mechanisms, and timelines.

### **Air Quality**

The Bay Area Air Quality Management District (BAAQMD) has developed guidelines and thresholds of significance for local plans such as the Town of Fairfax General Plan. Inconsistency with the most recently adopted Clean Air Plan is considered a significant impact. According to the BAAQMD, the following criteria must be satisfied for a local plan to be determined consistent with the Clean Air Plan and not have a significant air quality impact:



- The local plan should be consistent with the Clean Air Plan population and vehicle miles traveled (VMT) Fairfax Planning Area assumptions. This is demonstrated if the population growth over the planning period will not exceed the values included in the current Clean Air Plan; and
- The local plan demonstrates reasonable efforts to implement the Transportation Control Measures included in the Clean Air Plan that identify cities as implementing agencies.

It is particularly important to mitigate sensitive receptors (individuals especially sensitive to air quality, like the elderly, hospital patients, and young children) exposure to high levels of diesel exhaust. The design, layout, and orientation of high-density housing, for example, should minimize the exposure of residents to diesel exhaust.

### **Historic and Cultural Resources**

The National Historic Preservation Act (NHPA) enacted in 1966 provides the legal framework for most State and local preservation laws. The National Register of Historic Places is the nation's official list of cultural resources worthy of preservation. It is part of a national program to coordinate and support public and private efforts to identify, evaluate and protect historic and archeological resources.

The California Register of Historical Resources was established in 1992, through amendments to the Public Resources Code. It serves as an authoritative guide to be used by State and local agencies, private groups, and citizens to identify the State's historical resources and to indicate what properties are to be protected from substantial adverse change. CEQA also includes provisions defining historical resources and providing that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

Several California laws address the importance of Native American involvement in the development review process and provide requirements for the treatment of human remains and grave goods and protection of cultural spaces. The California Native American Graves Protection and Repatriation Act of 2001 is consistent with the federal Native American Graves Protection and Repatriation Act, and was put in place to ensure that all California Indian Human remains and cultural items are treated with dignity and respect. Sections of the California Health and Safety Code address the discovery and disposal of human remains outside a dedicated cemetery and provide requirements for consultation

with appropriate Native American individuals. The Public Resources Code established the Native American Heritage Commission and the State's Sacred Places list. Requirements for local agencies to consult with or refer matters to identified California Native American Tribes, as part of the general plan adoption or amendment process and prior to the designation of open space, are provided in GC Sections 65352(a), 65352.3, 65352.4, and 65562.5.

## RELATIONSHIP TO OTHER ELEMENTS

The Conservation Element provides a major policy input into the Land Use and Circulation Elements. The Element's concerns relate directly, and in fact overlap many of the concerns of the Open Space and Safety Elements.

## POPULATION AND GROWTH

Population growth presents two types of issues for Fairfax: 1) addressing the local effects of an increasing regional population, and 2) addressing the global effects of the increasing world population.

Population growth<sup>1</sup> is viewed by many to be a root cause of the global environmental dangers our world faces. These dangers threaten every life form on earth. Species from all kingdoms—profoundly, individual being by individual being—are threatened, and increasingly many have been and are being pushed into extinction. Left unabated, humankind could drive itself to extinction under the sheer weight of its number.

How Fairfax will address the dangers and empower its citizenry to stewardship is guided by this Conservation Element.

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<sup>1</sup> The population of the world reached one billion in 1804, two billion in 1927, three billion in 1960, four billion in 1974, five billion in 1987, and six billion in 1999. It is projected to reach seven billion by late 2011, and around eight billion by 2025. By 2045-2050, the world's population is currently projected to reach around nine billion, with alternative scenarios ranging from 7.4 billion to 10.6 billion. *Source: Wikipedia (July 2010): World Population: Milestones by the billions.*

## **SUSTAINABILITY, LOCALIZATION, AND STEWARDSHIP**

The concept of sustainability means different things to different people and the meaning of the term has evolved over time. Sustainability, in its broadest sense, holds that the ability of the global environment to sustain itself depends upon an understanding that there are finite natural resources, and that these life-sustaining resources cannot be consumed faster than they can be naturally replaced. Equally important, there must not be irreversible harm caused to sensitive ecological habitats or environmental systems beyond their capacities.

For the purpose of this Conservation Element, sustainability connotes not only the desire to protect and maintain existing resources for future generations, but to aggressively pursue policies that potentially protect resources beyond our borders. By taking steps to encourage and advance sustainable activities, not only do the citizens of Fairfax demonstrate our commitment to future generations, we demonstrate our commitment to the rest of the world.

One way to move toward greater sustainability, which improves both the community's resilience and its livability and also lowers our impact on the earth, is to move toward more localization of our activities. This concept, which encompasses local and community agriculture, local re-purposing of used materials, and more, is a theme throughout this Element.

## **GOALS, OBJECTIVES, POLICIES, AND PROGRAMS**

The eight goals of this element are:

- **Goal 1: Energy conservation and climate.**
- **Goal 2: Air quality.**
- **Goal 3: Watershed and stream management.**
- **Goal 4: Water conservation and quality.**
- **Goal 5: Soils and vegetation.**
- **Goal 6: Wildlife.**
- **Goal 7: Waste management.**
- **Goal 8: Historic and cultural preservation.**

**Goal CON-1: Energy conservation and climate.**

*We shall require a substantially new manner of thinking if mankind is to survive.*

*– Albert Einstein*

This goal addresses what many are calling the greatest challenge humankind has ever faced: change of the earth's climate balance, along with scarcity of certain resources. This challenge requires improvement of our energy infrastructure. This is obviously daunting for the General Plan of a village of 7,500 persons. The emphasis here is therefore not on the global battles over climate pricing or the shape of capitalism, but on a more local and action-oriented level.

As this General Plan is being written, Marin Clean Energy is being phased in. The Town's leadership and citizens have played a visionary and groundbreaking role in creating this and so many other now-widespread conservation initiatives, such as banning polystyrene and plastic bags. Fairfax is thus not only a village, but also a leader, and as such what we do matters and can find support beyond what might be expected. At our best we can be agile because we're small and yet pioneering in our impact.

This goal attempts to focus our local activities toward several large visions, all of which seem at times impossible and at times inevitable.

- *Sustainable and socially equitable energy usage in the future.* This includes addressing our direct energy requirements and ones associated with all manner of energy consumption.
- *An end to the very concept of "waste."* Fairfax has committed to a zero waste future, even while it seems nearly impossible to do anything in present society without leaving a pile of non-reusable material behind.
- *Universal citizen involvement in this project.* We are working to guide the conversation and raise awareness. For example, one initiative in the present plan calls for a local "meter," to bring our Town's footprint into the public eye on a daily basis.

This portion of the Conservation Element relates to other General Plan Elements in several areas. The Safety Element has considerable overlap regarding the concepts of resiliency, and the use of education as one of the few affordable options to getting there. The Circulation Element lays out the task of moving from the automobile-centric present to a

future in which public and efficient private transportation are the norm, and planning makes this possible. Land Use as the core of the General Plan supports the central planning realization that infill is superior to sprawl. The Open Space Element, in its focus on the unspoiled country surrounding Fairfax, seeks to preserve what gives us both a buffer for resiliency and the connection to life that will sustain us.

***Objective CON-1.1: Integrate reduction of the use of non-renewable energy resources and GHG emissions into planning for the Town of Fairfax.***

**Policy CON-1.1.1: Develop and implement a Climate Action Plan (CAP) for Fairfax, including within its scope both the operations of the Town government and the activities of citizens, and including both stationary and mobile sources.**

Program CON-1.1.1.1: Establish a town committee responsible for creating and implementing a CAP, including an initial comprehensive Greenhouse Gas Inventory (Fairfax Climate Action Committee (FCAC)).

Responsibility: Town Council

Schedule: Year One

Program CON-1.1.1.2: Obtain comprehensive resource usage information for the whole of Fairfax, including primary electricity and natural gas consumption, and energy usage for all forms of transportation and water and sewage treatment.

Responsibility: FCAC

Schedule: Year One

Program CON-1.1.1.3: Create a CAP for Fairfax, publish it on the Town website, and maintain it on an ongoing basis.

Responsibility: FCAC, Town Manager (publishing only)

Schedule: Year Two

**Policy CON-1.1.2: Promote zoning to facilitate live/work situations and minimize motorized transit (see Land Use Element Goal 8).**

Program CON-1.1.2.1: Adopt planning policies and zoning that promote a mixture of residential and commercial usage in the same buildings, to promote live/work situations and reduce motorized transportation.

Responsibility: Planning and Building, Planning Commission, Town Council

Schedule: Year One

Program CON-1.1.2.2: Adopt planning policies that promote infill rather than sprawl, including incorporation of second units to existing Fairfax housing.

Responsibility: Planning and Building, Planning Commission, Town Council

Schedule: Year One

**Policy CON-1.1.3: Encourage green building techniques for all new and remodel construction within the Town of Fairfax.**

Program CON-1.1.3.1: Develop and adopt a green building ordinance, requiring state-of-the-art, energy-efficient construction techniques for all new and remodel construction.

Responsibility: Planning and Building, Town Council

Schedule: Year One

Program CON-1.1.3.2: Provide and maintain links on the Town of Fairfax website to green building information and resources.

Responsibility: Town Manager

Schedule: Year One

**Policy CON-1.1.4: Participate in statewide and county-wide efforts toward energy conservation, renewable energy generation and GHG reduction.**

Program CON-1.1.4.1: Continue the Town's membership in the Marin Energy Authority (MEA), or if not, then in other alternatives allowing the choice of renewable energy sources by Fairfax businesses and residents.

Responsibility: Town Council

Schedule: Ongoing

Program CON-1.1.4.2: Support Marin County's Greenhouse Gas Reduction Plan by implementing all feasible GHG mitigation measures outlined therein.

Responsibility: FCAC, Town Council  
Schedule: Ongoing

Program CON-1.1.4.3: Participate in the Cities for Climate Protection Campaign, administered by ICLEI – Local Governments for Sustainability.

Responsibility: FCAC, Town Council  
Schedule: Ongoing

Program CON-1.1.4.4: As part of any traffic study, require GHG emission analysis, according to the CEQA Guidelines developed by the Governor's Office of Planning and Research.

Responsibility: Planning and Building Services, Town Council, FCAC  
Schedule: Ongoing

Program CON-1.1.4.5: Identify other national and local programs supporting energy conservation, renewable energy generation and GHG reduction, and participate in them as appropriate.

Responsibility: FCAC  
Schedule: Year One

***Objective CON-1.2: Reduce consumption of non-renewable energy resources and reduce GHG emission by the residents and Town of Fairfax.***

**Policy CON-1.2.1: Implement energy efficiency and use of sustainable energy resources by Town government.**

Program CON-1.2.1.1: Maintain and enhance the Photovoltaic installation on the Pavilion.

Responsibility: Public Works  
Schedule: Ongoing

Program CON-1.2.1.2: Improve energy efficiency within Town buildings including Town Hall, the Town Hall Annex, and the Women's Club.

Responsibility: Public Works

Schedule: Year Two

**Policy CON-1.2.2: Create an infrastructure to facilitate the use of plug-in hybrid electric vehicles (PHEVs) and electric vehicles (EVs).**

Program CON-1.2.2.1: Install charging stations for PHEVs or EVs, either metered or free to users, in the Town Center area.

Responsibility: Public Works

Schedule: Year Two

Program CON-1.2.2.2: Require the installation of electrical outlets in all new development and substantial improvements to support PHEV or EV usage.

Responsibility: Planning and Building Services

Schedule: Year Two

***Objective CON-1.3: Promote education and citizen involvement.***

**Policy CON-1.3.1: Educate Fairfax citizens about the CAP, both as to its objectives and as to ongoing progress in its implementation.**

Program CON-1.3.1.1: Provide a "meter" in a public place showing the overall progress of the Town as a whole in reducing electrical, gas, and/or water usage.

Responsibility: FCAC, Planning and Building Services

Schedule: Year Two

Program CON-1.3.1.2: Publish information on the Town website on how to obtain an energy audit and energy reducing strategies for homeowners and businesses.

Responsibility: Planning and Building Services, Town Manager

Schedule: Year One



Program CON-1.3.1.3: Promote the annual “green home” tour conducted by Build It Green.

Responsibility: Planning and Building Services

Schedule: Ongoing

Program CON-1.3.1.4: Educate citizens on primary means to reduce GHG emissions, such as transportation choices and supporting the local economy, including locally-grown foods and local businesses, to reduce GHG emissions.

Responsibility: FCAC, Town Manager

Schedule: Ongoing

*Resources:*

- <http://projectgetready.com> – Rocky Mountain Institute’s advice to communities on infrastructure preparedness for plug-in vehicles.
- <http://www.iclei.org> – ICLEI provides technical consulting, training, and information services to build capacity, share knowledge, and support local government in the implementation of sustainable development at the local level.
- <http://transitionwestmarin.wordpress.com> – A network of local individuals and organizations committed to building local resiliency and reducing climate emissions to cope with peak oil, climate change and economic instability. Previously known as West Marin Localization Network, and before that, Marin Alliance.
- <http://www.builditgreen.org> – Build It Green is a non-profit membership organization whose mission is to promote healthy, energy- and resource-efficient building practices in California.
- Earth: Making a Life on a Tough New Planet, by Bill McKibben, ©2010.
- Marin Climate and Energy Partnership (MCEP) – developing a model CAP.

**Goal CON-2: Air quality.**

At the western end of the Ross Valley, with prevailing westerly winds coming in from the nearby Pacific Ocean, Fairfax is gifted with naturally good air quality. With a lack of industries that generate air pollution either in the Town or in the County, it would seem that there are few air quality issues requiring addressing in this Plan.

Nevertheless, air quality is an ever-present issue, and pollution emissions from wood-burning stoves and fireplaces, motorized transportation and other activities in and around Fairfax has both local and global impact. This goal seeks to raise awareness of air quality issues for Town residents, as well as reduce the emissions of various types of air pollutants by the Town and its residents. It does not address GHG issues, which are covered by Goal CON-1.

Air quality is impacted by a wide variety of types of pollution, including ground-level ozone, climate monoxide, particulate matter, toxic air contaminants, and odors

***Objective CON-2.1: Improve air quality through proper planning and building decisions.***

**Policy CON-2.1.1: Support development approaches and usage measures near the Town Center to reduce individual motorized transportation requirements.**

Program CON-2.1.1.1: Change the zoning of areas near public transportation to allow mixed-use development, where appropriate.

Responsibility: Planning and Building Services, Town Council  
Schedule: Year One

Program CON-2.1.1.2: Support efforts to locate major public facilities and events near the Town Center, reducing the amount of vehicular traffic within the Town.

Responsibility: Planning and Building Services, Planning Commission, Town Council  
Schedule: Ongoing

Program CON-2.1.1.3: Support public transportation measures that reduce vehicular traffic from the Fairfax Town Center to San Anselmo, San Rafael, and the Highway 101 corridor.

Responsibility: Planning and Building Services, Town Council  
Schedule: Ongoing

Program CON-2.1.1.4: Improve the efficiency of traffic flow along the Sir Francis Drake corridor to reduce emissions from motorized traffic.

Responsibility: Planning and Building Services, Public Works, Planning Commission, Town Council

Schedule: Year One

Program CON-2.1.1.5: Improve pedestrian and bicycle safety and access within the Town, and coordinate with regional efforts to promote pedestrian and bicycle traffic.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Ongoing

**Policy CON-2.1.2: All planning decisions shall require application of existing air quality guidelines and best practices to minimize air quality impact.**

Program CON-2.1.2.1: Require new uses and development projects that generate significant toxic air contaminants, particulates or odors to include adequate buffer zones, setbacks or other mitigation measures to protect existing or future sensitive receptors.

Responsibility: Planning and Building Services, Town Council

Schedule: Ongoing

Program CON-2.1.2.2: As a condition of approval for discretionary projects, require dust control measures consistent with the “Feasible Control Measures for Construction Emissions of PM<sub>10</sub>” of the BAAQMD CEQA Guidelines, or its successor document.

Responsibility: Planning and Building, Town Council

Schedule: Ongoing

Program CON-2.1.2.3: As a condition of approval for demolition permits, require applicants to demonstrate compliance with applicable BAAQMD standards and procedures for mitigating the risk of exposure to lead paint and asbestos.

Responsibility: Planning and Building, Town Council

Schedule: Ongoing

Program CON-2.1.2.4: As a condition of approval, require emission control measures for construction equipment that are appropriate to the specifics of the project and as recommended by the BAAQMD.

Responsibility: Planning and Building, Town Council  
Schedule: Ongoing

**Policy CON-2.1.3: Improve air quality by encouraging green building techniques for all new and remodel construction within the Town of Fairfax.**

Program CON-2.1.3.1: Develop and adopt a green building ordinance, requiring use of products with low VOC emissions for all new and remodel construction.

Responsibility: Planning and Building, Town Council  
Schedule: Year One

***Objective CON-2.2: Improve air quality through appropriate changes to the Town of Fairfax Municipal Code.***

**Policy CON-2.2.1: Reduce particulate and toxic air contaminant emissions from wood-burning stoves and fireplaces.**

Program CON-2.2.1.1: Maintain an ordinance to require EPA certified appliances for burning of wood products, or natural gas or alcohol fireplaces, in remodeling projects that include the replacement of inefficient or polluting wood burning devices.

Responsibility: Town Council  
Schedule: Year One

***Objective CON-2.3: Improve air quality through cooperation and coordination with regional, State, federal and non-profit agencies.***

**Policy CON-2.3.1: Support local air quality initiatives from the BAAQMD and ABAG.**

Program CON-2.3.1.1: Participate in the air quality education programs of the BAAQMD, such as “Spare the Air” days. Provide links to this information on the Town of Fairfax website.

Responsibility: Town Manager  
Schedule: Ongoing

Program CON-2.3.1.2: Refer larger development projects, or those with potential to generate substantial dust or air pollution, to the BAAQMD for review. Incorporate appropriate mitigation measures in project conditions.

Responsibility: Planning and Building Services  
Schedule: Ongoing

Program CON-2.3.1.3: As appropriate, participate in demonstration projects offered by the BAAQMD to reduce mobile source emissions as part of the district’s 2005 Ozone Strategy or successor programs.

Responsibility: Planning and Building Services  
Schedule: Ongoing

Program CON-2.3.1.4: Require all Planning Commission and Planning staff to familiarize themselves with the ABAG publication “Design Strategies for Encouraging Alternatives to Auto Use Through Local Development Review,” and maintain a link to this resource on the Town website.

Responsibility: Planning and Building Services, Planning Commission, Town Manager  
Schedule: Ongoing

**Policy CON-2.3.2: Support air quality initiatives from the State of California.**

Program CON-2.3.2.1: Implement regulations issued by the CARB or other State regulatory agency regarding air pollutant and GHG emissions.

Responsibility: Town Council, FCAC  
Schedule: Ongoing

*Resources:*

- California Environmental Quality Act (CEQA) Guidelines, Bay Area Air Quality Management District (BAAQMD)

- *Design Strategies for Encouraging Alternatives to Auto Use Through Local Development Review*, Association of Bay Area Governments (ABAG), <http://www.abag.ca.gov/abag/overview/pub/DSPage.html>
- 2009 General Plan for the Town of Corte Madera, that contains an excellent discussion of air quality issues and the type and impact of various contaminants <http://www.ci.corte-madera.ca.us/planning/GeneralPlan.html>

### **Goal CON-3: Watershed and stream management.**

*All my ambition is, I own, to profit and to please unknown; like streams supplied from springs below, which scatter blessings as they go.*

– Charles Cotton

Fairfax lies at the confluence of San Anselmo Creek and Fairfax Creek, establishing the headwaters of Corte Madera Creek. The structure of the Town has evolved around these dynamic streams, which once supported salmon and steelhead and a wide variety of aquatic and terrestrial wildlife, all dependent on a healthy riparian corridor and floodplain.

Fairfax is at the head of the Ross Valley watershed, and the policies and programs identified are intended to improve protection measures for creek and watershed process not only within the Town, but downstream through a series of other communities to San Francisco Bay.

***Objective CON-3.1: To preserve and restore creeks and waterways to their natural condition and preserve natural habitats and their connectivity.***

**Policy CON-3.1.1: Maintain floodwater capacity and promote creek restoration.**

Program CON-3.1.1.1: Work with Marin County to develop maintenance guidelines for creek and wetland areas to reduce flooding, sedimentation, and erosion while maintaining and enhancing riparian vegetation and wildlife.

Responsibility: Planning and Building  
Schedule: Year One

Program CON-3.1.1.2: Evaluate and update the Surface Hydrology Map (see Figure CON-1).

Responsibility: Planning and Building  
Schedule: Year One

Program CON-3.1.1.3: Modify Fairfax Town Code 17.040.040, the creek protection ordinance, to apply to all watercourses, not just San Anselmo Creek and Fairfax Creek.

Responsibility: Planning and Building, Planning Commission, Town Council  
Schedule: Year One

Program CON-3.1.1.4: Assess, prioritize and coordinate with appropriate agencies to promote peak stormwater flow detention areas.

Responsibility: Public Works, Planning and Building, Planning Commission, Town Council  
Schedule: Ongoing

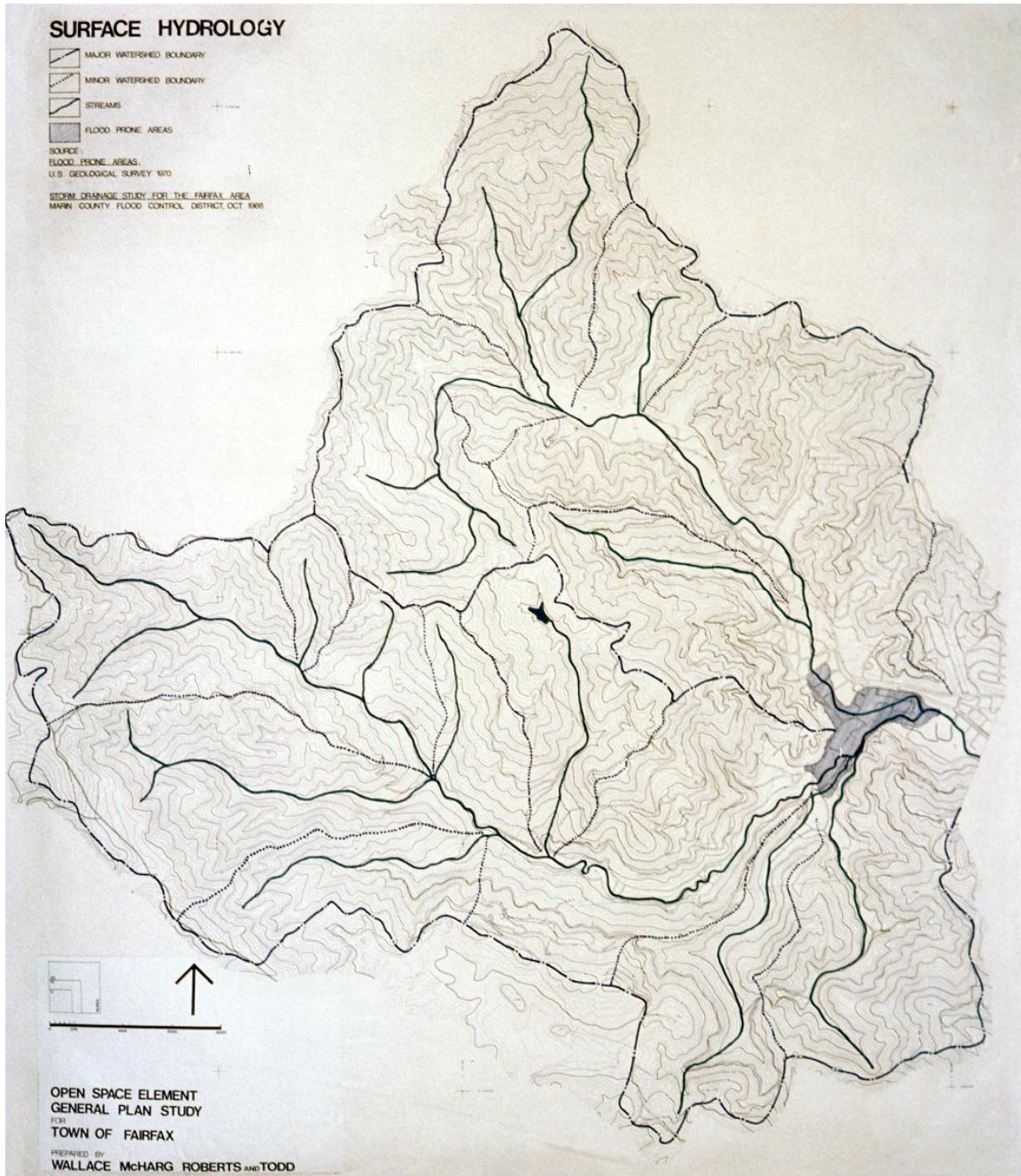
Program CON-3.1.1.5: Participate in Marin County Flood Control and Water Conservation District Flood Zone 9 programs.

Responsibility: Public Works, Planning and Building, Town Council  
Schedule: Ongoing

**Policy CON-3.1.2: The Town of Fairfax shall protect and restore riparian habitat and ensure natural channel process in the San Anselmo Creek and Fairfax Creek watersheds.**

Program CON-3.1.2.1: Develop a Creek Master Plan, with implementing programs and funding sources, for restoring the creeks and protecting habitat in the Planning Area.

Responsibility: Planning and Building Services, Public Works  
Schedule: Year One



**Figure CON-1 Surface Hydrology Map**



Program CON-3.1.2.2: Establish a creek-side development zone, and as a condition of approval for development applications within the zone, require a riparian corridor restoration and management plan and a drainage plan.

Responsibility: Planning and Building, Public Works, Planning Commission

Schedule: Year One

Program CON-3.1.2.3: Assess, prioritize and coordinate with appropriate agencies to identify active floodplain habitat areas.

Responsibility: Public Works, Planning and Building, Planning Commission, Town Council

Schedule: Ongoing

Program CON-3.1.2.4: Utilize natural or managed flood basins to maximize habitat values for local wildlife resources.

Responsibility: Public Works, Planning and Building, Planning Commission, Town Council

Schedule: Ongoing

**Policy CON-3.1.3: Creeks that are channelized shall be restored and/or “day-lighted” to improve aquatic habitat. Creeks in a natural state shall not be channelized where possible.**

Program CON-3.1.3.1: Develop a Creek Master Plan, with implementing programs and funding sources, for restoring the creeks and protecting habitat in the Planning Area.

Responsibility: Planning and Building Services, Public Works

Schedule: Year One

**Policy CON-3.1.4: Coordinate with appropriate agency to review individual well permits to protect surface water flow.**

Program CON-3.1.4.1: Establish town permit review process.

Responsibility: Planning and Building Services

Schedule: Year One

<p><b>Goal CON-4: Water conservation and quality.</b></p>
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*We never know the worth of water till the well is dry.*

*– Thomas Fuller, Gnomologia, 1732*

Fairfax has long been a leader in conservation. Demands on energy and water are well-understood, and Fairfax residents generally support measures to conserve water resources and protect water quality. Fairfax has an opportunity to demonstrate new levels of water conservation and development of grey-water systems. Action on the leading edge of environmental conservation has defined Fairfax for more than a generation, and the water conservation and water quality preservation policies and programs can be a model for other communities to look to in the future.

***Objective CON-4.1: Promote water conservation to reduce overall demand on water supply resources.***

**Policy CON-4.1.1: Promote water conservation policies and programs to cut water demand by 20 percent by 2015.**

Program CON-4.1.1.1: Establish town goal of 20 percent reduction in use of potable water by 2015.

