

Fairfax Town Council Minutes
Special Meeting
Women's Club, 46 Park Road and by Teleconference
Wednesday, **May 12, 2022**

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

Call to Order/Roll Call

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

STAFF MEMBERS PRESENT: Heather Abrams, Town Manager
Michele Gardner, Town Clerk
Janet Coleson, Town Attorney

Approval of Agenda and Affidavit of Posting

M/s, Cutrano/Goddard, Motion to approve the Agenda and Affidavit of Posting.
AYES: Ackerman, Coler, Cutrano, Goddard, Mayor Hellman

Presentation

1. Housing Element Status and Timeline Update, including Opportunity Sites, CEQA, Objective Development and Design Standards ("ODDS"), and Eco-Village Concept- Town Attorney, EMC Planning Consultant Ande Flower

Consultants Ande Flower and David Mastensen presented a PowerPoint presentation that included the following: 1) Status and Timeline- Housing Element Update; 2) Opportunity Sites; 3) CEQA Review Preparation; 4) Objective Development and Design Standards; 5) Eco- Village Concept; 6) What is a Housing Element?; 7) Why does Fairfax need to plan for more housing?; 8) How Many Future Units?; 9) Where are we in the process?; 10) When will the State review the Plan?; 11) Housing Sites Inventory; 12) Some Factors for Site Consideration; 13) Original Sites; 14) Potential New Sites; 15) Revised Opportunity Sites; 16) CEQA Review; 17) Development and Design Standards Toolkit; 18) Initial Draft Document; 19) How will this benefit the Town?; 20) Eco-Village Concept; 21) Generalized Timeline; 22)

They answered questions from the Council regarding the documentation required by Housing and Community Development (HCD) Department to enable a unit to count towards the RHNA numbers; the Marin Town and Country site and a possible ballot initiative; how many of the new sites are SB9 projects; why the majority of the RHNA numbers are in the above moderate income levels; the number above the 490 (20% buffer); incentives, density bonuses, and maximum thresholds; the timelines; approval of the site list and preparation of the EIR; an Inclusionary Zoning Ordinance; County input to the ODDS; how "vehicle miles traveled" for the opportunity sites are calculated.

Mayor Hellman opened the meeting to public comments.

Michael Macintosh, owner of the Marin Town and Country Club property, stated his property cannot be downzoned by a referendum or by the Town.

Rick Hamer stated the School Street Plaza and Marin Town and Country Club sites could answer the requirements of the RHNA numbers. He opposed the concept of an Eco-village.

Mallory Geithheim stated 490 units are not reasonable considering fire, water, and traffic.

Lisel Blash asked when Housing Element Policies and Programs and an Inclusionary Zoning Ordinance would be reviewed. She asked for a better description of the Eco-Village concept.

Mark Bell asked about the number of un-occupied or under-occupied residences and undeclared in-law units. He discussed a referendum for the Marin Town and Country Club site and affordable housing.

Frank Egger, Meadow Way, stated the density bonus laws would allow up to a 50% increase in the numbers. He asked who would prepare the ballot language for possible rezoning of the Marin Town and Country Club site.

Amy Flynn stated this is mandated by the State and not something the Town has chosen to do. They need to come up with the best plan and help people who cannot afford to live here.

Michael Macintosh discussed improvements and entitlements for his property that could be considered. The 14-inch sewer line on his property could accommodate 8,000 homes. Building on the hillsides would cause impacts to the infrastructure.

Mayor Hellman closed the meeting to public comments.

Mayor Hellman stated the Council was not taking action on this item tonight.

Consent Calendar