Responsibility: Town Council

Schedule: Year One

Program CON-4.1.1.2: Assure high levels of community participation in Marin Municipal Water District (MMWD) water conservation programs.

Responsibility: Planning and Building, Fairfax Volunteers

Schedule: Ongoing

Program CON-4.1.1.3: Review, update, and expand Fairfax Town Code, Water Conservation Chapter 17.132, to achieve water reduction policies.

Responsibility: Planning and Building, Planning Commission, Town Council

Schedule: Ongoing

Program CON-4.1.1.4: Develop town ordinances to encourage development of grey-water systems and to provide residential and commercial property owners incentives to use these technologies.

Responsibility: Planning and Building, Planning Commission, Town Council

Schedule: Year One

Program CON-4.1.1.5: Provide residential and commercial property owners incentives to utilize greywater and other water conservation methods to reduce potable water consumption.

Responsibility: Planning and Building, Planning Commission, Town Council

Schedule: Year One

***Objective CON-4.2: Protect natural water quality.***

**Policy CON-4.2.1: Provide connection to the sanitary sewer network for all town parcels.**

Program CON-4.2.1.1: Inventory developed parcels in town not within Ross Valley Sanitary District, and identify closest available connection to the sanitary network.

Responsibility: Public Works, Planning and Building, Town Council

Schedule: Year One

Program CON-4.2.1.2: Create incentives to integrate the parcels identified above into the operable sanitary network.

Responsibility: Public Works, Planning and Building, Town Council

Schedule: Year Two

Program CON-4.2.1.3: Create educational material and incentives to improve existing lateral pipe connections to the sanitary network.

Responsibility: Public Works, Planning and Building, Town Council

Schedule: Year Two

Program CON-4.2.1.4: Establish a town liaison to coordinate with Ross Valley Sanitary District.

Responsibility: Public Works, Town Council

Schedule: Year Two

**Policy CON-4.2.2: Improve Town stormwater management through improved assessment, design, and implementation of standard practices as contained in a Storm Drain Master Plan. The Town will work with Marin County Stormwater Pollution Prevention Program (MCSTOPPP) to update the Stormwater Management Plan. According to the requirements of current National Pollutant Discharge Elimination System (NPDES) Phase II General Permit Issued by the State Water Resources Board or applicable NPDES municipal stormwater permit in effect.**

Program CON-4.2.2.1: Create a Storm Drain Master Plan.

Responsibility: Public Works, Planning and Building, Town Council

Schedule: Year One

Program CON-4.2.2.2: Reduce storm water runoff through use of Low Impact Design (LID) methods.

Responsibility: Public Works, Planning and Building, Town Council

Schedule: Year One

Program CON-4.2.2.3: Modify existing ordinances to require no net increase in storm water runoff with new development and remodels of 50 percent or greater and according to requirements of current National Pollutant Discharge Elimination System (NPDES) Phase II General Permit issued by the State Water Resources Control Board or applicable NPDES Municipal stormwater permit in effect.

Responsibility: Planning and Building, Planning Commission, Town Council

Schedule: Year One

Program CON-4.2.2.4: Town facilities shall incorporate LID methods to reduce or delay storm water runoff.

Responsibility: Public Works, Planning and Building, Town Council

Schedule: Year One

Program CON-4.2.2.5: Evaluate town storm water infrastructure, including culverts and drains, and ensure facilities meet standard flow requirements.

Responsibility: Public Works, Planning and Building, Town Council  
Schedule: Year One

Program CON-4.2.2.6: Inventory, assess and prioritize separation of streamflow and water courses from town stormwater management infrastructure and network.

Responsibility: Public Works, Fairfax Volunteers  
Schedule: Ongoing

Program CON-4.2.2.7: Develop and adopt a storm drain-clearing program.

Responsibility: Public Works, Fairfax Volunteers  
Schedule: Ongoing

Program CON-4.2.2.8: Update lot coverage definition to include all impervious surfaces as part of calculation, and evaluate reduction in allowed lot coverage by ordinance to promote reduction in impervious surface with existing and new development.

Responsibility: Planning and Building, Planning Commission Town Council  
Schedule: Year One

Program CON-4.2.2.9: Label all storm drains to indicate that they drain to a creek, and dumping is not allowed.

Responsibility: Public Works, Fairfax Volunteers  
Schedule: Ongoing

**Policy CON-4.2.3: Reduce sales and consumption of cleaning products, solvents, insecticides and herbicides within the Town of Fairfax.**

Program CON-4.2.3.1: Work with town businesses, and include restrictions in business licenses to provide incentives for non-toxic solutions for cleaning products, solvents, insecticides and herbicides.

Responsibility: Planning and Building, Town Council, Fairfax Chamber of Commerce  
Schedule: Year One

Program CON-4.2.3.2: Identify and promote no-spray zones throughout community.

Responsibility: Planning and Building Services, Fairfax Volunteers  
Schedule: Year One

Program CON-4.2.3.3: Assure that the Town of Fairfax appoints representative to town seat on the Marin-Sonoma Mosquito Vector Control District Board.

Responsibility: Town Council  
Schedule: Ongoing

Program CON-4.2.3.4: Provide links to educational materials about toxic products on the Town of Fairfax website.

Responsibility: Town Manager, Town Council  
Schedule: Year One

### **Goal CON-5: Soils and vegetation.**

The goals and policies within the Conservation Element recognize and address the need to carefully maintain a balance between appropriate vegetation management for fire safety, and protection of important vegetated areas for riparian cover, connectivity of wildlife habitat, and our love of the forested landscape.

The Fairfax Planning Area is primarily forested with Oak, Bay, Redwood and Douglas fir on the slopes. Chaparral occurs on the hot south facing hills. The bottoms of the valleys and canyons are riparian habitat shading the creeks and providing ribbon of healthy cover winding through the town.

The Fairfax Planning Area is an area of high fire danger due to this considerable vegetation cover. Yet this cover is also critical to reducing soil erosion in our creeks and waterways. Our forests, vegetated slopes and riparian corridors hold the soils in place and allow for water percolation and create shade. In balancing protection and maintaining appropriate vegetation management, we strive to keep all inhabitants of the Fairfax Planning Area safe and healthy.

***Objective CON-5.1: Conserve soils and minimize erosion.*****Policy CON-5.1.1: Educate residents of the Town on soil conservation and erosion issues.**

Program CON-5.1.1.1: Develop educational materials outlining appropriate clearing to reduce and prevent soil erosion.

Responsibility: Public Works, Town Manager, Volunteers

Schedule: Ongoing

***Objective CON-5.2: Protect and maintain high quality vegetation communities within the Fairfax Planning Area.*****Policy CON-5.2.1: Maintain and restore native vegetation where appropriate for habitat value, aesthetics, reference habitat, and riparian cover.**

Program CON-5-2.1.1: Work with Ross Valley Fire Department (RVFD) to develop appropriate defensible space measures to restore and maintain vegetation while reducing fuel loads.

Responsibility: Town Council

Schedule: Ongoing

Program CON-5-2.1.2: Identify and map significant areas of native vegetation for protection and maintenance as reference habitats. Certain maps already exist which may be used as resources.

Responsibility: Town Manager, Open Space Committee

Schedule: Ongoing

Program CON-5-2.1.3: Identify and map areas of greatest populations of invasive species and create a prioritized list for restoration.

Responsibility: Town Manager, Open Space Committee

Schedule: Ongoing

Program CON-5-2.1.4: Remove invasive species according to the prioritized list created by CON-5-2.1.3, and restore native vegetation communities in their place.

Responsibility: Town Manager, Open Space Committee

Schedule: Ongoing

Program CON-5.2.1.5: Restore native vegetation communities where appropriate on Town-owned properties.

Responsibility: Town Manager, Open Space Committee

Schedule: Ongoing

Program CON-5.2.1.6: Create a Native Plant ordinance that promotes native vegetation.

Responsibility: Town Council, Planning Commission, Planning and Building Department

Schedule: Year One

Program CON-5.2.1.7: Create or enhance ordinance(s) to protect mature native trees and ensure regeneration of native forests.

Responsibility: Town Council, Planning Commission, Public Works Department

Schedule: Ongoing

Program CON-5.2.1.8: Establish a street tree policy that promotes increased shade in the downtown area.

Responsibility: Town Council, Planning Commission, Planning and Building Services, Public Works Department

Schedule: Ongoing

Program CON-5.2.1.9: Identify native species with low flammability, and develop educational materials recommending their use for landscaping.

Responsibility: RVFD, Town Manager

Schedule: Ongoing

Program CON-5.2.1.10: Create educational materials on the proper removal of non-native invasive species, and restoration with appropriate native species.

Responsibility: Town Manager

Schedule: Ongoing

**Policy CON-5.2.2: Encourage urban farming and community gardening, including edible landscape in residential areas.**

Program CON-5.2.2.1: Educate citizens as to resources, such as Marin Master Gardeners.

Responsibility: Sustainable Fairfax, Town Manager

Schedule: Ongoing



*Reference material to be considered for vegetation management:*

- Tree Ordinance in the maintenance of native trees and trees of significance.
- Open Space Element for reference habitats and wildlife corridors.
- Safety Element regarding defensible space and large scale vegetation clearing.
- Town Center Element for street tree regulations.
- Refer to the need for storm water conservation, for the health of riparian vegetation.

*Existing inventories include:*

- Department of Fish and Game (CDFG): California Natural Community Conservation Planning (NCCP) and the Wildlife Habitat Relationships Program.
- MMWD: Water Resource Plan and Vegetation Management Plan.
- California Native Plant Society (CNPS): Inventory of Rare and Endangered Plants of California

**Goal CON-6: Wildlife conservation.**

The goals and policies within this section of the Conservation Element acknowledge our place within the larger context of the Marin landscape matrix of protected lands. We are bordered by Marin Open Space on Loma Alta to the north, Mt. Tam State Park and MMWD land to the west and south, and the Golden Gate Recreation Area to the far west.

Wildlife habitats of many kinds cover all these areas and it is important to understand and allow for both seasonal and resident wildlife use of the habitat. We need to maintain and protect wildlife migration corridors on both a micro and macro scale, understanding the species we live with and the species that pass through. Healthy stream corridors, connections between lowland and upland habitat, areas of low human disturbance, contiguous stands of mature trees, open meadow, riparian cover all help maintain a diverse and resilient landscape mosaic that supports and honors the diversity of life of which we are a part.

The adjacency of the larger protected lands create opportunities for interactions and conflicts between people and wildlife, but the policies herein attempt to reduce the conflict potential and enhance the protection and restoration of wildlife habitat within the Fairfax Planning Area. We have set goals for removal of invasive species and restoration of endangered species in an effort to reduce the detrimental impact of land use and develop-

ment in the Fairfax Planning Area. It is important that Fairfax is a contributing link to the health of the greater landscape instead of being a gap in the quality habitat that surrounds us.

***Objective CON-6.1: Protect special-status species, resident and migrant wildlife and their associated habitats.***

**Policy CON-6.1.1: Identify special-status species and resident and migrant wildlife, and their habitats, within the Fairfax Planning Area.**

Program CON-6.1.1.1: Create a list of special-status species, and resident and migrant wildlife in the Fairfax Planning Area, and publish it on the Town of Fairfax website.

Responsibility: Town Manager, Fairfax Volunteers  
Schedule: Year One

Program CON-6.1.1.2: Update existing maps of wildlife habitat and corridors, and integrate into Marin Maps and the Town of Fairfax website.

Responsibility: Town Manager, Planning and Building, Fairfax Volunteers  
Schedule: Year Two

Program CON-6.1.1.3: Identify key wildlife habitat and corridors for protection to enable safe movement of animals, paying particular attention to connections to Open Space.

Responsibility: Planning and Building, Planning Commission, Town Council  
Schedule: Year 3-5

**Policy CON-6.1.2: Protect special-status species and resident and migrant wildlife, and their habitats, within the Fairfax Planning Area (also see Goal CON-3 and Policy CON-5.2.1).**

Program CON-6.1.2.1: Identify and establish seasonal protection measures to minimize impact on sensitive wildlife.

Responsibility: Planning and Building, Public Works, Town Manager  
Schedule: Year 3-5

Program CON-6.1.2.2: Establish management guidelines for resident wildlife and feral domestic animals that are compassionate, humane, and respectful of life.

Responsibility: Town Council  
Schedule: Year 3-5

Program CON-6.1.2.3: Incorporate lighting restrictions to limit lighting for proposed new commercial development, replacement street lighting and residential landscaping.

Responsibility: Planning and Building  
Schedule: Year 3-5

Program CON-6.1.2.4: Review restrictions on the use of pesticides, and revise as needed.

Responsibility: Planning and Building, Planning Commission, Town Council, Sustainable Fairfax  
Schedule: Ongoing

Program CON-6.1.2.5: Publish and enforce restrictions on the use of pesticides on the Town of Fairfax website.

Responsibility: Planning and Building, Town Manager  
Schedule: Year Two

***Objective CON-6.2: Restore critical habitats for special-status species.***

**Policy CON-6.2.1: Restore habitats for anadromous fish.**

Program CON-6.2.1.1: Identify locations that impede the migration of anadromous fish.

Responsibility: Town Manager  
Schedule: Year One

Program CON-6.2.1.2: Assess, prioritize and coordinate with appropriate agencies to relieve impediments to fish migration on Corte Madera Creek, San Anselmo Creek, Fairfax Creek, and their tributaries.

Responsibility: Town Manager, Public Works, Planning and Building, Town Council  
Schedule: Ongoing

Program CON-6.2.1.3: Identify and protect intact, healthy, riparian vegetation for the maintenance of healthy stream ecosystems, stable stream banks, and high wildlife habitat value.

Responsibility: Planning and Building, Town Council, Public Works, Volunteers

Schedule: Ongoing

Program CON-6.2.1.4: Work with local school groups, recreation groups, Friends of Corte Madera Creek, and Marin Audubon to do habitat restoration projects and increase the habitat value of many sites within town.

Responsibility: Volunteers

Schedule: Ongoing

***Objective CON-6.3: Raise community awareness of special-status species, resident and migrant wildlife and their associated habitats.***

**Policy CON-6.3.1: Develop education and outreach materials regarding special-status species, resident and migrant wildlife, and their habitats in the Fairfax Planning Area.**

Program CON-6.3.1.1: Enhance educational signage and information regarding the creek and native species habitat in the town.

Responsibility: Volunteers

Schedule: Ongoing

Program CON-6.3.1.2: Organize a database, website, clearing house for interested groups that use the town for recreation, to record sightings of wildlife within the Fairfax Planning Area.

Responsibility: Volunteers

Schedule: Year 3-5

Program CON-6.3.1.3: Create educational information about the impact of activities in areas of sensitive habitat, and publish on the Town of Fairfax website.

Responsibility: Town Manager

Schedule: Year 3-5

<p><b>Goal CON-7: Waste management.</b></p>
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*Dig a trench through a landfill and you will see layers of phone books like geographical strata or layers of cake.... During a recent landfill dig in Phoenix, I found newspapers dating from 1952 that looked so fresh you might read one over breakfast.*

*– William Rathje, The Economist, 8 September 1990*

Fairfax residents have a strong cultural interest in recycling, reuse, and waste reduction. The Town is fortunately located in an area with a solid infrastructure for recycling, one of the best in the country.

The next step is to set aggressive goals to reduce waste and to track progress. Interest is currently building in the concept of “zero waste,” a philosophy that encourages the redesign of resource life cycles so that all products are reused. Any trash sent to landfills is minimal. The process recommended is one similar to the way that resources are reused in nature.

The goals in this section support “zero waste” concepts.

***Objective CON-7.1: Employ “zero waste” principles to reduce the amount of waste generated in Fairfax by 80 percent before 2015 and 100 percent by 2025.***

**Policy CON-7.1.1: Reduce the amount of non-recyclable waste generated by Fairfax residents, businesses and government.**

Program CON-7.1.1.1: Enact ordinances that help reduce the amount of non-recyclable waste created by residents and business activities.

Responsibility: Town Council, Zero Waste Committee, Town Attorney  
Schedule: Year 3-5

Program CON-7.1.1.2: Work with the contracted waste disposal service to provide appropriate containers to all Fairfax households and businesses for different types of recyclable material, including plastics, metals, yard waste, and compostables.

Responsibility: Town Manager, Town Council  
Schedule: Ongoing

Program CON-7.1.1.3: Provide containers for recyclable materials in all Fairfax public facilities, including parks, public offices, and entrances to public open space.

Responsibility: Town Manager, Town Council

Schedule: Year One

Program CON-7.1.1.4: Provide public location(s) where common specialized materials, such as batteries, electronics, and fluorescent light bulbs may be collected. Publicize the locations and arrange appropriate disposal.

Responsibility: Town Manager, Town Council, Fairfax Volunteers

Schedule: Year 3-5

**Policy CON-7.1.2: Reduce the total amount of waste generated by Fairfax residents, businesses and government.**

Program CON-7.1.2.1: Enact ordinances that reduce the amount of waste created by residences and businesses.

Responsibility: Town Council

Schedule: Year 3-5

Program CON-7.1.2.2: Enact a Green Building Ordinance to reduce the amount of waste created by construction activities.

Responsibility: Planning Commission, Planning and Building Services, Town Council

Schedule: Year One

Program CON-7.1.2.3: Educate households on waste reduction strategies, such as composting, container reuse, and stopping junk mail.

Responsibility: Town Manager, Town Council, Zero Waste Committee, Fairfax Volunteers

Schedule: Year One

Program CON-7.1.2.4: Continue to implement the Source Reduction and Recycling Element of the California Integrated Waste Management Act of 1989 (AB 939), for Marin County and the Town of Fairfax (see <http://www.marinrecycles.org>).

Responsibility: Town Council

Schedule: Ongoing

Program CON-7.1.2.5: Evaluate these objectives, policies and programs every five years, and modify as needed to match current awareness, economics, technology and opportunity.

Responsibility: Town Council  
Schedule: Year 3-5

***Objective CON-7.2: Increase the usage of materials and products made from pre- and post-consumer recycled materials, and materials made from renewable sources, by Fairfax residents and government agencies.***

**Policy CON-7.2.1: Encourage the use of products made from recycled or bio-sourced materials whenever feasible.**

Program CON-7.2.1.1: Educate households about new materials made from recycled or bio-sourced content.

Responsibility: Town Manager, Zero Waste Committee, Fairfax Volunteers  
Schedule: Year One

Program CON-7.2.1.2: The Town of Fairfax shall purchase new products and supplies made from recycled or bio-sourced materials whenever logistically and economically feasible.

Responsibility: Town Manager, Town Council, Zero Waste Committee, Fairfax Volunteers  
Schedule: Ongoing

### **Goal CON-8: Historic and cultural preservation.**

Historic or cultural conservation is not one of the seven elements that California requires be included in a General Plan. However, State law offers local governments the flexibility to address topics of concern to them and historic preservation is identified as one of these optional elements. Historical and cultural resources, unlike most other resources, can never be recovered once altered or demolished. Thus, the Town of Fairfax has included historic and cultural preservation as an integral piece of the Conservation Element.



Fairfax enjoys a rich and fascinating history and it has developed a unique **sense of community** that reflects its roots and how it has grown to embrace a diverse and dynamic citizenry. Preservation of the historic and cultural resources within and around our borders is an important priority to the Town. Such resources may pre-date

Columbus, such as the Native American burial mounds near the Town's Pavilion, or may have originated around the time of "Lord" Charles Snowden Fairfax, when the descendants of Europeans and others first started settling the Fairfax area. The Town's culture and unique identity grew in the early 20<sup>th</sup> century, when several movie companies used the area in and around Fairfax and later, when visitors from around the Bay Area flocked to Fairfax to enjoy its Town and Country Club. In the 1960's and 70's, the cultural revolution exploded in San Francisco and dripped into the psychedelic corners of this central-Marin hamlet. Today the culture continues to evolve, as bicyclists flock to the local coffee shops and internet cafes, and musicians serenade our popular restaurants and bars.

By conserving its history and guarding its diverse history and culture, the Town of Fairfax is taking steps to maintain and preserve its unique identity – and the enjoyment, edification, and experience that comes with it – for future generations.

***Objective CON-8.1: Identify and designate historic and cultural resources within the Fairfax Planning Area.***

**Policy CON-8.1.1: Pursue a program to identify, document and evaluate the historical and cultural resources in the Fairfax Planning Area.**

Program CON-8.1.1.1: Survey historical and cultural resources within the Fairfax Planning Area, and create an inventory of historical and cultural resources within the Fairfax Planning Area, including both tangible and intangible resources. Include buildings, streets, trees, districts, murals, art installations, sites, and other cultural and historic resources in the inventory.

Responsibility: Town Manager, Planning and Building Services in coordination with Fairfax Historical Society

Schedule: Year 3-5

Program CON-8.1.1.2: In addition to federal and State factors for assessment, develop factors which **which define the unique aesthetic look of the town**, such as visual **design** as it relates to building style, natural settings,





and views in order to assess the sites, buildings, artifacts etc. on the historic and cultural inventory. Implement the assessment of historic or cultural items and places using the federal, State, and Town of Fairfax factors.

Responsibility: Planning and Building Services, Design Review Board in coordination with Fairfax Historical Society

Schedule: Year 3-5

Program CON-8.1.1.3: Require archaeological and historic investigations during the permit application process that allow recovery of important prehistoric and historic information.

Responsibility: Planning and Building Services, Planning Commission

Schedule: Ongoing

**Policy CON-8.1.2: Fully integrate the consideration of historical and cultural resources in the larger land use planning process.**

Program CON-8.1.2.1: Consider historical and cultural resources early in the development review process by promoting the preliminary review process and early consultation with property owners, community and historic preservation groups, land developers, Native Americans, and the building industry.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Ongoing

**Policy CON-8.1.3: Foster government-to-government relationships with tribes that inhabited the Fairfax Planning Area.**

Program CON-8.1.3.1: Establish and maintain a relationship with local Tribal governments to discuss issues of mutual concern.

Responsibility: Town Manager, Town Council

Schedule: Ongoing

Program CON-8.1.3.2: Consult with Native American tribes to include or recommend monitors during all phases of investigation of archaeological resources including survey, testing, evaluation, data recovery, and construction monitoring.

Responsibility: Town Manager, Planning and Building Department  
Schedule: Ongoing

Program CON-8.1.3.3: Formally consult with or refer matters to identified local Native American tribes prior to the adoption or amendment of the General Plan or specific plan or the designation of open space.

Responsibility: Town Manager, Town Council, Open Space Committee  
Schedule: Ongoing

**Policy CON-8.1.4: Designate locally-significant historical and cultural resources for current and future generations.**

Program CON-8.1.4.1: Designate locally-significant historic and cultural resources using the designation criteria established on federal, State, and local levels.

Responsibility: Planning and Building Services in coordination with Fairfax Historical Society  
Schedule: Ongoing

***Objective CON-8.2: Preserve, maintain, rehabilitate, and enhance the Town's important historic and cultural resources.***

**Policy CON-8.2.1: Protect, maintain, rehabilitate, and enhance historical and cultural resources within the Fairfax Planning Area.**

Program CON-8.2.1.1: Establish an ordinance for protecting, maintaining, rehabilitating, and enhancing historical and cultural resources within the Fairfax Planning Area.

Responsibility: Planning and Building Services, Planning Commission, Town Council  
Schedule: Ongoing

Program CON-8.2.1.2: Establish guidelines for preservation, maintenance, rehabilitation, and enhancement of historic and culturally significant structures and other resources within the Fairfax Planning Area.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Ongoing

Program CON-8.2.1.3: Preserve, maintain, rehabilitate, and/or enhance historic sidewalks, street signs, street trees, and other hardscape and cultural landscape elements in addition to designated historical buildings, structures and sites that contribute to the historic and unique cultural **elements** of the Fairfax Planning Area.

Responsibility: Planning and Building Services, Planning Commission, Town Council

Schedule: Ongoing

**Policy CON-8.2.2: Encourage and facilitate private preservation, maintenance, rehabilitation, and enhancement of historic and cultural resources within the Fairfax Planning Area.**

Program CON-8.2.2.1: Explore incentive programs and transfers of development rights that could be utilized to preserve historic and culturally significant sites.

Responsibility: Town Manager, Town Council, Planning and Building Services

Schedule: Ongoing

Program CON-8.2.2.2: Promote salvage and reuse of materials that may become available due to the maintenance and preservation of historic buildings.

Responsibility: Town Manager, Town Council, Planning and Building Services

Schedule: Ongoing



**Policy CON-8.2.3: Ensure that development respects and complements the development patterns, scope and scale of the Town's historic and natural landscape.**

Program CON-8.2.3.1: Develop programs to encourage the preservation of locally-significant historic buildings or cultural sites.

Responsibility: Town Council, Town Manager, Planning and Building Services

Schedule: Ongoing

Program CON-8.2.3.2: Ensure that impacts to locally-significant historic and cultural resources are evaluated and mitigated.

Responsibility: Town Manager, Town Council, Planning and Building Services

Schedule: Ongoing

***Objective CON-8.3: Foster public awareness and appreciation of Fairfax's historic and cultural resources.***

**Policy CON-8.3.1: Support the efforts of local citizens, appointed committees or other designated public agencies and private institutions that are working to conserve historic and culturally significant resources.**

Program CON-8.3.1.1: Designate Town liaison to the Fairfax Historical Society to maintain effective communications and development of appropriate preservation programs.

Responsibility: Town Council

Schedule: Ongoing

Program CON-8.3.1.2: Identify citizens, committees and other public or private institutions that are working to conserve historic and culturally significant resources within the Fairfax Planning Area and coordinate with these entities regarding existing and future efforts to conserve historic and culturally significant resources.

Responsibility: Town Council, Town Manager, Planning and Building Services

Schedule: Ongoing

**Policy CON-8.3.2: Foster awareness within distinct communities of local historic and/or culturally significant resources and encourage community participation in preservation activities focused on such specific resources.**

Program CON-8.3.2.1: Identify neighborhoods, communities and/or citizen groups within those neighborhoods or communities where specific historic or culturally significant resources are found within the Fairfax Planning Area.

Responsibility: Fairfax Volunteers

Schedule: Ongoing

**Policy CON-8.3.3: Promote broad educational outreach efforts to highlight historic and culturally significant issues and sites within the Fairfax Planning Area.**

Program CON-8.3.3.1: Develop an educational program to draw on and supplement local schools' efforts to communicate Fairfax's history and broad cultural setting within local school programs.

Responsibility: Fairfax Volunteers in coordination with Fairfax Historical Society

Schedule: Ongoing

Program CON-8.3.3.2: Identify historic and culturally significant buildings and sites on the Town's website.

Responsibility: Town Manager

Schedule: Ongoing

Program CON-8.3.3.3: Provide information and fully comply with the California Native American Graves Protection and Repatriation Act and other appropriate laws, with regard to the treatment of any human remains discovered during implementation of public and private projects within the Fairfax Planning Area.

Responsibility: Planning and Building Department, Planning Commission in coordination with Fairfax Historical Society

Schedule: Ongoing

# SAFETY ELEMENT

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## INTRODUCTION

The Town of Fairfax, like many Northern California Coastal communities, is subject to a variety of natural hazards as a result of its physical setting, geologic features, climatic conditions, and development patterns. The creeks, steep canyons, woodlands, and relative remoteness from highly urbanized centers are features that make Fairfax a desirable place to live. These same features make the community susceptible to the impacts of floods, fires, landslides and earthquakes.

The purpose of the Safety Element is to reduce the risk of death, injuries, property damage, and economic and social disruption that can result from natural hazard events by establishing locally appropriate policies, programs, and mechanisms to protect life, the natural environment and property and guide future community growth. The Safety Element provides the policy framework to support the Town's mitigation, emergency preparedness, disaster response, and future recovery efforts.

Earthquakes and landslides, floods, and urban and wildland fire are the primary natural hazards affecting the Town of Fairfax, and therefore are the focus of this Element. Additional environmentally related hazards such as air and water pollution, hazardous materi-



als, and noise are addressed elsewhere in the General Plan, or are not considered a significant risk to the community.

Although the inherent threat posed by natural hazards cannot be eliminated, the level of damage from these hazards can be reduced through individual and community preparedness, actions to reduce or eliminate long-term risks, and implementation of sound development practices.

The challenge is to improve the safety of the existing built environment through a variety of incremental, systematic, and ongoing actions. These actions to reduce risk should be based on sound analysis of hazardous conditions and should include economically realistic interventions and incentives.

## **REGULATORY FRAMEWORK**

As stated in the Safety Element Guidelines published by the Governor's Office of Planning and Research (OPR), the safety element must examine issues related to protecting the community from any unreasonable risks associated with:

- Seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure.
- Slope instability leading to mudslides and landslides.
- Subsidence, liquefaction, and other seismic hazards identified on seismic hazard maps.
- Other known geologic hazards.
- Flooding.
- Wildland and urban fires.

It must also address the following as they relate to known fire and geologic hazards:

- Evacuation routes and signage.
- Peak load water supply requirements.
- Minimum road widths and turnouts.
- Clearances around structures.

Additionally, the element must:

- Establish policies to minimize the loss of property and life as a result of earthquake.
- Identify flood hazard areas and establish policies to avoid unreasonable flood risks.

- Identify urban fringe and rural-residential areas that are prone to wildland fire hazards.

Assembly Bill 162, signed into law by the Governor in October 2007, further requires that after January 1, 2009, cities and counties must amend their safety elements to include information regarding flood hazards and to establish a set of comprehensive goals, policies, and objectives, to protect the community from the unreasonable risks of flooding. The bill also requires corresponding revisions in the land use, housing, and conservation elements. While this statewide legislation is primarily targeted toward reducing future flood risk in the Sacramento and San Joaquin Valleys, it has implications for all California communities with an identified flood risk, such as the Town of Fairfax.

## **RELATIONSHIP TO OTHER GENERAL PLAN ELEMENTS AND OTHER SUPPORTING TOWN PLANS**

The Safety Element overlaps topics also mandated in the Land Use, Conservation, and Open Space elements. The key concern is to integrate effectively these common issues into the decision-making process. The Safety Element provides the foundational information and policy direction regarding hazards, vulnerability, and risk upon which proactive mitigation strategies and actions can be based over time. All other general plan elements must be consistent with the Safety Element, and vice versa. Likewise, all zoning, subdivisions, and capital improvements must be consistent with the Safety Element.

To maximize its effectiveness, the Safety Element is intended to complement and support not only the other General Plan Elements, but also other Town plans and documents, such as the Emergency Operations Plan (EOP), the Local Hazard Mitigation Plan (LHMP), and the Flood Mitigation Plan (FMP). Integrating environmental safety as a consideration into all Town decisions will ensure a safer and more sustainable community.

An incentive for plan integration was established through Assembly Bill 2140, signed into law by the Governor in October 2006. This bill authorizes cities and counties to adopt a LHMP as part of its mandated general plan safety element. Communities that do so are eligible for additional state disaster assistance funding following federally declared disasters.

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## ORGANIZATION OF THE ELEMENT

Each hazard is addressed separately in the element. For each hazard, a brief description of the hazard condition, potential impacts, and planning considerations is discussed, followed by the goals, objectives, policies and implementation programs. Additional background information for each hazard is incorporated into the element via appendices.

Also considered within each hazard are the potential inter-relationships between hazards. That is, the propensity for an individual hazard event to trigger other related hazard events, thus increasing the cumulative risk. It must be noted that the organization by type of hazard is imperfect, because certain programs are listed under one hazard, while they are applicable to other hazards as well. As long as they all get done we should be safer.

The current recognition of anticipated climate change due to global warming and resulting changes in environmental conditions cannot be ignored. Although it is unclear at this time whether regional climate change will result in greater periods of heavy rainfall leading to increased flooding, or decreased rainfall leading to extended periods of drought, it is prudent to address this changing reality in the General Plan.

## GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

***Vision Statement: Establish a resilient community that has reduced its vulnerability to natural disasters by mitigating potential risks, preparing for and being capable of responding to and recovering from hazard events.***

The four goals of this Element are:

- **Goal S-1: Minimize risks due to geologic hazards.**
- **Goal S-2: Minimize risks due to flood hazards.**
- **Goal S-3: Minimize risk due to fire hazards.**
- **Goal S-4: Community preparedness.**

## Geology and Soils

Geologic hazards, both seismic and non-seismic must be considered when establishing land use policy, making future development decisions, and protecting existing development to ensure long-term community sustainability.

The coastal landscape of Marin County in general and the Town of Fairfax is dominated by ridges and valleys formed over centuries of geomorphologic processes including plate tectonics and erosion. Advances in scientific understanding of geologic processes and their potential impacts on the built environment provide a foundation for reducing community vulnerability from geologic hazards such as earthquakes and landslides.

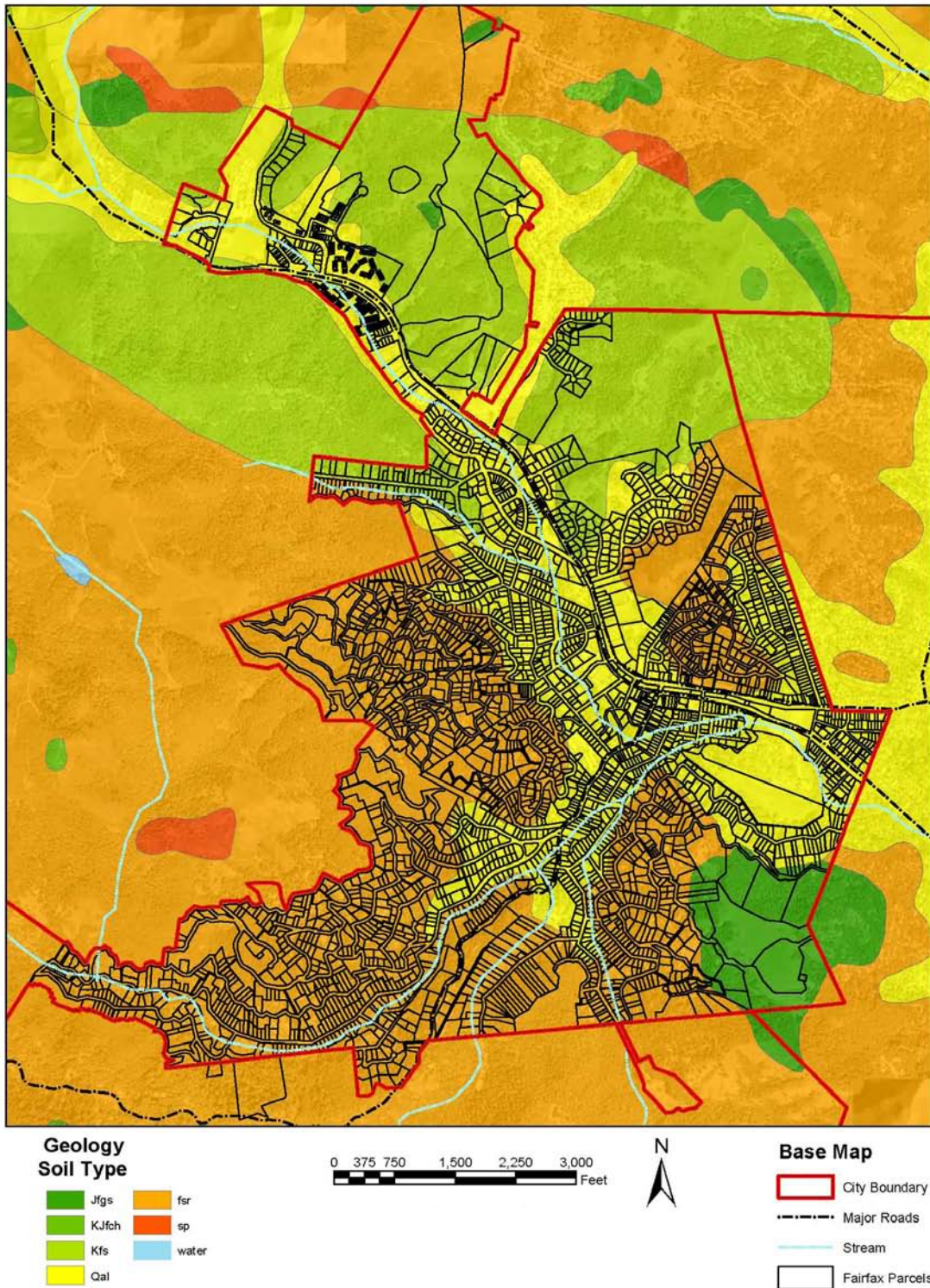
The predominant geologic units underlying the Town of Fairfax are bedrock and alluvium. All the bedrock units are considered part of the Franciscan Complex, and comprised of metamorphosed rock, which is considered to have low to moderate slope stability relative to earthquake shaking, particularly on steep slopes. The alluvium is primarily loose and soft sediments and debris deposited along streambeds within the last 10,000 years. These deposits are typically those that are the most susceptible to seismic shaking, liquefaction and differential settlement (see **Figure S-1: Geology Soil Type**).

### *Seismic Conditions*

Fairfax lies nearly equidistant from the San Andreas and the Hayward-Rodgers Creek Fault Zones. Either of these fault systems is capable of generating a large earthquake that could cause damage to the Town of Fairfax, and greater damage to extensive portions of the San Francisco Bay Region. State of the art scientific projections indicate there is a 62 percent probability of at least one magnitude 6.7 or greater earthquake before 2032 within the San Francisco Bay Region.

The greatest risk to life and property in an earthquake is from ground shaking. During an earthquake, the ground can shake for a few seconds or over a minute. The strongest shaking is typically close to the fault where the earthquake occurs. Weak soils, such as valley alluvium or soils along river and stream beds, also experience strong shaking in earthquakes, even from distant quakes. The Town of Fairfax area is also subject to earthquake-induced ground movements including liquefaction and landslides. Post-earthquake fire ignitions from natural gas leaks and hazardous materials must also be considered. In particular, scenarios involving multiple-point fire ignition following a dry season earthquake

# TOWN OF FAIRFAX SAFETY ELEMENT: HAZARD MAPS



**Figure S-1**     **Geology Soil Type**

shall be incorporated in firefighting plans. See **Figure S-2: Areas Susceptible to Earthquake Shaking**.

#### *Non-Seismic Conditions*

A significant portion of the Town of Fairfax is susceptible to landslide movement due to the steep hillsides and canyons that make up the largest percentage of land mass in the Town. Gravity acting on a very steep slope is the primary reason for a landslide; however, when slopes are weakened through saturation by heavy rains they are less able to hold the excess weight and slope failure is accelerated. See **Figure S-3: Areas Susceptible to Landslides**.

#### *Potential Impacts*

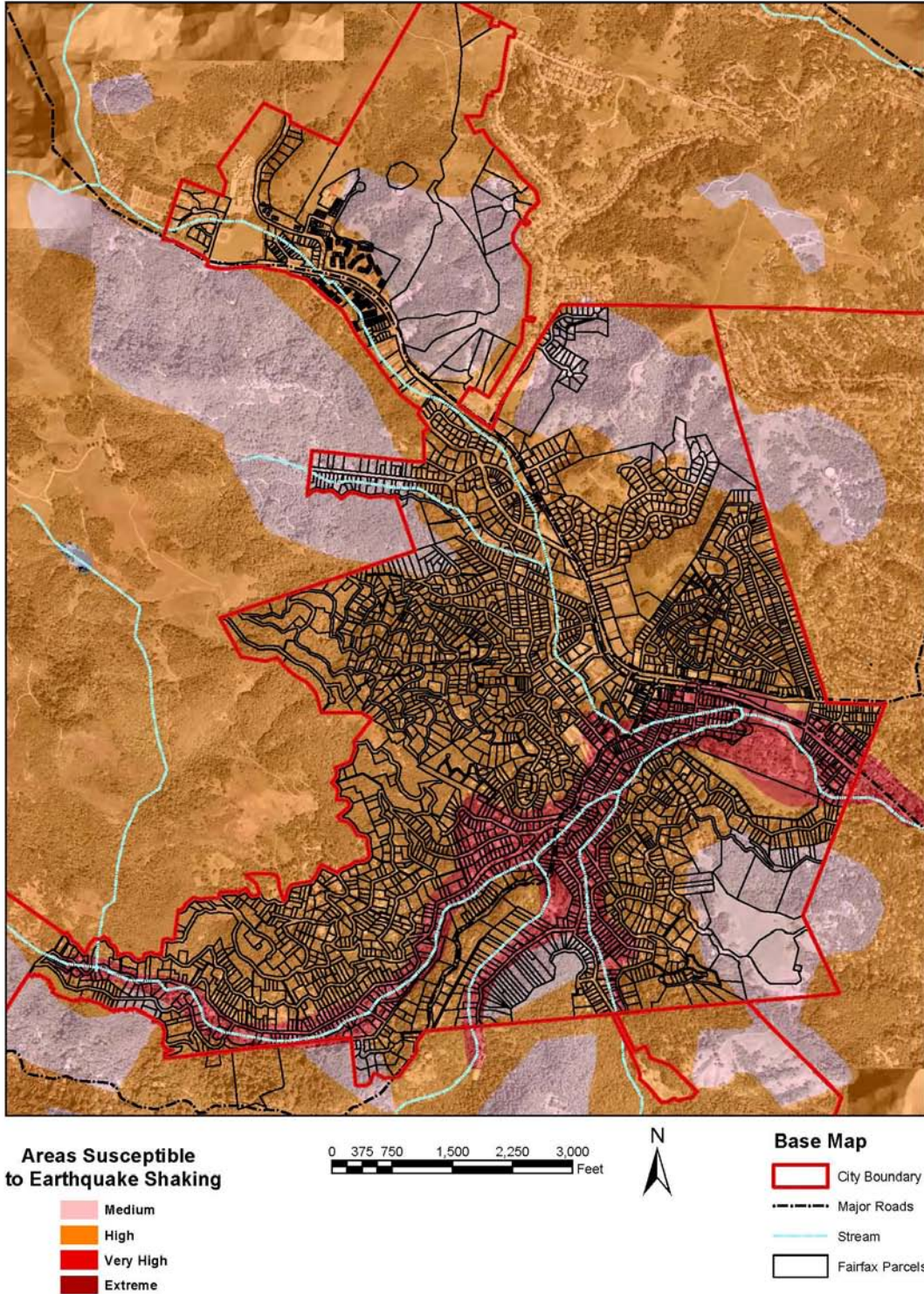
The Town of Fairfax does not contain any active faults as designated by the Alquist-Priolo Earthquake Fault Zoning Act; however it is subject to moderate to high levels of groundshaking, which could cause significant damage and disruption to critical Town facilities, residences, businesses and infrastructure. Aging infrastructure, such as bridges and pipelines, may suffer damage and result in local transportation, water and sanitation disruptions.

Creekside and hillside areas, which comprise the majority of the built environment in the Town of Fairfax, are most vulnerable to damage caused by ground failure. Creekside development built on alluvial deposits can experience differential settlement caused by liquefaction. Hillside construction is vulnerable to earthquake-induced landslides. This vulnerability is increased during periods of intense or prolonged rainfall when soils become saturated.

Fairfax will also be impacted by regional damage occurring at a distance. Earthquake scenarios developed for the San Andreas Fault and Hayward Fault systems project significant disruption of the Bay Area transportation, communication, power, water, and sanitation systems. The greatest risk may be from isolation due to transportation disruption which could impact the delivery of essential supplies and disrupt commute patterns for a period of years, causing additional economic hardship for residents and businesses.

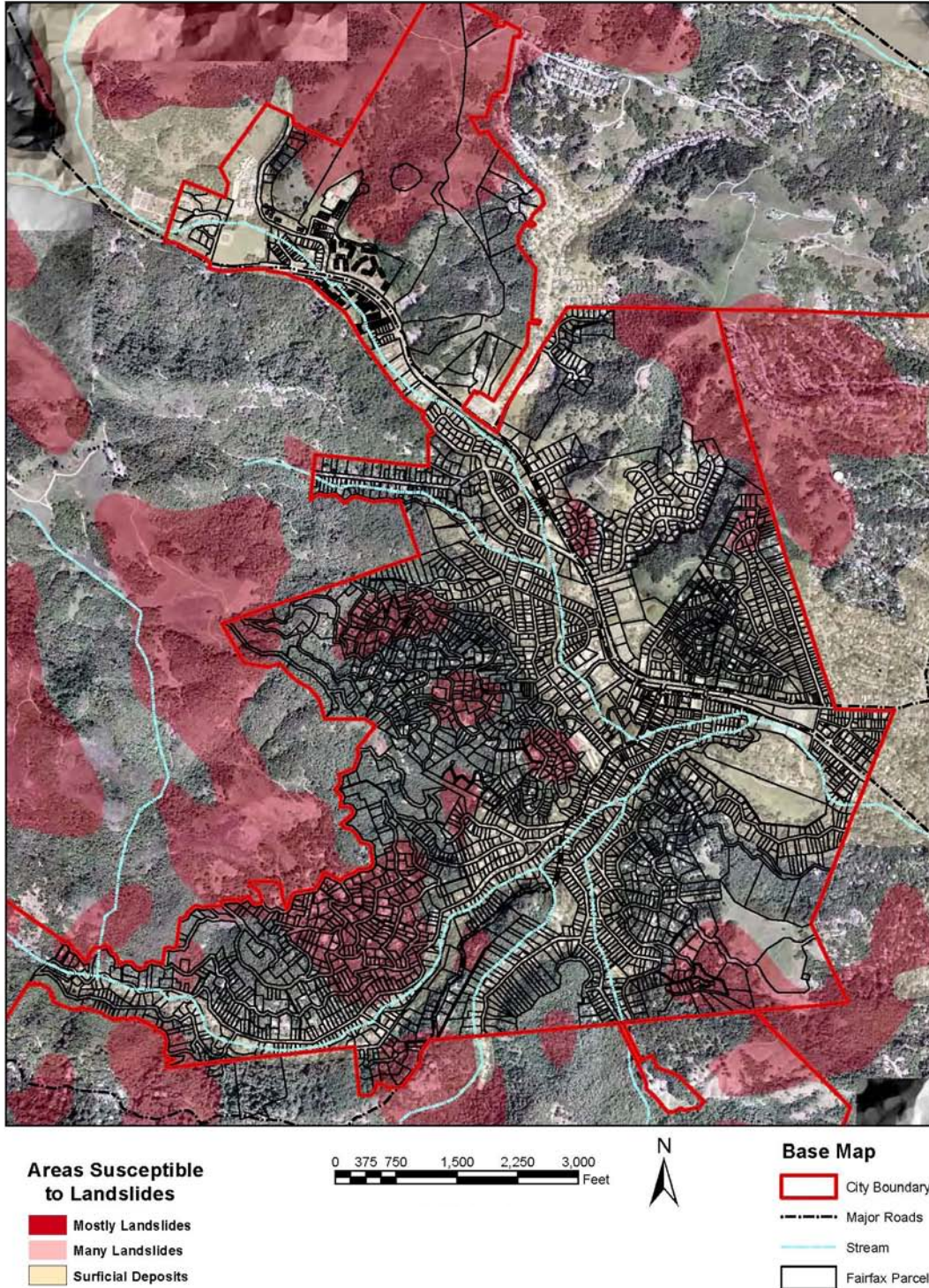
In addition to the risks posed by earthquake-induced landslides, the Town of Fairfax is highly susceptible to landslides during periods of extended heavy rainfall during the wet season. Landslides occurring in the Town of Fairfax can cause damage to infrastructure, including power lines and utility pipelines and block access and egress routes. Existing

# TOWN OF FAIRFAX SAFETY ELEMENT: HAZARD MAPS



**Figure S-2** Areas Susceptible to Earthquake Shaking

# TOWN OF FAIRFAX SAFETY ELEMENT: HAZARD MAPS



**Figure S-3** Areas Susceptible to Landslides



development in steep hill neighborhoods such as the Cascades, Forrest/Hillside, Oak Manor hills, and Willow/Upper Ridgeway are at risk from landslides.

#### *Planning Considerations*

Fairfax has adopted current building codes to guide new development and substantial improvements to existing development. Fairfax is also in compliance with State legislation designed to reduce hazards posed by unreinforced masonry buildings. Four unreinforced masonry buildings have been identified and retrofitted for life safety. There are an unknown number of other types of potentially hazardous buildings located in the Town of Fairfax, such as “soft-story” apartment buildings that have been shown to be vulnerable in previous earthquakes in California. Many Fairfax homes were built prior to current codes, and do not have seismic-resistant foundations. Due to their age and location, many of these homes may have wood rot problems that will weaken their performance in a strong earthquake. Most unbuilt lots in the Town of Fairfax exist on steep slopes that are susceptible to landslides.

Risk to new development can be minimized by conducting thorough geotechnical investigations, incorporating findings into the design and construction, and strict compliance with current building codes. Geotechnical studies for all new development and substantial improvements are required due to:

- lack of localized geotechnical maps defining areas susceptible to earthquake;
- induced landslide and liquefaction zones; and
- location of historic and recent landslides.

Local and regional earthquake events resulting in significant damage underscore the need for the Town of Fairfax to work closely with external agencies to ensure vital systems and services are available to the community in a post-disaster environment.

A key element of building community capability is ensuring that Town of Fairfax residents are prepared to be self-sufficient for a minimum of seven days.

#### *Geology and Soils Goals, Objectives, Policies, and Programs*

**Goal S-1: Minimize risks due to geologic hazards.**

***Objective S-1.1: Protect life and property from risks associated with seismic activity and geologic conditions.***

**Policy S-1.1.1: Development and land use decisions will be made using the best available geotechnical information.**

Program S-1.1.1.1: Require geotechnical analyses for all new development and substantial improvement proposals.

Responsibility: Planning and Building Services, Town Engineer  
Schedule: Ongoing

Program S-1.1.1.2: Collect and provide geotechnical data to guide development decisions.

Responsibility: Planning and Building Services  
Schedule: Ongoing

**Policy S-1.1.2: Geotechnical data will be easily available to the public and interested parties.**

Program S-1.1.2.1: Catalogue and archive geotechnical studies performed for development permits.

Responsibility: Planning and Building Services  
Schedule: Year Two

Program S-1.1.2.2: Document past landslide occurrences, produce maps showing locations and enter the data into Marin Maps Geographic Information System (GIS).

Responsibility: Planning and Building Services, Marin Maps  
Schedule: Year Two

Program S-1.1.2.3: Maintain copies of existing and new documents and maps identifying geologic hazards at Planning and Building Services, the Public Library, and the Town website.

Responsibility: Planning and Building Services, Fairfax Library  
Schedule: Ongoing

**Policy S-1.1.3: The Town shall identify, evaluate, and encourage the seismic retrofit of public and private buildings that pose a risk of death or injury in a geohazard event.**

Program S-1.1.3.1: Evaluate Town-owned critical facilities and infrastructure to identify those elements that are seismically deficient due to being constructed prior to current seismic design codes and standards, or which are weakened due to age or lack of maintenance, and which could result in significant disruption of service in a major earthquake.

Responsibility: Public Works Department, Planning and Building Services

Schedule: Year Two

Program S-1.1.3.2: Conduct an inventory of existing or suspected soft-story residential structures that could result in life loss or injury, property damage and a loss of housing in the event of a major earthquake.

Responsibility: Planning and Building Services

Schedule: Year Two

Program S-1.1.3.3: Evaluate structural integrity of publicly and privately owned buildings that may be used for post-disaster sheltering or public congregation.

Responsibility: Public Works Department, Planning and Building Services

Schedule: Year Two

Program S-1.1.3.4: Based on the inventories and evaluations conducted in S-1.1.3.1 through 1.3.3.3, design and implement a seismic retrofit program to address the highest priority structures. Make information readily available to the public.

Responsibility: Public Works Department, Planning and Building Services, Town Council

Schedule: Year 3-5

**Policy S-1.1.4: The Town shall preserve the Fairfax building stock by encouraging building owners to seismically retrofit their property,**

**Program S-1.1.4.1:** Develop a list of educational resources, and provide seismic retrofit technical guidance (e.g. including installation of a seismically resistant foundation, bolting the sill plate to the foundation, installing shear wall strengthening to cripple walls) along with permit application forms to property owners applying for development or substantial improvement permits.

Responsibility: Planning and Building Services  
Schedule: Ongoing

**Program S-1.1.4.2:** Provide financial incentives to residential and commercial property owners to undertake seismic retrofit of wood frame structures, including, but not limited to: revolving low-interest loans, transfer tax rebates, tool lending library.

Responsibility: Town Council; Finance; Planning and Building Services  
Schedule: Year Two

**Program S-1.1.4.3:** Research, identify and acquire Federal and State funds and/or grants to subsidize seismic retrofits.

Responsibility: Town Council; Finance; Planning and Building Services  
Schedule: Ongoing

**Policy S-1.1.5: The Town shall collaborate with external agencies to ensure critical infrastructure remains functional following geohazard events.**

**Program S-1.1.5.1:** Seek funding through Caltrans Local Highway Bridge Program and explore other funding sources to retrofit bridges identified by Caltrans or other technical evaluations as seismically deficient. Determine the seismic stability of Meadow Way, Marin (adjacent to Manor Circle) and Creek Road bridges.

Responsibility: Public Works Department, Finance  
Schedule: Year One

**Program S-1.1.5.2:** Contact Marin Municipal Water District, Pacific Gas & Electric, and other utility providers that service the Town of Fairfax to determine the potential vulnerability of service delivery systems, and to work closely with those external agencies to establish priorities

for system improvements prior to a geohazard event and to develop plans to re-establish services following a geohazard event.

Responsibility: Public Works Department, Disaster Council

Schedule: Year Two

**Policy S-1.1.6: Town codes and ordinances will be enforced and updated as needed to reflect current scientific data and technical standards.**

Program S-1.1.6.1: Rigorously enforce all relevant codes and construction standards.

Responsibility: Planning and Building Services, Town Engineer

Schedule: Ongoing

Program S-1.1.6.2: Develop and adopt a post-earthquake repair ordinance that specifies to what code and standards repairs must be made at what level of damage. Include special provisions to preserve historic structures.

Responsibility: Planning and Building Services, Town Council

Schedule: Year Two

Program S-1.1.6.3: Enforce requirements for storm drainage systems for hillside development or substantial improvements be designed to minimize stormwater runoff and soil erosion that could increase the landslide potential.

Responsibility: Public Works Department, Town Engineer

Schedule: Ongoing

Program S-1.1.6.4: Modify site plan design requirements for hillside development or substantial improvements to require calculations based on saturated soils.

Responsibility: Planning and Building Services, Town Engineer

Schedule: Year Two

## **Flood Hazards**

The Ross Valley Watershed reaches from the foothills of Mount Tamalpais in the Coast Range to the San Francisco Bay. The watershed drains approximately thirty square miles into nearly as many named creeks. San Anselmo and Fairfax creeks rise along the south-

ern and western ridges and drain steep upland areas onto relatively narrow valley flats. These creeks combine as San Anselmo Creek in the Town of Fairfax.

It is important to note at the outset that Ross Valley is naturally prone to flooding by its location and geologic and fluvial geomorphic setting. Rainfall can be extremely intense, soils are shallow with limited absorbing capacity, slopes are steep, and the stream channels are incised and narrow offering little in-channel storage. Development in the Ross Valley has created expansive impermeable areas while encroaching onto the banks of the channel, supplanting the natural flood-attenuating capacity of the floodplain. The effects of narrow bridge and culvert openings and poorly designed residential stream bank stabilization structures have been superimposed on this naturally flood-prone system, exacerbating the flooding problem.

Downtown Fairfax begins to flood when the capacity of the long culvert (i.e. from Town Hall under Bolinas, Sherman, Dominga, and one private residence opening into the San Anselmo Creek) at the downstream end of Fairfax Creek is exceeded or debris blocks its entrance. Water leaving the creek upstream of the culvert runs through downtown Fairfax and returns to the main channel downstream of Pacheco Avenue, where the channel is deeply incised and is able to convey greater flows.

The area subject to historic and future flooding lies in the floodplain adjacent to the confluence of Fairfax and San Anselmo creeks. The Federal Emergency Management Agency (FEMA) produces maps of flood prone areas to guide community floodplain management programs.

A map showing the Special Flood Hazard Areas (SFHAs) subject to a one percent per annum flood is included as **Figure S-4: Floodplains**. Additional information regarding flood history, hydrologic studies and current floodplain management programs is outlined in the Town of Fairfax FMP. In addition there is a substantial risk of localized flooding from small, undersized culverts and inadequate storm drain infrastructure as well as limited maintenance of these facilities.

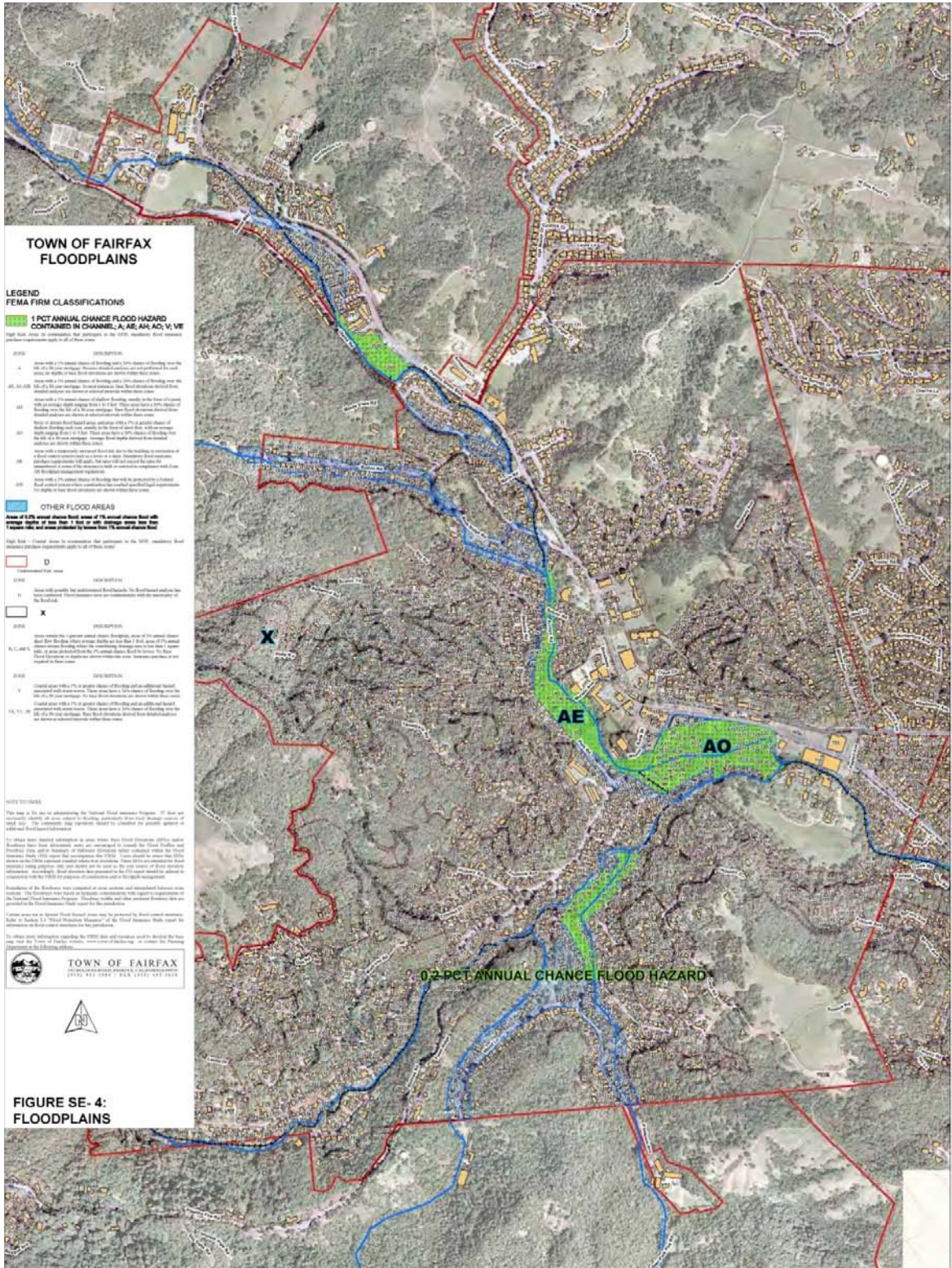


Figure S-4 Floodplains

### *Potential Impacts*

The Fairfax Town Hall, Police Station and Fire Station are located directly adjacent to and/or above, Fairfax Creek, and are in the SFHA, as mapped by FEMA. These critical Town facilities have sustained serious damage during past flood events, the most recent occurring on December 31, 2005. A significant portion of the existing commercial district is also located in the SFHA and has experienced prior damage and economic losses due to flooding. Approximately 500 residential parcels are also located in the mapped SFHA. Modifications to existing structures can be made to reduce potential future damage, including elevating structures, installing flood gates, wet and dry proofing, and erosion control.

Bothin Creek, Deer Park Creek, and Wood Lane drainage have also been identified as potential sources of flooding.

### *Planning Considerations*

Historic records of flood events and their impacts on the community are not well documented. FEMA maps represent a projected probability of future events based on limited hydrologic studies. However, based on the general accounts of flooding over the past one hundred years, the maps appear to under-represent the severity and extent of potential flooding for the Town of Fairfax. Further hydrologic studies of the complex upstream and downstream effects of development in the Ross Valley Watershed must be conducted to provide base data for land use planning.

There is an opportunity for new development and redevelopment of residential and commercial zoned vacant properties along Fairfax and San Anselmo Creeks. The potential for flooding and the desire to protect the scenic and biologic qualities of the creeks should be of paramount concern in reviewing all development and redevelopment proposals on these parcels.

The primary control for development/redevelopment in properties in the mapped floodplain is the Fairfax Floodplain Management Ordinance; however, multiple regulatory agencies have approval authority for creek-related activities.

Following the December 31, 2005 flood, Fairfax rejoined Marin County Flood Control and Water Conservation District Flood Zone 9. Jointly with the Ross Valley Watershed Program, the Town of Fairfax is coordinating with other communities to identify and resolve long-term flooding issues.



Creek ownership and stewardship requires a public/private approach to risk reduction while ensuring habitat protection.

*Flood Hazards Goals, Objectives, Policies, and Programs*

**Goal S-2: Minimize risks due to flood hazards.**

***Objective S-2.1: Protect life and property from risks associated with flooding.***

**Policy S-2.1.1: Development and land use decisions will be made using the best available hydrological and flood hazard information.**

Program S-2.1.1.1: Review updated Flood Insurance Rate Maps, make map information available to the public online and at Town Hall and ensure the most up-to-date information is used for permit and plan review.

Responsibility: Planning and Building Services

Schedule: Ongoing

Program S-2.1.1.3: Document and maintain creek depth monitoring data during significant storm or flood events to contribute to the understanding of the flood hazard.

Responsibility: Ross Valley Fire Department

Schedule: Ongoing

Program S-2.1.1.4: Document past flood history and damages to quantify flood impacts and support cost/benefit analysis of flood mitigation measures.

Responsibility: Public Works Department

Schedule: Year Two

Program S-2.1.1.5: Complete identification and mapping of high-water marks from the December 31, 2005 flood and enter into GIS maintained by Marin Maps.

Responsibility: Public Works Department, Marin Maps

Schedule: Year One

**Policy S-2.1.2: Town codes and ordinances will be enforced and updated as needed to reflect current floodplain related scientific data and technical standards.**

Program S-2.1.2.1: Update and enforce the Flood Ordinance (Town Code 17.068) for all development, redevelopment, or substantial improvement projects in the floodplain

Responsibility: Planning and Building Services  
Schedule: Ongoing

Program S-2.1.2.2: Continue to comply with all requirements of the National Flood Insurance Program.

Responsibility: Planning and Building Services  
Schedule: Ongoing

**Policy S-2.1.3: Ensure that storm drainage systems are adequate to accommodate new development and substantial improvements by making certain they are designed and constructed to reduce off-site flow, through the use of techniques such as permeable paving and on-site stormwater retention.**

Program S-2.1.3.1: Require property owners or developers to pay the cost of any on-site improvements to the existing drainage system necessitated by the proposed development to meet State stormwater laws.

Responsibility: Planning and Building Services  
Schedule: Ongoing

Program S-2.1.3.2: Require new developments and substantial remodels to incorporate Low Impact Design and Best Management Practices (BMPs) to mitigate stormwater runoff.

Responsibility: Planning and Building Services  
Schedule: Ongoing

Program S-2.1.3.3: Update the existing Urban Runoff Pollution Prevention Ordinance in order to comply with changes expected in the reissued Phase II General Permit in 2012.

Responsibility: Planning and Building Services  
Schedule: Ongoing

**Policy S-2.1.4: Ensure that new developments or substantial improvements are designed to reduce or eliminate future flood damage.**

Program S-2.1.4.1: Require that lots and rights-of-way are laid out for the provision of approved sewer and drainage facilities, providing on-site detention facilities whenever practicable. Design criteria for hillside development should be calculated based on saturated soils.

Responsibility: Planning and Building Services, Sanitary District  
Schedule: Ongoing

**Policy S-2.1.5: The Town of Fairfax will reduce community risk and vulnerability to flooding by maintaining and improving creek and hillside drainage systems.**

Program S-2.1.5.1: Repair damaged culverts, drains, and bridges to withstand future flooding, obtain and comply with required regulatory permits, and incorporate streambank erosion and fish passage solutions.

Responsibility: Public Works Department  
Schedule: Year Two

Program S-2.1.5.2: Locate and mark all storm drains/culverts and identify the area and parcels draining into each.

Responsibility: Public Works Department  
Schedule: Year One

Program S-2.1.5.3: Conduct an inventory and analysis of town-maintained storm drains and culverts, including location, age, size, materials, and where storm drainage is routed across private property.

Responsibility: Public Works Department  
Schedule: Year One

Program S-2.1.5.4: Determine any inadequacies in the carrying capacity of town maintained storm drains and culverts to meet current capacity needs, and to prioritize necessary improvements.

Responsibility: Public Works Department  
Schedule: Year One

Program S-2.1.5.5: Prepare a Storm Drain Master Plan based on information gathered in Programs S-2.1.5.1 through S-2.1.5.4.

Responsibility: Public Works Department

Schedule: Year Two

Program S-2.1.5.6: Keep storm drains and creeks free of obstructions to allow for free flow of water, while retaining vegetation in the channel (as appropriate for habitat preservation in compliance with State and Federal requirements).

Responsibility: Public Works Department

Schedule: Ongoing

**Policy S-2.1.6: The Town of Fairfax will encourage and provide incentives to home and apartment owners and commercial business owners to participate in structural elevation programs that will protect property.**

Program S-2.1.6.1: Identify and aggressively seek available grant funds to support residential and commercial elevation projects and projects that decrease runoff and increase stormwater detention.

Responsibility: Town Council, Disaster Council, Public Works

Schedule: Year One

Program S-2.1.6.2: Provide financial incentives, technical guidance and conduct a public outreach campaign to motivate commercial business owners to install flood gates at the entrance to their property.

Responsibility: Town Council, Chamber of Commerce

Schedule: Year One

**Policy S-2.1.7: The Town will actively support watershed-based planning efforts.**

Program S-2.1.7.1: Continue to participate in Marin County Flood Control and Water Conservation District Flood Zone 9.

Responsibility: Town Council

Schedule: Ongoing

Program S-2.1.7.2: Continue to participate in the Ross Valley Watershed Program.

Responsibility: Town Council

Schedule: Ongoing

**Policy S-2.1.8: The Town will evaluate flood reduction proposals to determine the most technically feasible, cost-effective and environmentally sound methods of reducing community and watershed based flooding.**

- Program S-2.1.8.1: Develop a project plan to enlarge the Sherman Avenue culvert. If proven feasible, and cost effective, seek funds for implementation.  
Responsibility: Public Works Department, Ross Valley Watershed Program  
Schedule: After 2022-2033
- Program S-2.1.8.2: Analyze potential upstream flood detention basins that could reduce or delay flooding in Fairfax Creek.  
Responsibility: Public Works Department, Ross Valley Watershed Program  
Schedule: Year Two
- Program S-2.1.8.3: Prepare a detailed study analyzing the potential for daylighting the Town's creeks and culverts. Also see Town Center Element, Policy TC-3.2.11.  
Responsibility: Public Works Department  
Schedule: Year Two

## **Fire Hazards**

The Town of Fairfax is at risk from two types of fire: urban fire and wildland fire.

Given the trend toward infill development on the steep hillsides and canyons of Fairfax, urban fire remains a risk to life and property.

Wildland-Urban Interface (WUI) fire hazards (see **Figure S-5, Wildland Urban Interface Zones**) are especially pronounced in areas of high structure densities adjacent to undeveloped open space areas with dense vegetation. These areas often contain older summer homes that have been converted to permanent residences, infilled with more modern construction, and are often situated on steep terrain with narrow winding roads. WUI fires result in death, injury, economic loss and a large public expenditure in fire fighting activities.

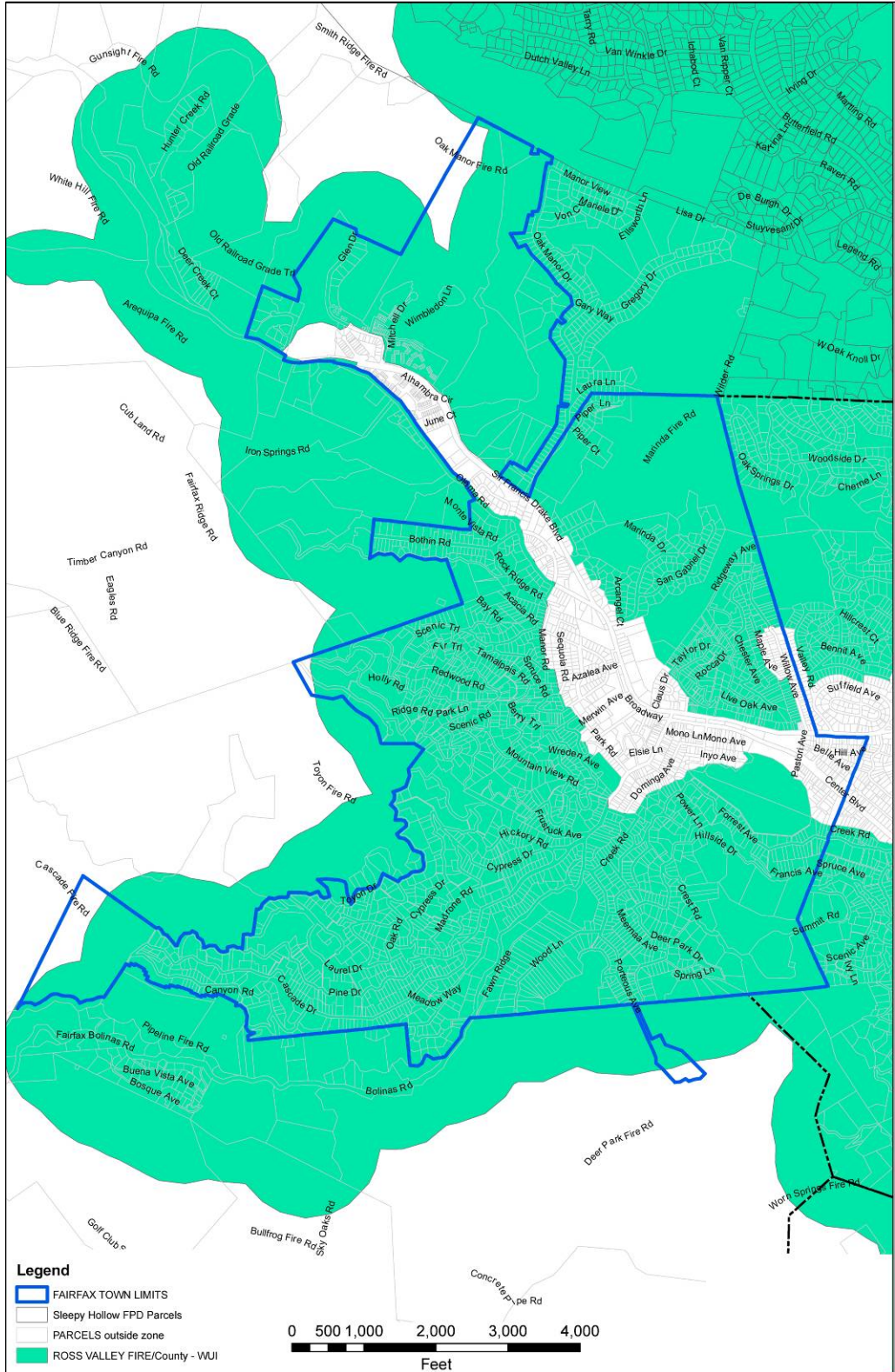


Figure S-5 Wildland Urban Interface Zones

The California Department of Forestry and Fire Protection (CAL FIRE) has developed maps at the County level for both State Responsibility Areas (SRAs) and Local Responsibility Areas (LRAs). The Town of Fairfax, because it is incorporated and maintains its own fire service through the Ross Valley Fire Department (RVFD) is mapped as a LRA. The surrounding unincorporated area is mapped as an SRA. CAL FIRE and the State Fire Marshal's office have responsibility to publish fire hazard severity zones for SRA and LRA. The State produced a draft fire hazard severity zone map for the LRA areas of Marin. The map included Very High, High, and Moderate Fire Hazard Severity Zones. These maps are "Hazard Maps" in that they take into account vegetation, topography, weather, crown fire potential, ember production and movement, and the likelihood of an area burning. These maps do not account for housing density. The final CAL FIRE map for LRA establishes only the Very High Fire Hazard Severity Zones.

In December of 2007 The Town of Fairfax established the WUI area within the Town. The WUI includes areas with a certain housing density. These areas were evaluated for specific fuel type, slope and aspect. The development of the maps did not include fire history. The State maps rate the fire danger and are not maps of the WUI.

The CAL FIRE maps indicate that the incorporated area of Fairfax lies in a high fire hazard severity zone, with the exception of a portion of the most northern part of Fairfax, which is undeveloped and classified as a moderate fire hazard severity zone. Most of the unincorporated land adjacent to the Town of Fairfax is mapped as a moderate fire hazard severity zone. A notable exception is the southwestern area in the vicinity of the White's Hill and Cascade Canyon Open Space Preserves.

State and federal fire risk mapping efforts may underestimate the true fire hazard for the Town of Fairfax because they do not take into account the specific vegetation types present in Fairfax and the surrounding area in their fuel model calculations. The models are based on a 50-acre grid which does not allow for the level of detail necessary to assess the local hazard.

The Town of Fairfax EOP identifies steep hill neighborhoods, such as Cascade Canyon, Forrest/Hillside, Oak Manor, Manor/Scenic Hill, and Willow/Upper Ridgeway at the greatest risk from wildland fire due to the dense vegetation, trees dead/dying of Sudden Oak Death, and the narrow access roads.

The Vegetation/Fuels Management Plan, prepared by the RVFD in January 2008, includes a hazard assessment matrix to be used when evaluating specific properties. The matrix includes three factors: aspect, slope, and fuel. The fuels are representative of local vegetation, including specimen gardens, grass, brush, conifers, hardwoods, and chaparral.

## **Fire Services**

The Town of Fairfax is served by the RVFD, which is a consolidated fire agency protecting the communities of Fairfax, San Anselmo, and Sleepy Hollow. The RVFD also has a contract with the County of Marin to provide fire protection services to County areas contiguous to the Ross Valley Fire jurisdiction, and is an active participant in the County and Statewide Mutual Aid System.

The Marin Municipal Water District has adopted minimum fire flow standards of 1,000 gallons per minute (gpm) to water mains that feed the urban water supply and fire hydrants. There are approximately 400 fire hydrants in Fairfax. Approximately 130 of those fire hydrants deliver less than the recommended 1,000 gpm. Of those, approximately 40 fire hydrants deliver less than 500 gpm. There are several areas in Town that have significant firefighting water flow issues. The Fire Department has developed operational preplans to deal with the lack of fire flow in these areas and they are also working on long-term solutions.

### *Planning Considerations*

Drought years intensify fire risk from dried-out grasses and other vegetation. Diseases such as Sudden Oak Death and Pine Pitch Canker contribute to the WUI fire risk. Fire following earthquake is of concern, particularly during the periods of high temperatures, low humidity and high winds.

No large fires have occurred in open space areas adjacent to Fairfax for more than twenty years, thus increasing the fuel load and fire risk. The California Climate Change Center anticipates an 11 to 55 percent increase in the incidence of large wildland fires in California as a result of climate change and rising temperatures.

Non-native vegetation contributes to fire risk. Invasion by non-native species often occurs at the WUI. Some of the species common in Fairfax that may contribute to the spread of fires include Scotch broom, French and Spanish thistle, exotic annual grasses, acacias, and eucalyptus.



There are a large number of parcels within our WUI area. As a result of limited staffing and the sheer magnitude of the problem, RVFD has concentrated its efforts on the reduction of the lighter fuels.

The most effective mitigation measure is reducing the fuel load and creating defensible space. The Town of Fairfax has no overt responsibility for vegetation management or fuel reduction activities in open space lands adjacent to the Town jurisdictional boundary, except for Town-owned open space. Vegetation management programs conducted in partnership with Marin Open Space and Marin Municipal Water District are effective and desirable in reducing the WUI risk.

For the past 27 years, RVFD has had a formal defensible space inspection program. Each spring the engine companies inspect these areas. The elements of the inspections include: checking for defensible space, 10 feet of roadside clearance, 15 feet of vertical road clearance, removal of debris from roofs and gutters, a chimney spark arrester, and address numbering.

History has proven that the Town has prioritized the removal of the lighter fuels, such as grass, adjacent to the homes. It has also promoted the removal of French and Scotch broom near homes.

Many areas of our community have heavy vegetation including brush, trees, and ornamental vegetation. Much of this vegetation is flammable. In order to obtain defensible space compliance in these areas, the homeowners will need to remove the lower branches on large trees, remove small trees, thin or remove brush and ornamentals near their homes, and be diligent with removing debris from roofs and decks.

Older building materials such as wood shake roofs and siding increase the potential for fire spread and new fire ignitions. Cantilevered houses on hillsides and those constructed with overhangs and decks are also at risk.

Steep canyons and narrow roads increase risk and may inhibit response efforts. Narrow roads may cause difficulties for fire apparatus access during resident egress. Residential parking on one lane roads is a serious impediment to fire apparatus access and evacuation egress. Existing rights-of-way and pedestrian trails mapped by the Fairfax Volunteers could provide valuable informal evacuation routes.

Installation of emergency warning sirens is underway. Protocols for response actions at the neighborhood level must be developed and disseminated to maximize the effectiveness of the warning sirens.

Fire prevention is critical and more cost effective than relying solely on response. Increasing public awareness of wildland fire and developing stronger preventive measures is essential to reducing the risk. Fire Safe Councils, such as FIRESafe Marin, are important community planning efforts.

*Fire Hazards Goals, Objectives, Policies, and Programs*

**Goal S-3: Minimize risk due to fire hazards.**

***Objective S-3.1.1: Protect people and property from risks associated with urban and wildland fire.***

**Policy S-3.1.1: Development and land use decisions will be made using the best available fire hazard information.**

Program S-3.1.1.1: Prepare a fire fuel map for the Town of Fairfax on a five-acre grid that can be digitized and incorporated into a fire hazard threat module that more accurately reflects the community risk from wildland fire.

Responsibility: Ross Valley Fire Department  
Schedule: Year One

**Policy S-3.1.2: Develop and implement fuel, vegetation management and defensible space activities, consistent with Open Space and Conservation Element goals.**

Program S-3.1.2.1: Identify basic vegetation types common to the Town of Fairfax. Document and make publically available a prescription for each type describing how to manage that vegetation.

Responsibility: Ross Valley Fire Department, Planning & Building Department  
Schedule: Year Two

- Program S-3.1.2.2: Continue to standardize and simplify defensible space guidelines and disseminate to public for implementation. (The Fire Safe Marin DVD was distributed by the Town to all residents in 2008/2009. RVFD continues to educate the public on defensible space. Guidelines are standardized and have been simplified.)  
Responsibility: Ross Valley Fire Department, Planning & Building Services  
Schedule: Year One
- Program S-3.1.2.3: Seek geographic and programmatic expansion of fuel management programs in Fairfax through the Marin County Vegetation Management Plan. Activities include, but are not limited to: shaded fuel breaks, roadside collection and chipping of cleared vegetation, mechanical fuel reduction equipment, selected harvesting, use of goats or other organic methods of fuel reduction, and selective use of controlled burning. Target areas include, but are not limited to: western interface with Camp Tamarancho, interface at end of Cascade Canyon, and the ridge from the Meadow Club to Deer Park Villa.  
Responsibility: Ross Valley Fire Department, Planning & Building Services, Public Works Department  
Schedule: Year One
- Program S-3.1.2.4: Apply for grants through FIRESafe Marin for model xeriscapes appropriate to the Fairfax community.  
Responsibility: Ross Valley Fire Department, Planning & Building Department, Fairfax Volunteers, Public Works Department  
Schedule: Year One
- Program S-3.1.2.5: Establish a Fire Hazard Abatement District to fund fire risk reduction activities for existing development through vegetation management that includes reducing fuel loads, increasing defensible space, constructing and maintaining fuel breaks, and public education.  
Responsibility: Town Council, Planning Commission, Planning and Building Services, Ross Valley Fire Department  
Schedule: Year Two

- Program S-3.1.2.6:** Take measures to eradicate or limit the spread of vegetation with a high fuel ranking, such as Broom species and Eucalyptus.  
 Responsibility: Ross Valley Fire Department, Planning & Building, Public Works, Fairfax Volunteers  
 Schedule: Ongoing
- Program S-3.1.2.7:** Implement appropriate urban forestry management practices to disrupt the vertical continuity of fuels, included but not limited to: crown cleaning to reduce total fuel volume; dead wooding to reduce available fuels and decrease surface to volume ratio; and, opening the fuel structure (limbing-up) to reduce the horizontal continuity of fuels.  
 Responsibility: Ross Valley Fire Department, Planning & Building Services, Public Works  
 Schedule: Ongoing
- Program S-3.1.2.8:** Review fire-preventative vegetation management techniques and practices proposed for creek sides and high-slope areas to identify and mitigate potential for erosion or landslide hazards.  
 Responsibility: Planning and Building Services, Ross Valley Fire Department, Public Works  
 Schedule: Ongoing

**Policy S-3.1.3: Maximize access and egress for emergency response vehicles. Also see Conservation Element, Goal C-4.**

- Program S-3.1.3.1:** Require all dead-end segments of public roads in high hazard areas to have at least a “T” intersection turn-around sufficient for Emergency Vehicles and equipment and mutual aid wildland fire equipment.  
 Responsibility: Ross Valley Fire Department, Town Council, Public Works Department  
 Schedule: Year Two
- Program S-3.1.3.2:** Prioritize implementation of emergency vehicle access upgrades as funding becomes available.  
 Responsibility: Ross Valley Fire Department, Public Works Department  
 Schedule: Year Two

- Program S-3.1.3.3: Develop and enforce a parking and signage plan to ensure emergency vehicle access and egress. Elements of the parking and signage plan could include, but are not limited to: striping parking spaces, signage, and restricting parking at driveway entries where there is no T-intersection or adequate space for emergency vehicle turnaround.  
Responsibility: Ross Valley Fire Department, Public Works, Police Department  
Schedule: Year One
- Program S-3.1.3.4: Require that new development provide adequate emergency access roads (with width and vertical clearance that meet the minimum ordinance and code standards), on-site fire protection systems, evacuation signage, and fire breaks.  
Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing
- Program S-3.1.3.5: Identify critical emergency access roads maintained by Marin County or other jurisdictions and ensure access by emergency vehicles and equipment.  
Responsibility: Ross Valley Fire Department  
Schedule: Year One
- Program S-3.1.3.6: Periodically inspect critical emergency access roads and/or public right-of-way roads to keep them passable for emergency equipment, including access/egress and turnaround.  
Responsibility: Ross Valley Fire Department, Police Department  
Schedule: Ongoing
- Program S-3.1.3.7: Enforce code requirements for privately maintained roads or driveways accessing more than three properties to ensure emergency access and egress.  
Responsibility: Planning and Building Services, Town Council, Ross Valley Fire Department, Police Department  
Schedule: Ongoing

- Program S-3.1.3.8: Develop and enforce street signage and street address signage codes to facilitate emergency response.  
Responsibility: Planning and Building Services, Public Works  
Schedule: Ongoing
- Program S-3.1.3.9: Enforce parking restrictions on one-lane roads on “red flag” days.  
Responsibility: Police Department, Ross Valley Fire Department  
Schedule: Ongoing
- Program S-3.1.3.10: Review fire safety, evacuation, and emergency vehicle access when considering development proposals in WUI, fire-threatened neighborhoods or in areas exposed to high-to-extreme fire threat.  
Responsibility: Ross Valley Fire Department, Planning and Building Services  
Schedule: Ongoing

**Policy S-3.1.4: The Town of Fairfax will collaborate with external agencies and the community to provide adequate water supply and fire flow.**

- Program S-3.1.4.1: Require a reliable source of water for fire suppression as dictated by municipal code for existing and new development through plan review and hydrant fire flow monitoring program.  
Responsibility: Ross Valley Fire Department, Marin County Fire Department, Marin Municipal Water District, Public Works Department  
Schedule: Ongoing
- Program S-3.1.4.2: Continue a coordinated approach between the jurisdiction and water supply agencies to identify needed improvements to the water distribution system, initially focusing on areas of highest wildfire hazard.  
Responsibility: Ross Valley Fire Department, Marin County Fire District, Marin Municipal Water District, Public Works Department  
Schedule: Ongoing
- Program S-3.1.4.3: Identify alternative sources of water that may be used to supplement existing fire suppression water systems, including but not limited to: swimming pools, ponds private wells, and water tanks.  
Responsibility: Ross Valley Fire Department, Fairfax Volunteers  
Schedule: Year One

Program S-3.1.4.4: Prioritize implementation of hydrants and fire flow upgrades as funding becomes available.

Responsibility: Ross Valley Fire Department, Public Work Department  
Schedule: Year Two

**Policy S-3.1.5: Town codes and ordinances will be enforced and updated as needed to reflect current scientific data and technical standards.**

Program S-3.1.5.1: Enforce provisions of the *California Building and Fire Codes* and municipal housing codes that require the installation of smoke detectors by making installation a condition for the transfer of property, or issuance of an occupancy permit for new construction or substantial remodels.

Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing

Program S-3.1.5.2: Adopt and/or amend, as needed, updated versions of the *California Building and Fire Codes* so that optimal fire-protection standards are used in construction and renovation projects.

Responsibility: Town Council, Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing

Program S-3.1.5.3: Require that new homes or substantial remodels constructed in high fire hazard areas be constructed of fire-resistant building materials required by code, and incorporate fire-resistant design features, such as one-hour fire-stop wall assemblies, and one-hour fire-stop boxed eaves with maximum available ember-proof roof venting, to increase structural survivability and reduce ignitability.

Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing

Program S-3.1.5.4: Require fire sprinklers in all new or substantially remodeled housing.

Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing

- Program S-3.1.5.5: Require sprinklers in all mixed-use developments to protect residential uses from fires started in non-residential areas.  
Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing
- Program S-3.1.5.6: Compile a list of high-occupancy buildings deemed, due to their age or construction materials, to be particularly susceptible to fire hazards, and determine an expeditious timeline for the fire-safety inspection and installation of fire safety improvements in all such structures.  
Responsibility: Ross Valley Fire Department, Planning and Building Services  
Schedule: Year Two
- Program S-3.1.5.7: Adopt an ordinance to require automatic gas shut-off valves for multi-unit soft-story structures to reduce the risk of post-earthquake fire ignitions and fire spread.  
Responsibility: Town Council, Planning and Building Services, Ross Valley Fire Department  
Schedule: Year One
- Program S-3.1.5.8: Conduct periodic fire-safety inspections of all commercial and institutional buildings.  
Responsibility: Ross Valley Fire Department  
Schedule: Ongoing
- Program S-3.1.5.9: Review development proposals to ensure that they incorporate a fire department approved defensible space plan and conduct inspections to ensure it is implemented prior to and maintained throughout construction.  
Responsibility: Planning and Building Services, Planning Commission, Town Council, Ross Valley Fire Department, Design Review Board  
Schedule: Ongoing



## Community Preparedness

The FEMA defines preparedness as "a continuous cycle of planning, organizing, training, equipping, exercising, evaluating, and taking corrective action in an effort to ensure effective coordination during emergency or disaster response." This 'preparedness cycle' is one element of a broader emergency management system to prevent, respond to, recover from, and mitigate against natural disasters, acts of terrorism, and other man-made disasters.



Planning makes it possible to manage the entire life cycle of a potential crisis. Strategic and operational planning establishes priorities, identifies expected levels of performance and capability requirements, provides the standard for assessing capabilities, and helps stakeholders learn their roles. The planning elements identify what an organization's Standard Operating Procedures (SOP) or EOP should include for ensuring that contingencies are in place for delivering the capability during a large-scale disaster.

Organizing and equipping provide the human and technical resources necessary to build capabilities and address modernization and sustainability requirements. Organizing and equipping include identifying what competencies and skill sets people delivering a capability should possess and ensuring an organization possesses the correct personnel. Additionally, it includes identifying and acquiring standard and/or surge equipment an organization may need to use when delivering a specific capability.

Training provides first responders, emergency management officials, private and non-governmental partners, and other personnel with the knowledge, skills, and abilities needed to perform key tasks required by specific capabilities. Organizations should make training decisions based on information derived from the assessments, strategies, and plans developed in previous steps of the Preparedness Cycle.

Exercises assess and validate the speed, effectiveness and efficiency of capabilities, and test the adequacy of policies, plans, procedures, and protocols in a risk-free environment.

Aside from actual events, they provide the best means of evaluating emergency response and recovery capabilities.

The evaluation and improvement of performance is the final step of the Preparedness Cycle and crucial to informing risk assessments, managing vulnerabilities, allocating resources, and informing the other elements of the Cycle. Organizations develop improvement plans and track corrective actions to address the capabilities identified in plans and tested in exercises or real events.

The preceding definition applies primarily to governmental organizations. These concepts are reflected in the Town of Fairfax EOP and procedures. Governmental preparedness, however, is only one aspect of community preparedness. It is also important for residents, neighborhoods, and business owners to participate in preparedness activities.

#### *Why Prepare?*

Being prepared can reduce fear, anxiety, and losses that accompany disasters. Disasters disrupt hundreds of thousands of lives every year. Each disaster has lasting effects, both to people and property. When a disaster occurs, local government and disaster-relief organizations will help with response and recovery efforts, but individuals need to be ready as well. Local responders may not be able to reach everyone immediately, or they may need to focus their efforts elsewhere.

Every citizen in this country is part of a national emergency management system that is all about protection—protecting people and property from all types of hazards. Think of the national emergency management system as a pyramid with the individual citizen forming the base of the structure. At this level, each person has a responsibility to protect themselves, their family and their property by knowing what to do before, during, and after an event.

Critical elements of community preparedness include:

- public awareness and education;
- access to preparedness information;
- neighborhood training programs; and
- notification, warning, and evacuation systems and procedures.

*Community Preparedness Goals, Objectives, Programs, and Policies*

**Goal S-4: Community preparedness.**

***Objective S-4.1: Provide a broad array of widely available information for disaster preparedness, in a localized and pertinent place, for use by the citizens of Fairfax***

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**Policy S-4.1.1: Obtain, organize and disseminate information for disaster preparedness.**

Program S-4.1.1.1: Provide information to residents, property owners, private business owners and their employees on the availability of interactive hazard maps showing the community on ABAG's web site.

Responsibility: Planning and Building Services  
Schedule: Year One

Program S-4.1.1.2: Develop printed materials, utilize existing materials (such as developed by FEMA and the American Red Cross), conduct workshops, and/or provide outreach encouraging residents to have family disaster plans including but not limited to drop-cover-hold earthquake drills, fire and storm evacuation procedures, and shelter-in-place emergency guidelines.

Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing

Program S-4.1.1.3: Inform residents of comprehensive mitigation activities, including but not limited to elevation of appliances above expected flood levels, use of fire-resistant roofing and defensible space in high wildfire threat and WUI areas, structural retrofitting techniques for older homes, and use of intelligent grading practices through workshops, publications, media announcements and events.

Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing

- Program S-4.1.1.4: Develop a public education campaign on the cost, risk, and benefits of earthquake, flood, and other hazard insurance as compared to mitigation.  
Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing
- Program S-4.1.1.5: Use disaster anniversaries, such as April (the 1906 earthquake and October (Loma Prieta earthquake and Oakland Hills fire), to remind the public about safety and security mitigation activities.  
Responsibility: Town Council, Town Manager, Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing
- Program S-4.1.1.6: Sponsor the formation and training of Community Emergency Response Teams (CERT) and (SERT) or Get Ready Marin for residents in the Fairfax community, as well as encourage businesses to offer these trainings to employees, and schools to offer these trainings to students, staff and after-school personnel.  
Responsibility: Town Council, Planning and Building Services, Ross Valley Fire Department, Fairfax Volunteers  
Schedule: Ongoing
- Program S-4.1.1.7: Institute the neighborhood watch block captain and team programs outlined in the Citizen Corp program guide.  
Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing
- Program S-4.1.1.8: Inform homeowners how to locate and shut off gas valves if they smell or hear gas leaking and to check for gas leaks after an earthquake.  
Responsibility: Public Works Department, Ross Valley Fire Department  
Schedule: Ongoing

- Program S-4.1.1.9: Make use of the materials on the ABAG and other relevant web sites to increase residential mitigation activities related to disasters.
- Responsibility: Planning and Building Services  
Schedule: Ongoing
- Program S-4.1.1.10: Develop a “Maintain-a-Drain” campaign, similar to that of the City of Oakland, encouraging private businesses and residents to keep storm drains in their neighborhood free of debris.
- Responsibility: Planning and Building Services, Public Works  
Schedule: Ongoing
- Program S-4.1.1.11: Encourage the formation of a community- and neighborhood-based approach to wildfire education and action through local Fire Safe Councils and the *Fire Wise Program*. Also see Program S-4.4.2.1
- Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing
- Program S-4.1.1.12: Develop plans, in conjunction with fire jurisdictions and the Ross Valley School District, for evacuation or sheltering in place for at least the first 48 hours of school children during a fire event, flood or major earthquake as well as parent notification.
- Responsibility: Planning and Building Services, Ross Valley Fire Department  
Schedule: Ongoing
- Program S-4.1.1.13: Develop a continuity of operations and disaster recovery plan to include short-term and intermediate-term sheltering of employees during emergencies.
- Responsibility: Town Council, Planning and Building, Ross Valley Fire Department  
Schedule: Ongoing

Program S-4.1.1.14: Maintain the Disaster Preparedness web site to include flood and disaster preparedness information and links to flood prevention and mitigation resources.

Responsibility: Disaster Council; Ross Valley Fire Department  
Schedule: Ongoing

***Objective S-4.2: Prepare the community for geologic hazards.***

**Policy S-4.2.1: The Town shall build community capacity to prepare for, respond to and recover from seismic events.**

Program S-4.2.1.1: Conduct demonstration projects on common existing housing types demonstrating structural and nonstructural mitigation techniques as community models for earthquake mitigation.

Responsibility: Planning and Building Department  
Schedule: Ongoing

Program S-4.2.1.2: Provide earthquake retrofit classes or workshops for building owners, local government staff, engineers, and contractors, or help promote utilization of sub-regional workshops in the south bay, east bay, peninsula, and north bay as such workshops become available through outreach using existing community education programs.

Responsibility: Planning and Building Department  
Schedule: Ongoing

Program S-4.2.1.3: Identify financial incentives for owners of single-family homes to retrofit for prevention of earthquake damage.

Responsibility: Town Council, Town Manager, Planning and Building Services, Public Works  
Schedule: Ongoing

***Objective S-4.3: Prepare the community for flood hazards using a risk reduction approach that also ensures habitat protection.***

**Policy S-4.3.1: Support community volunteer efforts prior to and during the rainy season to monitor creeks and drainage culverts and remove visible obstructions.**

Program S-4.3.1.1: Continue the annual volunteer Creek Clean-up Program.

Responsibility: Town Council, Public Works, Fairfax Volunteers

Schedule: Ongoing

**Policy S-4.3.2: The Town of Fairfax will increase the mitigation capability of residents, business owners, and others who could be affected by floods.**

Program S-4.3.2.1: Partner with Sustainable Fairfax, the Ross Valley Mitigation League, the Friends of Corte Madera Creek Watershed and similar groups to develop and distribute educational materials and provide training to the community on: 1) ways to reduce the impacts of flooding on their property, their neighbor's properties and the community as a whole, 2) bank stabilization, and 3) the implication of individual actions on watersheds and creeks such as upstream/downstream impacts, drainage systems, on-site retention systems, and stormwater runoff.

Responsibility: Public Works

Schedule: Ongoing

**Policy S-4.3.3: The Town will increase community capacity to prepare for, respond to and recover from emergencies and disasters caused by flood hazards.**

Program S-4.3.3.1: Maintain and periodically test the warning sirens to inform the public of imminent flood potential.

Responsibility: Ross Valley Fire Department

Schedule: Ongoing

Program S-4.3.3.2: Develop and disseminate protocols for activation of warning sirens, TENS/MEANS, and other flood notification measures, and include them in the EOP.

Responsibility: Ross Valley Fire Department; Police Department


Schedule: Year One

- Program S-4.3.3.3: Conduct public education program to inform residents of appropriate measures to take when an alarm is sounded and document flood evacuation procedures in EOP.  
Responsibility: Disaster Council; Ross Valley Fire Department; Police Department  
Schedule: Year One
- Program S-4.3.3.4: Make sandbags and plastic sheeting available to residents in anticipation of rainstorms. Facilitate access by publicizing distribution locations for sandbag filling.  
Responsibility: Public Works  
Schedule: Ongoing
- Program S-4.3.3.5: Provide public information on locations for obtaining sandbags and/or deliver those sandbags to those various locations throughout a city and/or county prior to and/or during the rainy season.  
Responsibility: Public Works, Fairfax Volunteers  
Schedule: Ongoing
- Program S-4.3.3.6: Encourage home and apartment owners to participate in home elevation programs within flood hazard areas (same as Program S-2.1.8.2).  
Responsibility: Planning and Building Department  
Schedule: Ongoing
- Program S-4.3.3.7: Improve monitoring of creek and watercourse flows to predict potential for flooding downstream by working cooperatively with land owners and the cities and counties in the watershed. Also see Program S-2.1.1.3.  
Responsibility: Public Works, in cooperation with County of Marin Flood District 9  
Schedule: Ongoing

***Objective S-4.4: Prepare the community for fire hazards.***

**Policy S-4.4.1: The Town shall develop and maintain a comprehensive warning and evacuation system to reduce life loss and injury.**



- Program S-4.4.1.1: Conduct RVFD fire response drills at various times of day and days of the week in mutual threat zones (identified in the Fairfax Evacuation Protocol) to educate residents on realistic fire response times and to identify chronic impediments to fire apparatus access.  
Responsibility: Ross Valley Fire Department  
Schedule: Ongoing
- Program S-4.4.1.2: Develop a fire evacuation plan for the highest fire hazard areas, including those areas with limited access/egress, dead-end roads, one-lane roads, and steep canyons. Plan should include: potential evacuation routes and signage, including alternate routes on pedestrian walkways, bikeways and trails; design and installation of a warning system, and public education and training.  
Responsibility: Police Department, Ross Valley Fire Department, Planning and Building Services  
Schedule: Year One
- Program S-4.4.1.3:  Assign a liaison from the RVFD to each high risk neighborhood to assist residents to identify alternative evacuation routes and strategies based on the specific **physical** characteristics of the neighborhood.  
Responsibility: Ross Valley Fire Department  
Schedule: Year One
- Program S-4.4.1.4: Maintain and operate warning sirens in locations at highest risk from wildland fires.  
Responsibility: Ross Valley Fire Department, Public Works  
Schedule: Year One
- Program S-4.4.1.5: Conduct annual evacuation drills for mutual fire threat zones in accordance with the Fairfax Evacuation Protocol and Plan(s).  
Responsibility: Ross Valley Fire Department, Police Department  
Schedule: Ongoing

**Policy S-4.4.2: The Town shall build community capacity to prepare for, respond to and recover from fire events.**

- Program S-4.4.2.1: Conduct an annual Fire Safe Fairfax campaign to include information on high fire hazard areas, warning and evacuation plans, defensible space, and fire prevention measures.  
Responsibility: Town Council, Ross Valley Fire Department  
Schedule: Ongoing
- Program S-4.4.2.2: Provide emergency preparedness and fire safety educational materials including information on fire prevention measures such as roof and gutter cleaning, identifying and removing ember traps, cleaning dryer vents, and planting vegetation that will raise live fuel moisture levels.  
Responsibility: Ross Valley Fire Department  
Schedule: Ongoing
- Program S-4.4.2.3: Develop and implement a notification phone tree for each pedestrian evacuation area to formally identify persons responsible for initiating the phone tree, persons with special needs, and protocols for activation.  
Responsibility: Ross Valley Fire Department, Planning and Building Services  
Schedule: Ongoing
- Program S-4.4.2.4: Develop a defensible space vegetation program that includes the clearing or thinning of: (a) non-fire resistive vegetation within 30 feet of access and evacuation roads and routes to critical facilities, or (b) all non-native species (such as eucalyptus and pine, but not necessarily oaks) within 30 feet of access and evacuation roads and routes to critical facilities.  
Responsibility: Ross Valley Fire Department  
Schedule: Ongoing
- Program S-4.4.2.5: Showcase “model” properties exhibiting defensible space and structural survivability in neighborhoods that are in WUI, fire-threatened communities or in areas exposed to high-to-extreme fire threat.  
Responsibility: Ross Valley Fire Department  
Schedule: Ongoing

Program S-4.4.2.6: Work with residents to ensure adequate plans are developed for appropriate access and evacuation in WUI, fire-threatened communities or in areas exposed to high-to-extreme fire threat.

Responsibility: Planning and Building Services, Ross Valley Fire Department

Schedule: Ongoing

Program S-4.4.2.7: Assist residents and private businesses in the development of defensible space through the use of, for example, “tool libraries” for weed abatement tools, roadside collection and/or chipping services (for brush, weeds, and tree branches) in WUI, fire-threatened communities or in areas exposed to high-to-extreme fire threat.

Responsibility: Fairfax Volunteers

Schedule: Ongoing

***Objective S-4.5: Prepare the community to respond to a regional disruption of services.***

**Policy S-4.5.1: Develop community capacity to respond to a disruption of services due to a regional disaster event.**

Program S-4.5.1.1: Provide materials to the public related to planning for power outages.

Responsibility: Public Works Department, Police Department, Ross Valley Fire Department

Schedule: Ongoing

Program S-4.5.1.2: Provide materials to the public related to family and personal planning for delays due to traffic or road closures or due to transit system disruption, including stranded elders, children, and pets.

Responsibility: Police Department, Ross Valley Fire Department

Schedule: Ongoing

Program S-4.5.1.3: Work with MMWD to provide materials to the public related to coping with reductions in water supply or contamination of the supply.

Responsibility: Police Department, Ross Valley Fire Department

Schedule: Ongoing

**Program S-4.5.1.4:** Work with the Sanitary District to provide materials to the public related to coping with disrupted storm drains, sewage lines, and wastewater treatment (such as that developed by ABAG's Sewer Smart Program).

Responsibility: Police Department, Ross Valley Fire Department, Public Works Department

Schedule: Ongoing

**Program S-4.5.1.5:** In conjunction with MMWD, evaluate the feasibility of providing emergency drinking water.

Responsibility: Town Council

Schedule: Ongoing



# NOISE ELEMENT

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## INTRODUCTION

The Noise Element provides the means for managing undesirable levels of sound in the Town. Sources of noise, the effects of noise, and the goals, objectives, policies, and programs for controlling noise are included in this Element.

Defining the level and occurrence of sound that becomes unacceptable noise varies from person to person. Sounds that may be acceptable to some may be unacceptable to others.

The Noise Element includes implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted Noise Element is to serve as a guideline for compliance with the State's Noise Insulation Standards.

Noise ordinances are specifically designed to deal with noise issues between land uses. Typical problems in communities include noise from construction; yard maintenance;



heating, ventilating, and air conditioning equipment; swimming pool pumps; loud parties; barking dogs and entertainment venues. The Town of Fairfax Noise Ordinance is contained in the Municipal Code. The current Noise Ordinance addresses noise-related issues in the community through a combination of quantitative noise limits, prohibition acts and exemptions. Quantitative noise limits are presented in the ordinance to regulate intermittent and continuous sources of noise resulting from residential and commercial mechanical equipment and activities.

## STATE REQUIREMENTS

The Noise Element requirements are set forth in Government Code (GC) Section 65302 (f) which is summarized below:

A Noise Element shall identify and appraise noise problems in a community. The Noise Element shall recognize the guidelines established by the Office of Noise Control in the State Department of Health Services and shall analyze and quantify, to the extent practicable, as determined by the legislative body, current and projected noise levels for all of the following sources:

1. Highways and freeways (N/A).
2. Primary arterials and major local streets.
3. Passenger and freight online railroad operations and ground rapid transit systems (N/A).
4. Commercial or general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test cells and all other ground facilities and maintenance functions related to airport operation (N/A).
5. Local industrial plants, including but not limited to railroad classification yards (N/A).
6. Other ground stationery sources identified by local agencies as contributing to the community noise environment.

Noise contours shall be shown for all of these sources and stated in terms of Community Noise Equivalent Level (CNEL) or day/night average noise level ( $L_{DN}$ ). The noise contour shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for various hours identified in paragraphs (1) to (6), inclusive.

This Element was prepared utilizing the TNM® traffic noise model, developed by FHWA (Federal Highway Administration), SoundPlan®, and AutoCad®. The SoundPlan model has been used to develop noise contour information for the primary noise sources. This Element includes tables identifying noise exposure levels along transportation routes in the Town based on the gathered noise data and noise modeling.

The noise contours are used as a guide for establishing a pattern of land uses in the Land Use Element that minimizes the exposure of community residents to excessive noise.

## OVERVIEW OF NOISE ISSUES

The primary purpose of this Element is to manage sound that is considered undesirable by the community, particularly the sound level to which neighborhood residents are exposed.

Noise may be defined as unwanted sound. Noise is usually objectionable because it is disturbing or annoying. The objectionable nature of sound could be caused by its *pitch* or its *loudness*. *Pitch* is the height or depth of a tone or sound, depending on the relative rapidity (frequency) of the vibrations by which it is produced. Higher pitched signals sound louder to humans than sounds with a lower pitch. *Loudness* is intensity of sound waves combined with the reception characteristics of the ear. Intensity may be compared with the height of an ocean wave in that it is a measure of the amplitude of the sound wave. In addition to the concepts of pitch and loudness, there are several noise measurement scales that are used to describe noise in a particular location. A *decibel (dB)* is a unit of measurement that indicates the relative amplitude of a sound. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis. An increase of 10 decibels represents a ten-fold increase in acoustic energy, while 20 decibels is 100 times more intense, 30 decibels is 1,000 times more intense. There is a relationship between the subjective noisiness or loudness of a sound and its intensity. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness over a fairly wide range of intensities. Technical terms are defined in **Table N-1: Definitions of Acoustical Terms Used in this Report**.

There are several methods of characterizing sound. The most common in California is the *A-weighted sound level or dBA*. This scale gives greater weight to the frequencies of

**TABLE N-1 DEFINITIONS OF ACOUSTICAL TERMS USED IN THIS REPORT**

<b>Term</b>	<b>Definitions</b>
Decibel, dB	A unit describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure. The reference pressure for air is 20.
Sound Pressure Level	Sound pressure is the sound force per unit area, usually expressed in micro Pascals (micro Newtons per square meter), where 1 Pascal is the pressure resulting from a force of 1 Newton exerted over an area of 1 square meter. The sound pressure level is expressed in decibels as 20 times the logarithm to the base 10 of the ratio between the pressures exerted by the sound to a reference sound pressure (e.g., 20 micro Pascals). Sound pressure level is the quantity that is directly measured by a sound level meter.
Frequency, Hz	The number of complete pressure fluctuations per second above and below atmospheric pressure. Normal human hearing is between 20 Hz and 20,000 Hz. Infrasonic sound are below 20 Hz and Ultrasonic sounds are above 20,000 Hz.
A-Weighted Sound Level, dBA	The sound pressure level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the frequency response of the human ear and correlates well with subjective reactions to noise.
Equivalent Noise Level, $L_{EQ}$	The average A-weighted noise level during the measurement period. The hourly $L_{EQ}$ used for this report is denoted as dBA $L_{EQ[H]}$ .
Community Noise Equivalent Level, CNEL	The average A-weighted noise level during a 24-hour day, obtained after addition of 5 decibels in the evening from 7:00 p.m. to 10:00 p.m. and after addition of 10 decibels to sound levels in the night between 10:00 p.m. and 7:00 am.
Day/Night Noise Level, $L_{DN}$	The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to levels measured in the night between 10:00 p.m. and 7:00 am.
$L_{MAX}$ , $L_{MIN}$	The maximum and minimum A-weighted noise level during the measurement period.
$L_{01}$ , $L_{10}$ , $L_{50}$ , $L_{90}$	The A-weighted noise levels that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period.
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise at a given location.
Intrusive	That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, and time of occurrence and tonal or informational content as well as the prevailing ambient noise level.

Source: Illingworth & Rodkin, 2009.

sound to which the human ear is most sensitive. Representative outdoor and indoor noise levels in units of dBA are shown in **Table N-2: Typical Noise levels in the Environment**. Because sound levels can vary markedly over a short period of time, a method for describing either the average character of the sound or the statistical behavior of the variations must be utilized. Most commonly, environmental sounds are described in terms of an average level that has the same acoustical energy as the summation of all the time-varying events. This energy-equivalent sound/noise descriptor is called  $L_{EQ}$ . The most common averaging period is hourly, but  $L_{EQ}$  can describe any series of noise events of arbitrary duration.

The scientific instrument used to measure noise is the sound level meter. Sound level meters can accurately measure environmental noise levels to within about plus or minus 1 dBA. Various computer models are used to predict environmental noise levels from sources, such as roadways and airports. The accuracy of the predicted models depends upon the distance the receptor is from the noise source. Close to the noise source, the models are accurate to within about plus or minus 1 to 2 dBA.

Since the sensitivity to noise increases during the evening and at night — because excessive noise interferes with the ability to sleep — 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The CNEL is a measure of the cumulative noise exposure in a community, with a 5 dB penalty added to evening (7:00 p.m. to 10:00 p.m.) and a 10 dB addition to nocturnal (10:00 p.m. to 7:00 a.m.) noise levels. The  $L_{DN}$  is essentially the same as CNEL, with the exception that the evening time period is dropped and all occurrences during this three-hour period are grouped into the daytime period.

## Effects of Noise

### *Hearing Loss*

While physical damage to the ear from an intense noise impulse is rare, a degradation of auditory acuity can occur even within a community noise environment. Hearing loss occurs mainly due to chronic exposure to excessive noise, but may be due to a single event such as an explosion. Natural hearing loss associated with aging may also be accelerated from chronic exposure to loud noise.

**TABLE N-2 TYPICAL NOISE LEVELS IN THE ENVIRONMENT**

<b>Common Outdoor Noise Source</b>	<b>Noise Level (dBA)</b>	<b>Common Indoor Noise Source</b>
	120 dBA	
Jet fly-over at 300 meters		Rock concert
	110 dBA	
Pile driver at 20 meters	100 dBA	
	90 dBA	Night club with live music
Large truck pass by at 15 meters		
	80 dBA	Noisy restaurant
		Garbage disposal at 1 meter
Gas lawn mower at 30 meters	70 dBA	Vacuum cleaner at 3 meters
Commercial/Urban area daytime		Normal speech at 1 meter
Suburban expressway at 90 meters	60 dBA	
Suburban daytime		Active office environment
	50 dBA	
Urban area nighttime		Quiet office environment
	40 dBA	
Suburban nighttime		
Quiet rural areas	30 dBA	Library
		Quiet bedroom at night
Wilderness area	20 dBA	
	10 dBA	Quiet recording studio
Threshold of human hearing	0 dBA	Threshold of human hearing

Source: Illingworth & Rodkin, 2009.

The Occupational Safety and Health Administration (OSHA) have a noise exposure standard that is set at the noise threshold where hearing loss may occur from long-term exposures. The maximum allowable level is 90 dBA averaged over eight hours. If the noise is above 90 dBA, the allowable exposure time is correspondingly shorter.

#### *Sleep and Speech Interference*

The thresholds for speech interference indoors are about 45 dBA if the noise is steady and above 55 dBA if the noise is fluctuating. Outdoors the thresholds are about 15 dBA higher. Steady noise of sufficient intensity (above 35 dBA) and fluctuating noise levels above about 45 dBA have been shown to affect sleep. Interior residential standards for

multi-family dwellings are set by the State of California at 45 dBA  $L_{DN}$ . Typically, the highest steady traffic noise level during the daytime is about equal to the  $L_{DN}$  and nighttime levels are 10 dBA lower. The standard is designed for sleep and speech protection and most jurisdictions apply the same criterion for all residential uses. Typical structural attenuation is 12 to 17 dBA with open windows. With closed windows in good condition, the noise attenuation factor is around 20 dBA for an older structure and 25 dBA for a newer dwelling. Sleep and speech interference is therefore possible when exterior noise levels are about 57-62 dBA  $L_{DN}$  with open windows and 65-70 dBA  $L_{DN}$  if the windows are closed. Levels of 55-60 dBA are common along collector streets and secondary arterials, while 65-70 dBA is a typical value for a primary/major arterial. Levels of 75-80 dBA are normal noise levels at the first row of development outside a freeway right-of-way. In order to achieve an acceptable interior noise environment, bedrooms facing secondary roadways need to be able to have their windows closed; those facing major roadways and freeways typically need special glass windows.

### *Annoyance*

Attitude surveys are used for measuring the annoyance felt in a community for noises intruding into homes or affecting outdoor activity areas. In these surveys, it was determined that the causes for annoyance include interference with speech, radio and television, house vibrations, and interference with sleep and rest. The  $L_{DN}$  as a measure of noise has been found to provide a valid correlation of noise level and the percentage of people annoyed. People have been asked to judge the annoyance caused by aircraft noise and ground transportation noise. There continues to be disagreement about the relative annoyance of these different sources. When measuring the percentage of the population highly annoyed, the threshold for ground vehicle noise is about 55 dBA  $L_{DN}$ . At an  $L_{DN}$  of about 60 dBA, approximately 2 percent of the population is highly annoyed. When the  $L_{DN}$  increases to 70 dBA, the percentage of the population highly annoyed increases to about 12 percent of the population. There is, therefore, an increase of about 1 percent per dBA between an  $L_{DN}$  of 60-70 dBA. Between an  $L_{DN}$  of 70-80 dBA, each decibel increase increases by about 2 percent the percentage of the population highly annoyed. People appear to respond more adversely to aircraft noise. When the  $L_{DN}$  is 60 dBA, approximately 10 percent of the population is believed to be highly annoyed. Each decibel increase to 70 dBA adds about 2 percentage points to the number of people highly annoyed. Above 70 dBA, each decibel increase results in about a 3 percent increase in the percentage of the population highly annoyed.

## Existing Conditions

### *Noise Measurement Survey*

A noise measurement survey was completed to establish existing noise levels in the Town of Fairfax. There were several purposes for the noise measurements. Long-term measurements made hour by hour over a period of 24 hours or more provide information on how noise levels vary throughout the day and night and may vary from day to day (sunny or cloudy day, calm or windy, various activities). Long-term noise measurements in quiet residential areas provide information on the residual background levels of noise in the community and also are useful in showing the contrast between the quieter noise environments and the noisier environments located near the roadways. Measurements away from major noise sources also provide information on the intrusiveness of individual single-events in the environment, such as aircraft over-flights. A series of attended short-term measurement were also conducted. These measurements are also useful for several purposes. The person attending the measurements can identify the noise sources that occur during the measurement and note the level of noise associated with these identifiable events. This assists greatly in quantitatively and qualitatively characterizing the noise environments along the major roadways and also in the quieter areas of the town. Also, along the major roadways, short-term traffic counts are made. These traffic counts are then eventually input into the traffic noise computer models used to produce noise contours along the roadways, and the results checked against the actual measurement that has been made concurrent with the traffic count.

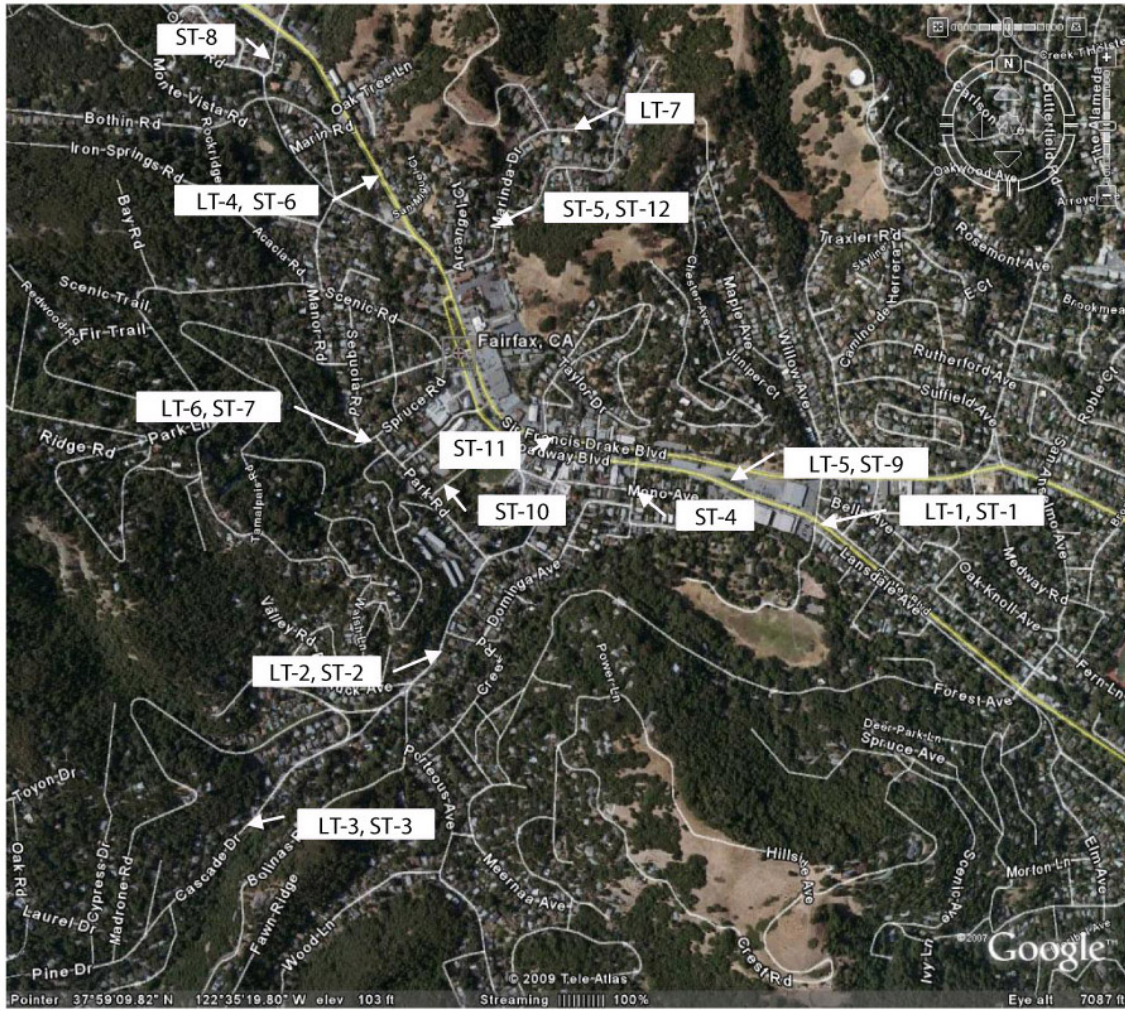
The State Office of Planning and Research Guidelines related to the preparation of the Noise Element of the General Plan mandate that noise exposure levels be prepared in terms of the  $L_{DN}$  or the CNEL. Both of these descriptors were described in the previous section and represent the 24-hour average noise level with weighting periods for the daytime ( $L_{DN}$ ) or the daytime and evening (CNEL).  $L_{DN}$  is currently the preferred metric and is used in this report to characterize the 24-hour average noise exposure level. It is also important to know how noise levels vary within each hour of the day and night. For this purpose, standard acoustical descriptors were measured and reported. These standard statistical descriptors are the  $L_{MAX}$ , the  $L_{10}$ , the  $L_{50}$ , and the  $L_{90}$ . The  $L_{MAX}$  noise level is the highest noise levels during the interval and the  $L_{10}$ ,  $L_{50}$ , and  $L_{90}$  represent sound levels exceeded 10 percent, 50 percent (the median level), and 90 percent of the time interval (representing the background noise levels). The  $L_{50}$  corresponds to the noise limit in the Noise Ordinance. The hourly equivalent sound level ( $L_{EQ}$ ), the basis for the day/night average noise levels, was measured and reported for each hour as well.

The noise survey lasted from the afternoon of Thursday, April 2, 2009 to the afternoon of Friday, April 3, 2009, and from the afternoon of Monday, April 13, 2009 to the afternoon of Thursday, April 16, 2009. Noise measurement locations are shown on **Figure N-1: Noise Measurement Locations**. During the noise survey, weather conditions were moderate in terms of temperature and wind on Thursday April 2 and Monday April 13, but somewhat windy on Friday April 3 and Tuesday, April 14 through Wednesday, April 15, 2009. The noise survey was conducted with Larson Davis Laboratories precision sound level meters. Larson Davis Type 820 meters were used at long-term locations LT-1 through LT-7 and for the attended short-term noise measurements. Instrumentation was calibrated at the beginning of the noise survey and post calibrated at the end of the survey. No calibration corrections were necessary. During the survey, the microphones were fitted with windscreens.

Measurement LT-1 was on Center Boulevard, one of the busy roads in the Town of Fairfax. The measurement position was at the shopping area of the United States Post Office, Iron Springs Pub & Brewery, and Broadway Video, and about 25 feet from the centerline of the roadway. Vehicular traffic on Center Boulevard was the dominant noise source affecting the noise measurement. The daily trend in noise levels at this location is shown on **Figure N-2: Noise Levels at LT-1**. The measured day/night average noise level at this location was about 68 dBA  $L_{DN}$ . Activities in the parking lot such as starting car engine, slamming car doors, talking, etc. may be considered significant intermittent noise sources, but would not affect the overall 24-hour average noise level at the nearest residence located about 50 feet west of the parking lot. The data clearly demonstrate the difference in noise levels between nighttime when noise level drops to 38 dBA  $L_{90}$  in the absence of any local traffic and activities in the parking lot and daytime when the noise level reaches 92 dBA  $L_{MAX}$  when a loud vehicle passes by.

Measurement LT-2 was on Bolinas Road. This measurement location was also selected to characterize noise levels along a major road. The measurement position was in a tree in Fairfax Park about 60 feet from the centerline of Bolinas Road, about 100 feet from the centerline of Elsie Lane, and about 230 feet southeast of the Fairfax Fire Department. The dominant source of noise was vehicular traffic on Bolinas Road. A fire truck siren elevated noise levels at 11:40 a.m. on Friday. Measured data at Location LT-2 are shown on **Figure N-3: Noise Levels at LT-2**. The measured noise level at this location was 64 dBA  $L_{DN}$ .

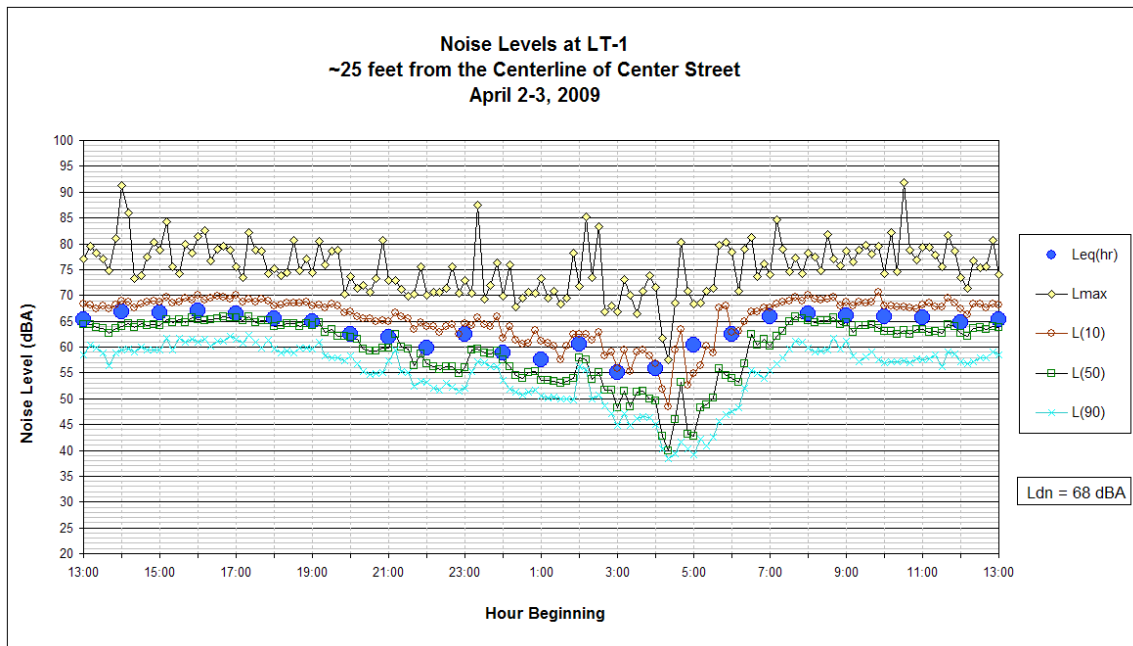




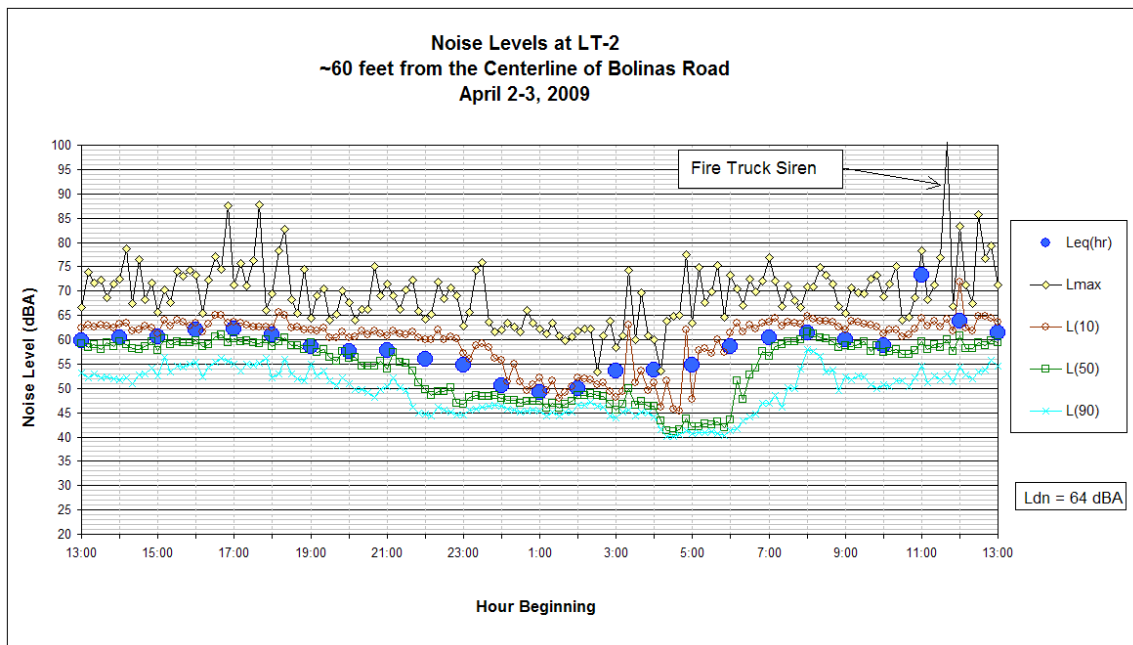
**Figure N-1 Noise Measurement Locations**

Noise measurement LT-3 was on the northwest side of Cascade Drive. The measurement position was about 25 feet from the centerline of the roadway. Vehicular traffic along Cascade Drive was the major source of noise. At night, it is likely that light winds in vegetation also contributed to the background noise levels. The day/night average noise level was measured to be about 62 dBA. The measured data are shown on **Figure N-4: Noise Levels at LT-3**. The data show that it is quiet during the night when noise levels drop to about 32 dBA L<sub>90</sub> in the absence of any local traffic.

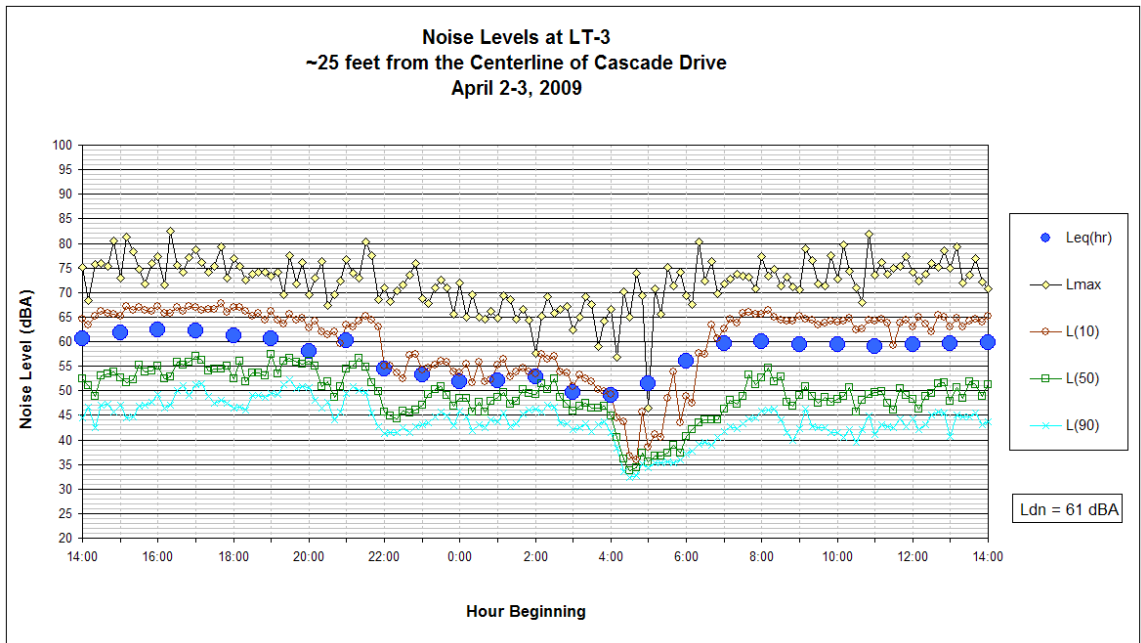
Measurement Location LT-4 was on Sir Francis Drake Boulevard just south of Oak Tree Lane. The measurement position was about 45 feet from the centerline of Sir Francis



**Figure N-2 Noise Levels at LT-1**



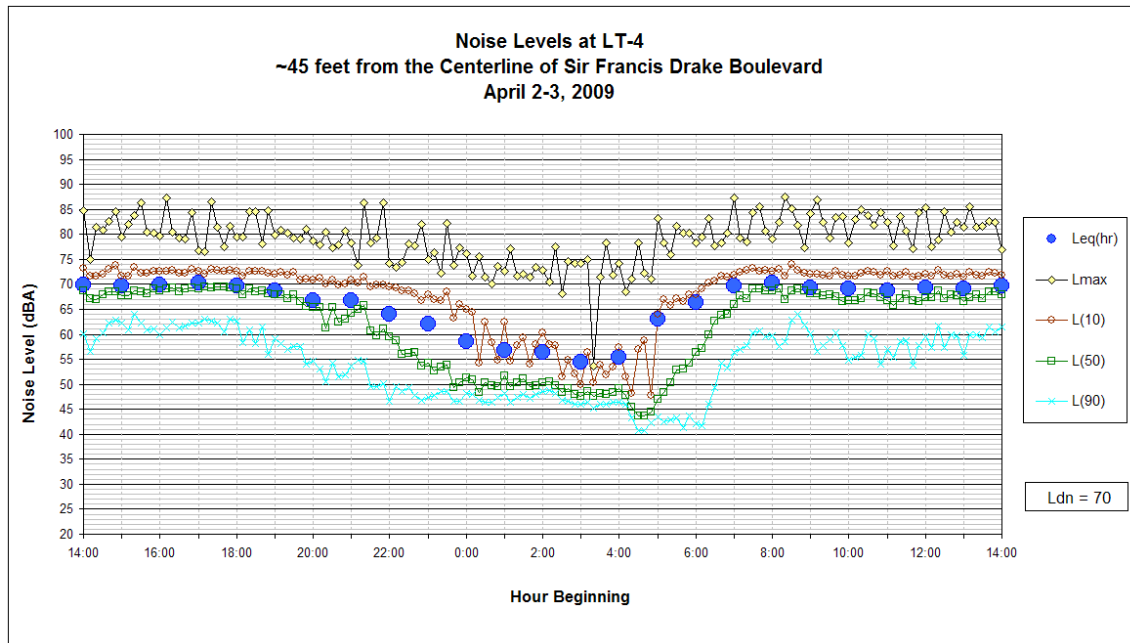
**Figure N-3 Noise Levels at LT-2**



**Figure N-4 Noise Levels at LT-3**

Drake Boulevard. Vehicular traffic along Sir Francis Drake Boulevard was the major source of noise at this location. This is the noisiest road in the Town. Vehicular traffic on this segment of Sir Francis Drake Boulevard travels at about 40 miles per hour, a higher speed than other local roadways. The day/night average noise level at this site was measured to be about 70 dBA  $L_{DN}$ . Noise levels at this portion of the road varied from as low as 41 dBA  $L_{90}$  when there is little local traffic at night to as high as 87 dBA  $L_{MAX}$  during daytime hours when there are bus and truck pass-bys and high engine vehicle noise. The measurement data are summarized on **Figure N-5: Noise Levels at LT-4**.

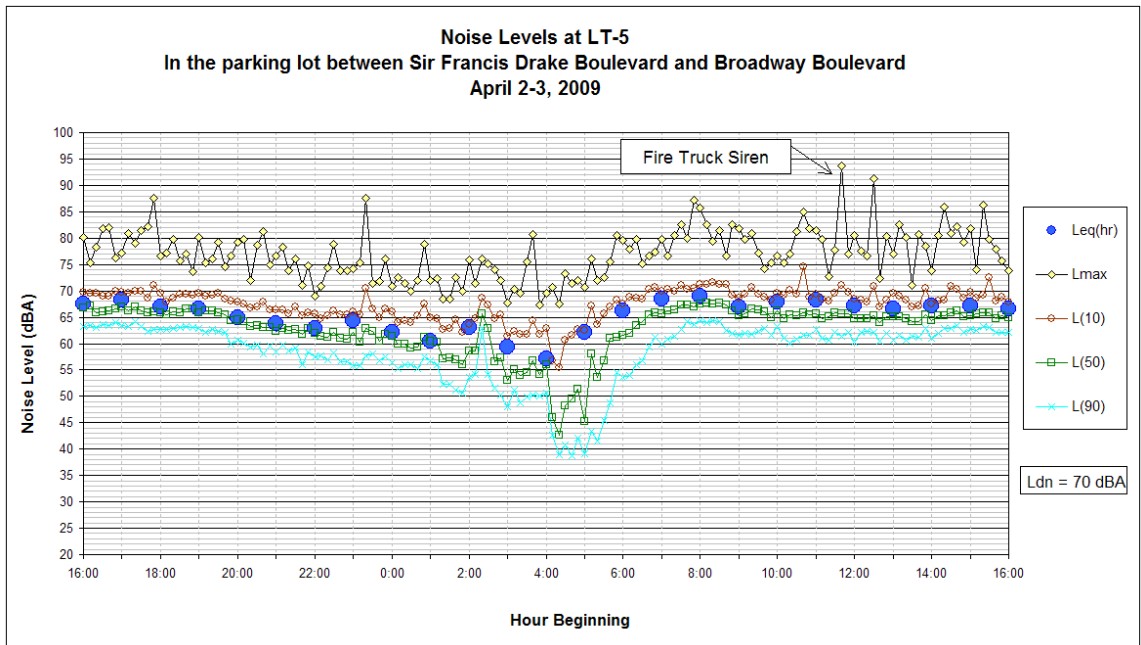
Measurement LT-5 was in another noisy location Downtown Fairfax in the parking lot between Sir Francis Drake Boulevard and Broadway. The measurement was closer to Broadway than to Sir Francis Drake Boulevard. Vehicular traffic along Sir Francis Drake Boulevard and Broadway are the dominant noise sources at this location. This portion of Sir Francis Drake Boulevard and Broadway has bars, restaurants, a movie theatre, clothing shops, coffee shops, and grocery stores. These stores and shops would elevate noise levels at the measurement position. High traffic volumes also elevate noise level to as high as 91 dBA  $L_{MAX}$  during the day. Activities in the vicinity of the noise measurement location would increase noise levels as well. Noise levels at night dropped to 39 dBA  $L_{90}$



**Figure N-5 Noise Levels at LT-4**

when there is light traffic or minimal activities. Typical average daytime noise levels ranged from 64 dBA  $L_{EQ}$  to 68 dBA  $L_{EQ}$  and background noise levels at night and through the early morning commute period were between 39-63 dBA. The measured day/night average noise level was 70 dBA  $L_{DN}$ . The measurement data are summarized on **Figure N-6: Noise Levels at LT-5**.

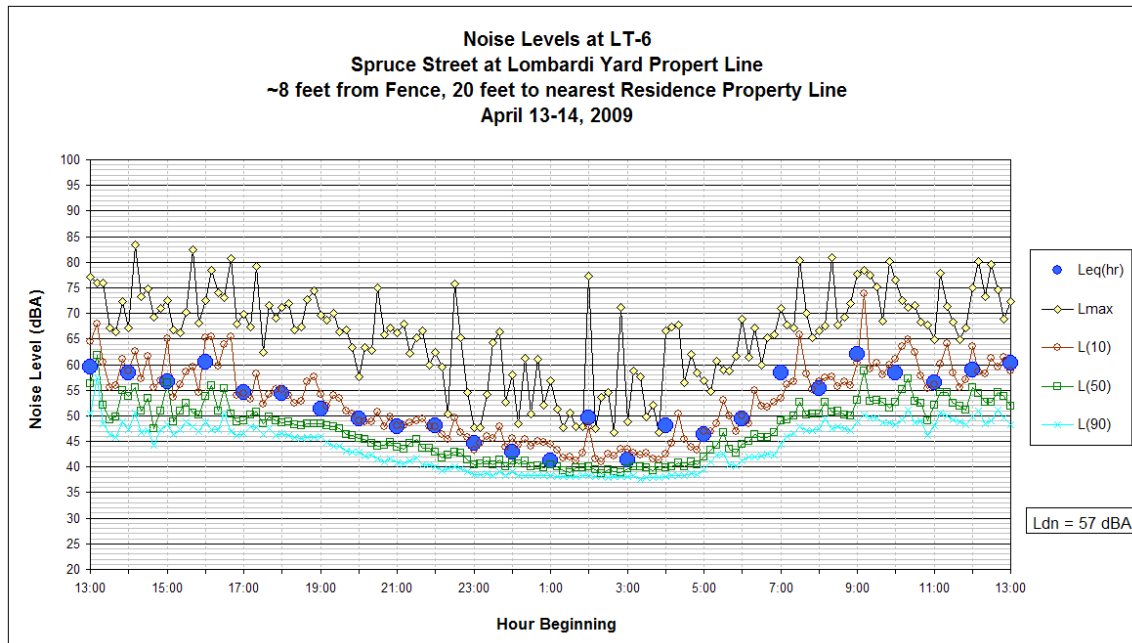
Measurement LT-6 was made on Spruce Avenue west of the Lumber & Hardware Fairfax Yard located on Broadway. Major sources of noise at this location are distant traffic on Broadway and Sir Francis Drake Boulevard, traffic on Spruce Avenue, and intermittent noises from the activities on the yard. The data clearly shows the difference in noise levels between moderate windy days (5 to 10 mph) and windy days (more than 20 mph). When winds were moderate, background noise levels during nighttime hours did not fluctuate as much. Whereas background noise levels at night fluctuated more when winds were high. Background noise level at night ranged from about 38 dBA  $L_{90}$  to about 44 dBA  $L_{90}$  when it was not windy. When it was windy, background noise level ranged from about 38 dBA  $L_{90}$  to about 50 dBA  $L_{90}$ . Hourly average noise levels in moderate windy night ranged from about 42-50 dBA  $L_{EQ}$ . When it was windy, hourly average noise level



**Figure N-6 Noise Levels at LT-5**

ranged from 45-62 dBA  $L_{EQ}$  during nighttime hours. During daytime hours, hourly average noise levels did not differ much between a windy day and a moderate windy day because vehicular traffic and intermittent noises at the yard were the dominant noise sources at this site. The measured day/night average noise level ranged from 57-61 dBA  $L_{DN}$ . Heavy wind caused the  $L_{DN}$  to increase from 57 to 61 dBA. The measurement data are summarized on **Figure N-7: Noise Levels at LT-6**.

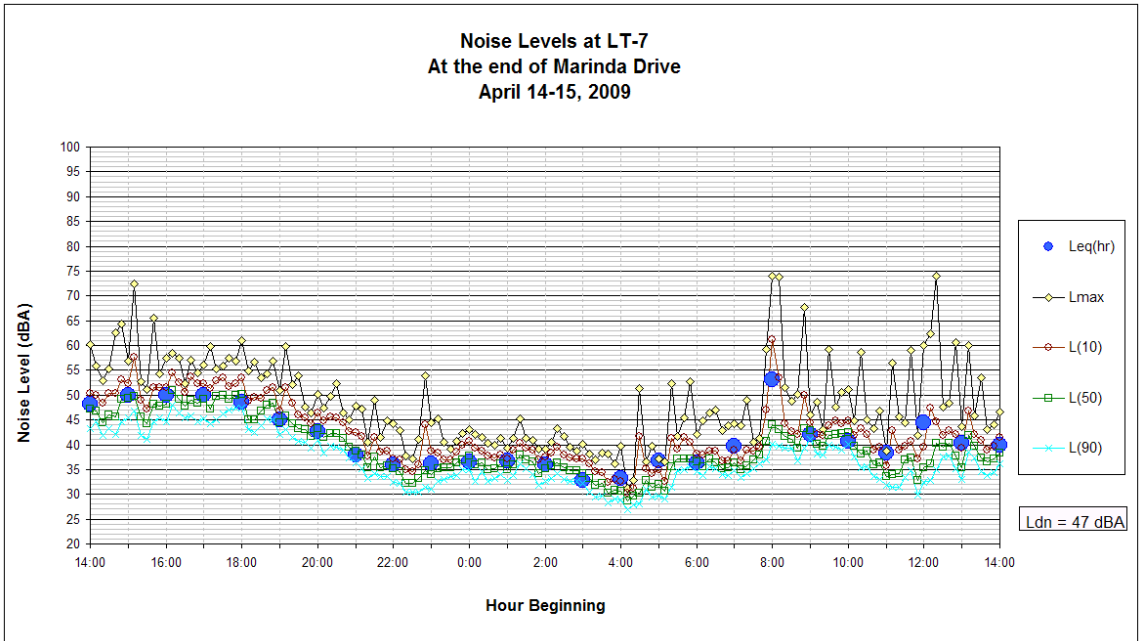
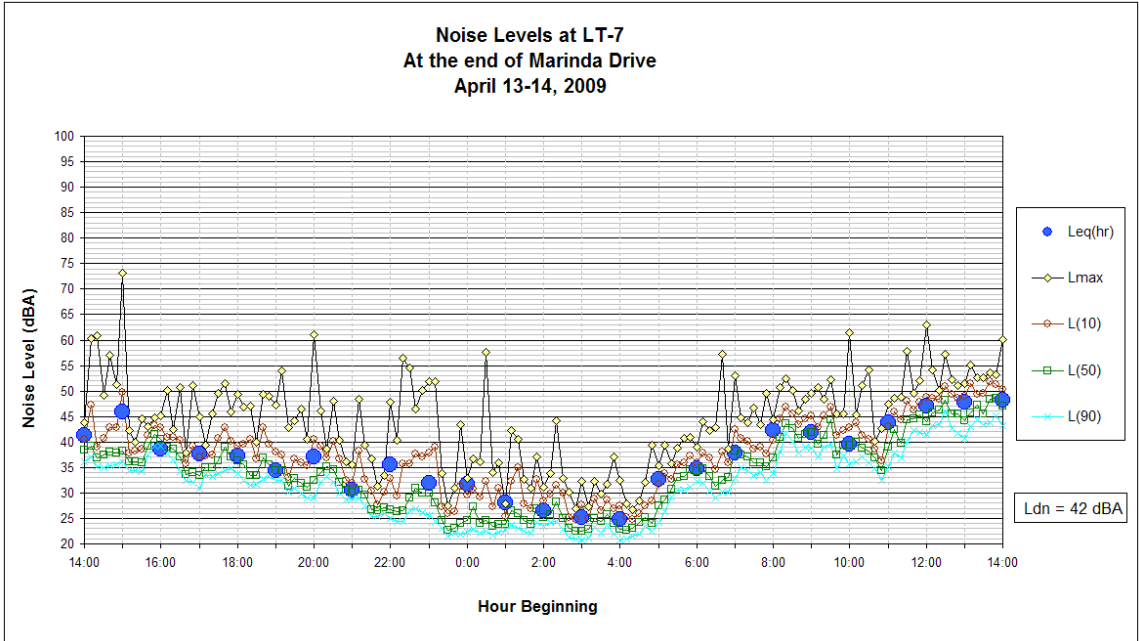
Measurement LT-7 was made at the end of Marinda Drive in a very quiet residential area. The acoustical environment at LT-7 resulted primarily from the occasional plane and natural sounds such as birds and wind. The data clearly shows the difference in noise levels between moderate windy days (5 to 10 mph) and windy days (more than 20 mph). When it was moderately windy, hourly average noise levels at this location ranged from about 31 to 46 dBA  $L_{EQ}$  during the daytime and from about 25 to 36 dBA  $L_{EQ}$  at night. When the winds were high, hourly average noise levels at this location ranged from about 41 to 50 dBA  $L_{EQ}$  during the daytime and from about 32-37 dBA  $L_{EQ}$  at night. The measured day/night average noise level ranged from 42-47 dBA  $L_{DN}$ . High wind caused the  $L_{DN}$  to increase from 42 to 47 dBA. The measurement data are summarized on **Figure N-8: Noise Levels at LT-7**.



**Figure N-7 Noise Levels at LT-6**

Short-term noise measurements were conducted during the day on April 3, 2009 at each of the long-term locations, and during the day on April 13, 2009. The measured data are summarized in **Table N-3: Noise Measurement Summary**. At Location ST-1 on Center Boulevard, automobile, truck, and bus traffic on the roadway and on Sir Francis Drake Boulevard were the only significant contributors to measured noise levels. At Location ST-2, vehicular traffic on Bolinas Road was the dominant source of noise at this measurement location. At Location ST-3, vehicular traffic on Cascade Drive was the only significant contributor to measured noise level. A loud car pass-by on Cascade Drive generated a maximum instantaneous noise level of 76 dBA. At Location ST-4, distant vehicular traffic along Broadway and Sir Francis Drake Boulevard and local traffic along Mono Avenue and Pacheco Avenue were the dominant source of noise. At Location ST-5, winds in vegetation contributed significantly to the background noise levels. During the 10-minute measurement only one car drove by and elevated noise level to 62 dBA  $L_{MAX}$ . Distant traffic along Sir Francis Drake Boulevard generated a noise level of about 45 dBA. ST-12 was made at the same location as ST-5. At location ST-6 on Sir Francis Drake Boulevard, automobile, truck, bus, and motorcycle traffic contributed significantly to measured noise levels. Measurement location ST-7 was on Spruce Road northwest of Fairfax Lumber and Hardware Yard. Vehicular traffic on the Spruce Road and distant

**Figure N-8 Noise Levels at LT-7**



**TABLE N-3 NOISE MEASUREMENT SUMMARY**

Location	Start Time	A-Weighted Noise Level (dBA)					
		L <sub>EQ</sub>	L <sub>01</sub>	L <sub>10</sub>	L <sub>50</sub>	L <sub>90</sub>	L <sub>DN</sub>
<b>Short-Term Noise Measurement Summary (Measurements Made for 10 Minutes)</b>							
ST-1: Center Boulevard ~25 feet to the center of the roadway (4/3/2009)	12:00 p.m.	63	70	67	62	55	68
ST-2: Bolinas Road ~60 feet to the center of the roadway (4/3/2009)	12:20 p.m.	59	65	61	58	52	64
ST-3: Cascade Drive ~25 to the center of the roadway (4/3/2009)	1:00 p.m.	59	70	64	49	41	61
ST-4: At the corner of Mono Avenue and Pacheco Avenue ~30 feet from the edge of Pacheco Avenue (4/3/2009)	1:30 p.m.	53	61	57	51	47	58 <sup>a</sup>
ST-5: In front of 220 Marinda Drive (4/3/2009)	2:20 p.m.	48	57	50	46	43	N/A <sup>b</sup>
ST-6: On Oak Tree Lane ~50 feet from the center of the roadway (4/3/2009)	2:50 p.m.	68	77	70	67	59	70
ST-7: On Spruce Road behind the Fairfax Lombardi Hardware Yard (4/3/2009)	3:30 p.m.	54	63	56	51	48	N/A
ST-8: On Olema Drive ~120 feet from the center of Sir Francis Drake Boulevard (4/3/2009)	4:00 p.m.	61	71	64	57	53	65 <sup>a</sup>
ST-9: In the parking lot between Sir Francis Drake Boulevard and Broadway	4:50 p.m.	69	74	73	66	61	70
ST-10: On Merwin Avenue ~50 feet from the edge of the property line of the Yard (4/13/2009)	1:40 p.m.	50	63	53	45	41	54 <sup>a</sup>
ST-11: ~25 feet from the centerline of Claus Drive ~290 feet from the edge of Sir Francis Drake Boulevard (4/13/2009)	2:20 p.m.	53	62	57	51	48	N/A
ST-12: ~25 feet from the center of Marinda Drive (4/13/2009)	2:40 p.m.	48	61	48	41	37	42-47
<b>Long-Term Noise Measurement Summary (Measurements Made for at Least 24 Hours)</b>							
LT-1: Center Boulevard ~25 feet to the center of the roadway (4/2/2009 to 4/3/2009)							68 L <sub>DN</sub> , dBA
LT-2: Bolinas Road ~60 feet to the center of the roadway (4/2/2009 to 4/3/2009)							64 L <sub>DN</sub> , dBA
LT-3: Cascade Drive ~25 feet to the center of the nearest lane of the roadway (4/2/2009 to 4/3/2009)							61 L <sub>DN</sub> , dBA
LT-4: Sir Francis Drake Boulevard ~45 feet to the center of the roadway just south of Oak Tree Lane (4/2/2009 to 4/3/2009)							70 L <sub>DN</sub> , dBA
LT-5: Between Sir Francis Drake Boulevard and Broadway ~40 feet to center of Broadway (4/2/2009 to 4/3/2009)							70 L <sub>DN</sub> , dBA
LT-6: On Spruce Road at Lombardi Yard property line ~8 feet from fence ~20 feet to nearest residential property line (4/13/09 to 4/15/2009)							57-61 L <sub>DN</sub> , dBA
LT-7: At the end of Marinda Drive (4/13/2009 to 4/15/2009)							42-47 L <sub>DN</sub> , dBA



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**Notes:**

Day/Night Noise Level,  $L_{DN}$ : The average A-weighted noise level during a 24-hour day, obtained after addition of 10 decibels to levels measured in the night between 10:00 p.m. and 7:00 a.m..

Equivalent Noise Level,  $L_{EQ}$ : The average A-weighted noise level during the measurement period.

$L_{01}$ ,  $L_{10}$ ,  $L_{50}$ ,  $L_{90}$ : The A-weighted noise levels that are exceeded 1%, 10%, 50%, and 90% of the time during the measurement period.

<sup>(a)</sup>  $L_{DN}$  estimated based on concurrent long-term data.

<sup>(b)</sup> N/A, Not Available, only short-term measurements were made so the  $L_{DN}$  cannot be directly calculated from the data.

Source: Illingworth & Rodkin, 2009.

traffic along Broadway and Sir Francis Drake Boulevard dominated the noise measurements. At location ST-9 on Broadway, vehicular traffic along Broadway and Sir Francis Drake Boulevard was the dominant noise source. A bus along Broadway generated a noise level of about 76 dBA  $L_{MAX}$ .

Short-term measurements were made at three additional locations in the Town of Fairfax. Noise measurement ST-8 was located on Olema Drive about 120 feet to the edge of Sir Francis Drake Boulevard. Vehicular traffic on Olema Drive and Sir Francis Drake Boulevard were the only significant sources of noise during the measurements. A loud car along Olema Drive generated a maximum noise level of 77 dBA, and a bus pass-by along Sir Francis Drake Boulevard generated an instantaneous noise level of 68 dBA. At ST-10, vehicular traffic along Merwin Avenue, distant traffic along Sir Francis Drake Boulevard and Broadway, and activities at the yard were the dominant noise sources at this location. Measurement ST-11 was located about 25 feet from the center of Claus Drive, and about 290 feet from the edge of Sir Francis Drake Boulevard. Traffic along Claus Drive and distant traffic along Sir Francis Drake Boulevard was the dominant noise source at this location.

A review of the measured data, both long-term and short-term, portrays a quiet noise environment; the exceptions are the major roadways (Sir Francis Drake Boulevard, Broadway, Center Boulevard, and Bolinas Road).

### **Solving the Noise Challenge**

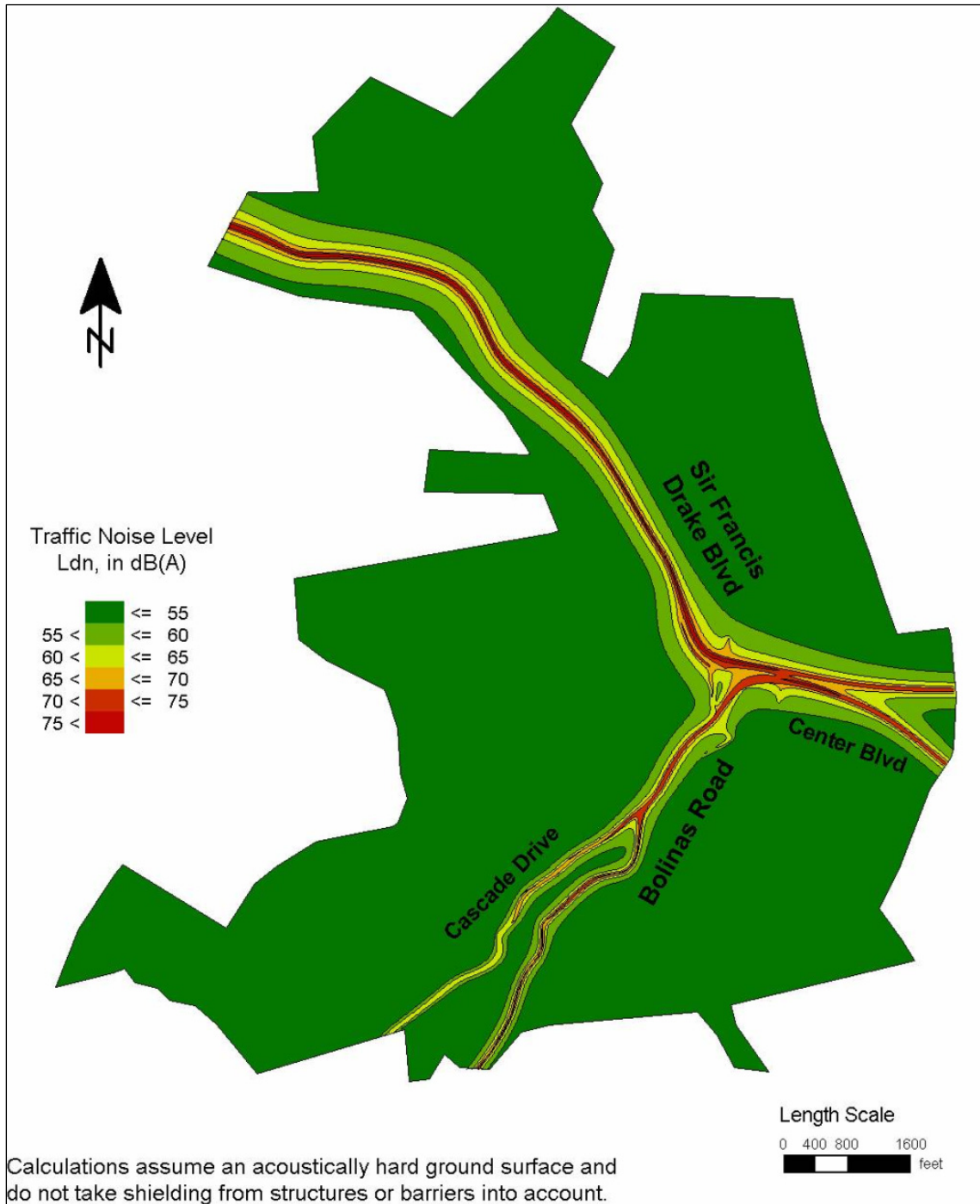
The definition of noise-compatible land use planning is the second major component of the Noise Element. While this may not be a major issue in Fairfax because it is largely built out, it is a requirement for the Noise Element. Noise exposure in the community is defined in terms of the 24-hour day/night average noise level ( $L_{DN}$ ). The noise levels

were measured throughout the community. Noise contours were prepared for the major roadways utilizing a combination of the measured noise levels and traffic data.

The noise exposure in the community is depicted in the form of noise exposure contours along the major roadways. The noise exposure contours are lines of equal loudness, similar to elevation contours that are lines of equal elevation. Noise exposure contours were calculated using a traffic noise model developed by the Federal Highway Administration and the California Department of Transportation that is incorporated into the SoundPlan computer model. The traffic noise model was calibrated using the actual measured noise levels in Fairfax. Noise exposure is presented in terms of the  $L_{DN}$  noise metric. The results of the traffic noise modeling are shown in **Table N-4: Traffic Noise Levels in the Town of Fairfax** and the noise exposure contour map is shown in **Figure N-9: Noise Contours for Major Roadways in Fairfax**.

Paraphrasing from the State's Noise Element Guidelines, given the definition of the existing and forecasted noise environment, the Town must now approach the problem of defining how much noise is too much. The State guidelines include an example that can be used to address this issue. **Figure N-10: Land Use Compatibility for Transportation Noise** shows the recommended noise and land use compatibility guidelines. This chart simplifies the land uses and reduces the acceptability categories to three: normally acceptable, conditionally acceptable, and normally unacceptable. These categories translate to a noise environment for a particular use that would be acceptable without additional mitigation measures; an intermediate category where the application of available mitigation measures would normally result in an acceptable noise environment; and a noise environment that could potentially be unacceptable even after the application of available mitigation measures. In the CEQA context, this would translate to a less-than-significant impact, a less-than-significant impact after mitigation, and a significant and unavoidable impact.

One of the requirements of the noise element is to facilitate the Noise Insulation Standards contained in the State Building Code that are applicable to new multi-family housing. This code section states that where the exterior noise exposure level is 60 dBA  $L_{DN}$  or greater, the building must attenuate the interior noise level to 45 dBA  $L_{DN}$  or less. The noise and land use compatibility chart is used to screen for this and a policy is normally included to explain how this is accomplished.



**Figure N-9 Noise Contours for Major Roadways in Fairfax**

Land Use Category	Exterior Noise Exposure (L <sub>DN</sub> )					
	55	60	65	70	75	80
Single-Family Residential						
Multi-Family Residential, Hotels, and Motels		(a)				
Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds						
Schools, Libraries, Museums, Hospitals, Personal Care, Meeting Halls, Churches						
Office Buildings, Business Commercial, and Professional						
Auditoriums, Concert Halls, Amphitheaters						

<sup>a</sup> See Policy N-1.1.4.

	<b>Acceptable.</b> Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special insulation requirements
	<b>Conditionally Acceptable.</b> Specified land use may be permitted only after detailed analysis of the noise reduction requirements and needed noise insulation features included in the design.
	<b>Unacceptable.</b> New construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.

**Figure N-10 Land Use Compatibility for Transportation Noise**

**TABLE N-4 TRAFFIC NOISE LEVELS IN THE TOWN OF FAIRFAX**

Roadway – Segment	Peak-Hour Traffic	Speed	L <sub>DN</sub> @ 50 feet
Sir Francis Drake Blvd. near Oak Tree Lane	1,490	25	66
Sir Francis Drake Blvd. west of Claus Drive	1,490	25	69
Sir Francis Drake Blvd. east of Claus Drive	1,230	25	67
Sir Francis Drake Blvd. east of Pacheco Avenue	1,440	25	64
Broadway west of Bolinas Road	700	25	64
Broadway east of Bolinas Road	1,080	30	65
Center Blvd. east of Pacheco	1,008	25	64
Bolinas Road south of Broadway	909	25	64
Bolinas Road north of Cascade Drive	914	25	64
Bolinas Road south of Cascade Drive	458	25	60
Cascade Drive south of Bolinas Road	444	25	60
Cascade Drive south of Laurel Drive	228	25	56

Source: Illingworth & Rodkin, 2009.

Much research has resulted in the development of a correlation of exterior community noise levels and their acceptability for different land uses. In the mid-1970s the Environmental Protection Agency made a finding that an  $L_{DN}$  of 55 dBA (including a 5 dBA margin of safety) would have “no impact” on a residence. Following this, the State of California established guidelines and suggested 60 dBA  $L_{DN}$  as an upper limit for environmental noise in a residential setting. Furthermore, typical California construction with windows open provides about 15 dBA of noise reduction when going from outside to inside, so if the exterior  $L_{DN}$  is 60 dBA or less, the interior  $L_{DN}$  will typically be 45 dBA or less. An  $L_{DN}$  of 45 dBA is considered the upper limit of acceptability for residential development in California (as defined in the State Building Code). Based on the existing conditions in Fairfax an exterior noise goal of 60 dBA  $L_{DN}$  and an interior goal of 45 dBA  $L_{DN}$  has been proposed for new residences.

Commercial and retail establishments generate a different kind of noise referred to as non-transportation noise. The noise results from sources such as heating, ventilating, and refrigeration equipment, loading dock activities, parking lot traffic and maintenance, and special events with music. If a new residential development is planned near such a source of noise, the noise limits in the Noise Ordinance during any hour of the day and night shall be used to evaluate the suitability of the environment. New building within such an environment will be required to mitigate noise levels to acceptable levels. Table N-4 indicates the noise levels in the primary downtown streets.

## GOALS, OBJECTIVES, POLICIES, AND PROGRAMS

The three goals of this Element are:

- **Goal N-1: Make land uses compatible with the noise environment.**
- **Goal N-2: Reduce noise from traffic.**
- **Goal N-3: Maintain the current quality of the acoustical environment.**

The Noise Element shall include measures and possible solutions that address existing and foreseeable noise problems. Traffic noise is the most significant source of community noise in Fairfax. State law preempts the regulation of noise generated by individual vehicles, so noise limits cannot be set for individual vehicles. Noise generated by tire-pavement interaction is the predominant source of noise and can be affected by local actions. During the last seven years, extensive research has been completed related to tire-

pavement noise. Quieter pavements have been identified. These include pavements commonly used in California, such as open-grade asphalt concrete and rubberized asphalt.

The other irritating noise sources associated with traffic are poorly muffled vehicles and loud stereo systems. Both of these are regulated by the Motor Vehicle Code and enforced by local Police.

**Goal N-1: Make land uses compatible with the noise environment.**

***Objective N-1.1: Establish traffic-related noise standards for the Town.***

**Policy N-1.1.1: All new development must include an analysis of potential noise impacts.**

Program N-1.1.1.1: Utilize the noise contours in Figure N-9 and noise/land use compatibility standards in Figure N-10 to update the Town Code.

Responsibility: Planning and Building Services  
Schedule: Year One

**Policy N-1.1.2: The Town will maintain a pattern of land uses that separates noise-sensitive land uses from major traffic noises, to the extent feasible.**

Program N-1.1.2.1: Incorporate a noise analysis in the Town Center Plan.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year One

**Policy N-1.1.3: New development of residential or other noise-sensitive land uses should not be allowed in noise impacted areas unless effective mitigation measures are incorporated into the project design to reduce noise levels in outdoor activity areas to 60 dBA  $L_{DN}$  or less.**

Program N-1.1.3.1: Incorporate noise reduction guidelines in the Green Building Ordinance, when adopted.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Year One

**Policy N-1.1.4: Interior noise levels shall not exceed 45 L<sub>DN</sub> in all new residential units (single- and multi-family).**

Program N-1.1.4.1: Residential development sites exposed to noise levels exceeding 60 dBA L<sub>DN</sub> shall be analyzed following the protocols in the 2007 California Building Code (Chapter 12, Appendix Section 1207.11.12) or the most recent revision.

Responsibility: Planning and Building Services

Schedule: Ongoing

**Policy N-1.1.5: New development of noise-sensitive land uses shall not be allowed where the noise level due to non-transportation noise sources will exceed the standards in the noise ordinance.**

Program N-1.1.5.1: Identify and map non-transportation noise sources.

Responsibility: Planning and Building Services

Schedule: Year One

**Policy N-1.1.6: Where noise-sensitive land uses are proposed in areas exposed to existing or projected exterior non-transportation noise levels exceeding the Noise Ordinance limits, an acoustical analysis shall be submitted by the applicant so that noise mitigation may be included in the design of new development.**

Program N-1.1.6.1: Revise the project application to require a noise analysis if the proposed development would be exposed to sound levels exceeding the Noise Ordinance levels.

Responsibility: Planning and Building Services, Planning Commission

Schedule: Year One

<p><b>Goal N-2: Reduce noise from traffic.</b></p>
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***Objective N-2.1: Establish noise limits for public areas.***

**Policy N-2.1.1: The Town will employ innovative techniques and materials to reduce noise.**

- Program N-2.1.1.1: Utilizing currently available information, select a “quieter” pavement that also meets other criteria established by the Town for pavements, and use the quieter pavement when resurfacing roads.  
Responsibility: Public Works  
Schedule: Year One
- Program N-2.1.1.2: Control the sound of vehicle amplification systems (e.g., loud stereos) by encouraging the enforcement of Section 27007 of the California Motor Vehicle Code. This section prohibits amplified sound that can be heard 50 or more feet from a vehicle.  
Responsibility: Police  
Schedule: Ongoing
- Program N-2.1.1.3: Control excessive exhaust noise by enforcing Section 27150 of the California Motor Vehicle Code.  
Responsibility: Police  
Schedule: Ongoing
- Program N-2.1.1.4: New developments along major roadways having >60 dBA  $L_{DN}$  (see Figure N-9) will include architectural elements (e.g. screening structures and other sound-dampening elements) and materials (e.g. special glass).  
Responsibility: Planning and Building  
Schedule: Ongoing
- Program N-2.1.1.5: For open space occupied by highly-sensitive or endangered species sensitive to sound, enforce a sound level goal at 30 dBA  $L_{DN}$  (quiet rural area), and 50 dBA  $L_{DN}$  (suburban daytime).  
Responsibility: Planning and Building  
Schedule: Ongoing
- Program N-2.1.1.6: Develop educational materials regarding noise limitations within Fairfax and make them available to the public.  
Responsibility: Planning and Building  
Schedule: Ongoing



**Goal N-3: Maintain the current quality of the acoustical environment.**

The fundamental principle of the California Environmental Quality Act (CEQA) as it relates to community noise is to keep new projects from causing a substantial increase in noise that would impact residents and other sensitive receivers. This can be accomplished if impacts are identified as a part of normal project review or through the CEQA process and mitigation measures are incorporated into projects.

Noise from construction activities, and particularly activities associated with the construction of new residences, remodeling or demolition and reconstruction of residential properties, has an adverse effect on the peace and quiet in the Town of Fairfax.

The term “construction” covers a large range of projects ranging from new construction or the demolition and construction of a large residence that could include demolition, site grading, foundation work, framing, roofing, exterior sheeting, and site improvements and landscaping, a project that may last up to two years, to someone repairing a deck on a Saturday afternoon.

The primary method for communicating construction noise management methods to the community could be through a guidance manual and/or design guide. If a major project is expected to take less than 18 months and work would be done following all of the standard controls that would be established, including limiting the work to a certain schedule of allowable days and hours, then the project would be found to cause a less-than-significant impact under CEQA. Alternatively, if the project is going to necessitate construction activities that would last beyond 18 months, or occur outside of allowable time periods, then the project would be found to cause a potentially significant impact and would be subject to environmental review under CEQA. The assessment could result in additional mitigation measures, a finding of overriding considerations, or project denial.

The following is a representative list of standard controls:

- a. Limit construction to the hours of 8:00 a.m. to 5:00 p.m. on weekdays, and 9:00 a.m. to 5:00 p.m. on Saturdays, with no noise-generating construction on Sundays or holidays.
- b. Control noise from construction workers' radios to the point where they are not audible at existing residences that border the Project site.

- c. Equip all internal combustion engine-driven equipment with mufflers which are in good condition and appropriate for the equipment.
- d. Utilize quiet models of air compressors and other stationary noise sources where technology exists.
- e. Locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area.
- f. Prohibit unnecessary idling of internal combustion engines.
- g. Notify residents adjacent to the Project site of the construction schedule in writing.
- h. Designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaints (e.g., starting too early, bad muffler) and institute reasonable measures warranted to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.

Other sources of noise that contribute to the noise environment in Fairfax include aircraft flights, and various neighborhood sources including barking dogs, yard maintenance, garbage trucks, noise generated by other home equipment such as swimming pool pumps and air-conditioners, early morning deliveries, and parties. The Town has little direct control of aircraft operations that may constitute a noise burden to its residents. Hence, most aircraft noise abatement measures must necessarily be affected by seeking cooperation from other government agencies. The Town can manage noise generated within its boundaries.



***Objective N-3.1: Establish a noise abatement program that preserves the exist-ing **acoustic levels and types of sounds currently found in Town.*****

**Policy N-3.1.1: The Town will periodically analyze the acoustical environment of the community.**

Program N-3.1.1.1: Require an acoustical analysis to evaluate mitigation measures for noise-generating projects that would cause the following criteria to be exceeded or would cause a significant adverse community response:

- Cause the  $L_{DN}$  at noise-sensitive uses to increase by 3 dBA or more and exceed the “normally acceptable” level.
- Cause the  $L_{DN}$  at noise-sensitive uses to increase 5 dBA or more and remain “normally acceptable”

Note: Locations where there is greater sensitivity to excess noise, including but not limited to, residences, hospitals, nursing homes, theaters, auditoriums, churches, meeting halls, schools, libraries, museums, open space, and parks.

Responsibility: Planning and Building Services, Planning Commission  
Schedule: Ongoing

**Policy N-3.1.2: Noise created by new non-transportation noise sources shall be mitigated so as not to exceed the noise level standards of the Noise Ordinance. Where proposed non-transportation noise sources are likely to produce noise levels exceeding the standards, an acoustical analysis shall be required as a part of project review or as part of the environmental review process so that noise mitigation may be included in the project design.**

Program N-3.1.2.1: Revise the Town Code to require noise analyses.

Responsibility: Planning and Building Services, Town Attorney, Town Council  
Schedule: Year One

**Policy N-3.1.3: All acoustical analyses shall:**

- **Be the responsibility of the applicant.**
- **Be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics.**
- **Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions.**
- **Estimate existing and projected (20 years) noise levels in terms of  $L_{DN}$  and/or the standards of the noise ordinance, and compare those levels to the policies of this Element.**
- **Recommend appropriate mitigation to achieve compliance with the adopted policies and standards of this Element. Where the noise source in question con-**

**sists of intermittent single events, the report must address the effects of maximum noise levels in sleeping rooms in terms of possible sleep disturbance.**

- **Describe a post-project assessment program which could be used to evaluate the effectiveness of the proposed mitigation measures.**

Program N-3.1.3.1: Identify acoustical analyses as a project application requirement, where appropriate.

Responsibility: Planning and Building Services

Schedule: Year One

**Policy N-3.1.4: Implement appropriate standard controls (e.g., some or all of Standard Controls a-h above) for all construction projects.**

Program N-3.1.4.1: Develop a guidance manual to provide information to public regarding construction noise control.

Responsibility: Planning and Building Services, Public Works

Schedule: Year Two

**Policy N-3.1.5: Consider CEQA review for construction projects lasting more than 18 months, and submittal of detailed construction noise management plans.**

Program N-3.1.5.1: Develop a guidance manual to provide information to public regarding construction noise control.

Responsibility: Planning and Building Services, Public Works

Schedule: Year Two



# GLOSSARY

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**Accessible Housing.** Units accessible and adaptable to the needs of the physically disabled.

**Accessory Dwelling Unit (ADU).** Small additions to a larger residential unit that can provide housing opportunities for elderly family members, grown children or unrelated renters. Flexible space that can be used for a home office. The unit must be under the same ownership as the principal building. One additional parking space is required. The basic amenities include a bedroom, a bath, and a small kitchen. Also known as “granny flats”, “mother-in-law units”, “garage apartments”, “ancillary units.”

**Adjacent.** Having a common border, as in “two adjacent parcels.”

**Agency.** A governmental entity, department, office, or administrative unit responsible for carrying out regulations. The Town is an agency.

**Anadromous Fish.** Species of fish that mature in the ocean and migrate into streams to spawn.

**Anthropogenic.** Effects, processes or materials are those that are derived from human activities, as opposed to those occurring in natural environments without human influence (see <http://wikipedia.org>).

**Applicant.** Any person, firm, partnership, joint venture, corporation, association, or any entity, or combination of entities, which seeks Town permits, entitlements or approvals.

**Approval.** An official action by the Town that includes both approval and approval with conditions.

**Arborist.** An arborist is (1) a person currently certified by the Western Chapter of the International Society of Arboriculture as an expert on the care of trees; (2) a consulting arborist who satisfies the requirements of the American Society of Consulting Arborists; or (3) as defined by the Town’s Tree Ordinance.

**Bio-sourced.** Products or materials created by a biological process.

**Biotic Community.** A group of living organisms characterized by a distinctive combination of both animal and plant species in a particular habitat. The oak woodland found in the hills around the Town is a biotic community.



**Buffer.** A land area that is designed to block or absorb unwanted impacts to the area beyond the buffer. Buffers generally allow for some flexibility of use within the designated area, with restrictions increasing closer to the protected resource. Creek setbacks are a form of buffer.

**CAP: Climate Action Plan.** Policies and programs to reduce greenhouse gas emissions.

**CARB: California Air Resources Board.** The CARB's mission is to promote and protect public health, welfare and ecological resources through the effective and efficient reduction of air pollutants while recognizing and considering the effects on the economy of the state.

**CEQA: California Environmental Quality Act.** CEQA is a statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.

**Charrette.** An intensive idea, or concept, generating activity, usually held in a workshop format involving a variety of participants. Charrettes are commonly used as an element of a public participation program where community members, local jurisdiction staff and professional consultants work together as a single group, or in small group sessions, to generate planning ideas or identify alternative solutions to familiar issues or problems.

Historically used to define the small cart used by faculty assistants to collect students' work at the Ecole des Beaux Arts in Paris

**Conditional Use Permit.** A special permit that allows a specific exception to the zoning regulations from a list of acceptable uses for a particular parcel of land.

**County.** Upper case "C" refers to the agencies of the County of Marin. Lower case "c" refers to the physical county.

**Critical Habitat.** An area designated for the survival and recovery of federally listed threatened or endangered species. Wetlands can be critical habitats.

**Dedication.** A donation by an owner, or someone with control, of private land for public use and the acceptance of land for such use by the Town.

**Deed Restricted.** A Deed of Trust recorded against the title of a property, usually required as a condition of approval or purchase, specifying the terms of use, level of

affordability, or other agreed conditions of a property. The undeveloped remnant of a parcel may be held as permanent open space by a deed restriction.

**Developable Land.** Land that is suitable as a location for structures and that can be developed free of hazards to and without disruption of significant natural resource areas.

**Development Application.** A request for approval of a project requiring discretionary action, including but not limited to Master Plans, Precise Development Plans, Tentative Maps and Subdivisions, Design Review, Use Permits, Variances and Tideland Permits. Development applications do not include ministerial permits and actions such as building permits.

**Development or Project.** Any activity occurring on land and in or under water including placement or construction of any solid material or structure; construction of roadways and other infrastructure; discharge or disposal of dredged material or any other waste material; grading, dredging, or mining, subdivision or change in the density or intensity of use of land; change in the intensity of use of water; construction, reconstruction, demolition, or alteration to the size of any structure, public or private; and the removal or harvesting of vegetation for other than agricultural purpose but excluding routine repair and maintenance activities.

**Development Rights.** The right to develop land by a landowner who maintains a fee-simple ownership over the land, or a party other than the owner who has obtained the rights to develop from the owner. Such rights are usually expressed in terms of density or intensity allowed under existing zoning. For example, one development right may equal one unit of housing on a certain number of acres, or may equal a specific number of square feet of gross floor area in one or more specified zoning districts.

**Downtown Area.** That portion of the Town of Fairfax that includes the existing commercial core and the public use buildings and areas of the community, including Town Hall, the Women's Club, the Pavilion, Peri Park, and the public library. Sir Francis Drake Boulevard, Center Boulevard, Broadway, Bolinas Road, and Bank Street to Elsie Lane comprise the main roadway network in the downtown area.

**Easement.** The right to use property owned by another for specific purposes or to gain access to another property. For example, utility providers, such as PG&E or MMWD, often have easements on private property allowing the company to install and maintain their facilities.

**Easement, Conservation.** A contractual agreement between a property owner and a regulatory, government or non-profit entity that restricts the use of the land in perpetuity. Under such an agreement, the land may be used for specific purposes, such as recreation or grazing, or may be restrictive to protect sensitive plant or animal species. The holder of the easement is responsible for the maintenance of the land.

**Easement, Open Space.** An easement purchased from private landowners for open space and resource conservation purposes-the purchase of development rights.

**Easement, Public.** Any easement enjoyed by the public in general (as the public's right to use private streets). A strip of land occupied or intended to be occupied by certain transportation and public use facilities, such as roads and utility lines. See also: Right-of-Way.

**Easement, Scenic.** A contractual agreement between a property owner and a public agency that allows the agency to use the land for scenic enhancement, such as roadside landscaping or view preservation.

**Ecology.** The interrelationship of living things to one another and to their environment, or the study of these interrelationships.

**Endangered Species.** A species of plant or animal is considered to be endangered when its prospects for survival and reproduction are in immediate jeopardy from one or more causes.

**Environmentally Sensitive Area.** Any area in which plant or animal life or habitats are either rare or especially valuable because of their special nature or role in an ecosystem, and that could be easily disturbed or degraded by human activities.

**Electric Vehicle (EV).** A vehicle that uses one or more electric motors for propulsion.

**Fairfax Climate Action Plan Committee (FCAC).** A proposed town committee to implement the CAP for Fairfax. This might be a newly created committee or it might be an existing town committee or organization; this is left open in the General Plan and will become clear as the CAP is created.

**Fair-Anselm.** The buildings that house the shops and services located at Pastori Street and Center Boulevard.

**Fairfax Planning Area.** The area occupied by the Town of Fairfax and its Sphere of Influence, as defined by Figure LU-4, Fairfax Planning Area Map, in the Land Use Element.

**Flood Zone 9.** Flood Zone 9 covers the Ross Valley/Corte Madera Creek watershed. The Marin County Department of Public Works has created a new program in Flood Zone 9 for flood control and creek stewardship using a watershed-wide approach.

**Gateways.** The physical, and/or visual entrance to the Town. The gateways are at the Town boundaries at Sir Francis Drake Boulevard from both San Anselmo and West Marin, Center Boulevard from San Anselmo, and Bolinas Road from West Marin.

**General Plan Advisory Committee (GPAC).** The General Plan Advisory Committee, a group of community members appointed by the Town Council to assist the Council and the Planning Commission in the preparation of the Fairfax General Plan.

**Goal.** An expression of community values and desired outcomes; a sought-after end state that is not quantifiable or time-dependent.

**Government Code (GC).** The California Government Code.

**Greywater.** Greywater is wastewater generated from domestic activities such as laundry, dishwashing, and bathing, which can be recycled on-site for uses such as landscape irrigation and constructed wetlands. Greywater differs from water from the toilets which is designated sewage or blackwater to indicate it contains human waste.

**Groundwater Recharge.** The natural process of infiltration and percolation of rainwater from land areas or streams through permeable soils into water-holding rocks that provide underground storage (aquifers).

**Habitat.** The physical location or type of environment in which an organism or biological population lives or occurs.

**Housing Affordability.** The generally accepted measure for determining whether a person can afford housing means spending no more than 30 percent of one's gross household income on housing costs, including principal, interest, property taxes and insurance. For example, a middle school teacher earning \$70,493 per year should be able to afford \$1,552 per month for housing, either for rent or mortgage financing. A postal clerk earning \$45,676 should be able to afford monthly payments up to \$1,442.

Households paying more than 30 percent of their income on housing are considered “overpaying households” by the U.S. Census.

**Hydrology.** A science dealing with the properties, distribution, and circulation of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere.

**Income Limits.** Income limits are updated annually by the U.S. Department of Housing and Urban Development (HUD) for Marin County. For many State and local programs, the State Department of Housing and Community Development (HCD) income eligibility limits are used. HCD income limits regulations are similar to those used by HUD. The most recent HCD income limits can be assessed on-line at <http://www.hcd.ca.gov>. Income limits as defined by California Housing Element law are:

**Extremely Low Income Housing:** Households earning less than 30 percent of the median household income-or less than \$33,950 in 2008 for a four person household.

**Low (Lower) Income Household:** Households earning less than 80 percent of the median household income or a family of four earning \$90,500 in 2008.

**Moderate Income Household:** Households earning 80 to 120 percent of the median income for a family of four or a household of four earning between \$90,500 and \$114,000 in 2008.

**Above Moderate Income Households:** Households earning over 120 percent of the median household income or a family of four earning \$114,000 in 2008.

**Implementation.** Actions, procedures, programs, or techniques that carry out policies.

**Low Impact Design.** Site planning techniques that provide an alternative comprehensive approach to stormwater management.

**Mandatory Elements.** The seven elements, or subject categories, that must be included in a general plan, as specified by Section 65302 of the California Government Code. The seven elements are; land use, circulation, housing, conservation, open space, noise, and safety. Other, optional, elements may be added to the Fairfax General Plan if directed by the Town Council.

**Marin Clean Energy (MCE).** MCE is a renewable energy alternative to PG&E’s electric supply. MCE is responsible for sourcing the power and purchases the energy

supply while PG&E continues to deliver the energy, maintain and repair transmission lines, and provide customer service and billing.

**Marin County Storm Water Prevention Program (MCSTOPPP).** Public education resource about watersheds, water quality, and preventing Water pollution.

**Marin Energy Authority (MEA).** The purpose of the MEA is to address climate change by reducing energy related greenhouse gas emissions and securing energy supply, price stability, energy efficiencies and local economic and workforce benefits. It is the intent of MEA to promote the development and use of a wide range of renewable energy sources and energy efficiency programs, including, but not limited to, solar and wind energy production at competitive rates for customers.

**Median Household Income.** The middle point at which half of the Town's households earn more and half earn less. The current median income for a family of four in Marin County is \$86,100 per year.

**New and Renewed Development.** New development is any activity on land including placement or construction of any solid material or structure; construction of roadways and other infrastructure; subdivision or change in density or intensity of use of land. Renewed development includes the expansion, reconstruction, rehabilitation, remodel or alteration to the size or use of any structure. It does not include routine maintenance of existing structures.

**Non-Native Species.** A species of plant or animal that is not indigenous, or native, to the area of Fairfax. Eucalyptus trees are a non-native species.

**Objective.** An objective is a specified end, condition, or state that is an intermediate step toward goal attainment. It should be achievable and, when possible, measurable and time-specific.

**Open Space Committee.** An eleven-member committee of community members, appointed by the Town Council, for the purpose of surveying the lands within, and adjacent to, the Town in order to determine the availability of unique, threatened, or environmentally sensitive land parcels that may be appropriate to acquire to hold in perpetuity as dedicated open space for the public. The Committee also has the responsibility for consideration of long-term planning of open space, for the generation of community support and for fund raising necessary to implement the plan.

**Parkade.** The raised section of the downtown area between Sir Francis Drake Boulevard and Broadway that is the site of the historic commuter train station, currently used as a parking area.

**Pavilion.** The Fairfax Pavilion is a multiuse historic structure built in the early 1900's along the edge of Fairfax Creek adjacent Peri Park.

**Persons per Households.** Average number of persons in an individual household.

**Planning and Building Services.** The Town's governmental department responsible for current and advanced planning, building inspection and code enforcement. The department staff provides support functions for the Town Council and the Planning Commission, and the appointed boards and citizen committees.

**Planning Commission.** Appointed by the Council, the seven-member body serves four year terms, and is primarily responsible for hearing and resolving issues and requests dealing with land use within the Town. The Planning Commission is responsible for maintaining and implementing the Town's General Plan and Zoning Ordinance.

**Plug-In Hybrid Electric Vehicle (PHEV).** A hybrid vehicle with rechargeable batteries that can be restored to full charge by connecting a plug to an external power source. May also be referred to as an Extended Range Electric Vehicle (EREV).

**PM<sub>10</sub>.** Air-born particulate matter 10 microns or less in size.

**Policy.** A policy is a specific statement that guides decision-making. A policy indicates a commitment by the Town to a particular course of action. Policies are based on and help implement the Town's General Plan.

**Program.** A program is an implementation measure, an action, procedure or technique that carries out the General Plan. Each policy must have at least one implementation program.

**Public Art.** Any form of art that is located in, or adjacent to, public areas of the Town, such as sidewalks, parks and public buildings. Such places might include the Town Hall, the Parkade, the post office, the library, Peri Park, and the downtown area sidewalks. Public art could also be in the form of street surface decoration.

**Recreational Trails.** Public areas that include pedestrian trails, bikeways, equestrian trails. In Fairfax, the recreational trails include the paths, lanes and steps that connect the neighborhoods and the commercial areas.

**Ridgeline.** A line connecting the highest points along a ridge and separating drainage basins or small-scale drainage systems from one another.

**Right-of-Way.** A strip of land occupied or intended to be occupied by certain transportation and public use facilities, such as roadways, railroads, and utility lines.

**Ross Valley Fire Department (RVFD).** The Ross Valley Fire Department is a consolidated fire agency protecting the communities of Fairfax, San Anselmo and Sleepy Hollow.

**Sanitary District 2.** Sanitary District No. 2 provides sanitary sewer service to the Town of Corte Madera and portions of Tiburon and Larkspur.

**Scenic Wildlife Habitats.** Areas designated, precisely mapped, and officially adopted, pursuant to federal, state, or local law, that are essential to maintenance of native wildlife populations, providing breeding habitat, protective cover, and/or movement opportunities for dispersal, retreat, or foraging activities. Sensitive wildlife habitats include but are not limited to riparian corridors, estuaries, marshes, and other wetlands, nesting and roosting locations, and overwintering areas for migratory species.

**Second Units.** Self-contained living units, either attached to or detached from, and in addition to, the primary residential unit on a single lot. Sometimes called a granny flat or in-law unit.

**Sensitive Receptors.** Individuals who are especially sensitive to air pollutants, for example, elderly, young children, hospital patients

**Sensitive Resources.** Plants and animals that are officially designated as rare, threatened, or endangered, or as a species of special concern, pursuant to federal or state law, and sensitive wildlife habitats.

**Senior Housing.** Defined by California Housing Element law as projects developed for, and put to use as, housing for the Town's senior citizens. Senior citizens are defined as persons 65 years of age, and older.



**Special Status Species.** A species of plant or animal that is 1) listed in Title 50, Code of Federal Regulations, Section 17.11 or section 17.2, pursuant to the Federal Endangered Species Act designating species as rare, threatened, or endangered; 2) listed in Section 670.2 or 670.5, Title 14, California Administrative Code, or 3) considered rare or endangered under Section 15380 of the CEQA Guidelines.

**Strategy.** A plan of action intended to achieve a specific goal. Policies, programs, implementation measures, standards and guidelines are used as action items to implement strategies.

**Street Furniture.** Sturdy public use elements located in the downtown area. Benches, seats, tables, trash receptacles, planter boxes, drinking fountains, bike racks, and signboards and kiosks are examples of street furniture.

**Sustainable Development.** Development that maintains or enhances equity, economic opportunity, and community well being while protecting and restoring the natural environment upon which people and economies depend. Sustainable development meets the needs of the present without compromising the ability of future generations to meet their own needs.

**Town Center Area.** The Town Center Area of Fairfax extends from Pastori Street at the Fair-Anselm commercial area on the south to the public library adjacent to Sir Francis Drake Boulevard on the north, and from the commercial district along Sir Francis Drake Boulevard to the neighborhood commercial across from the Town Hall on Bolinas Road, the commercial area along Broadway, including the Pavilion, and the area adjacent to Fairfax Lumber.

**Town Council.** The five-member Town Council is the policy making legislative body of the Town and is ultimately responsible to the community for the implementation of all programs and services provided by the Town. The Council is elected at large.

**Traditional Neighborhood Design.** See Introduction to Land Use Element.

**Transit-Oriented Development.** See Introduction to Land Use Element.

**Underdeveloped Land.** From an open space perspective, underdeveloped land is mostly in a natural undeveloped state with few man-made structures. This is a qualitative term, subject to opinion.

**Urban Service Area Boundary.** The Urban Service Area is an area that represents a legal, orderly expansion of urban development patterns and where the Town is able to provide urban services. The boundary defines the outer limit of the designated area.

**View Corridor.** The line of sight-identified as the height, width, and distance-of an observer looking toward an object of significance to the community; the route that directs the viewer's attention.

**Viewshed.** The area within view from a defined observation point.

**Visually Distinctive Area.** Any area of unique aesthetic quality or scenic interest that should be preserved or enhanced.

**Volatile Organic Compounds (VOCs).** Volatile Organic Compounds, emitted as gases from certain solids or liquids, including paints, cleaning supplies, pesticides and building materials.

**Walkable Distance.** Generally defined as one-quarter mile by urban planning policy.

**Watercourse.** Natural or once-natural flowing water, including rivers, streams, and creeks. Includes natural waterways that have been channelized but does not include ditches, culverts, or other above- or below-ground conduits constructed for storm drainage function and sewage systems.

**Watershed.** The total area above a given point on a watercourse that contributes water to the flow of the watercourse; the entire region drained by a watercourse.

**Wildlife Corridors.** A continuous land area or natural feature such as a stream, shoreline, or ridgeline used for wildlife movement.

**Wildland-Urban Interface.** The transition zone between the built environment and the natural or near-natural environment. In Fairfax, such an interface would exist where the rear or side of a residential lot meets the open space beyond.

**Zoning Ordinance.** An ordinance authorized by Section 65850 of the California Government Code. Areas within the Town are identified where certain uses of the land and structures are permitted, and regulations are specified by the Town Code.

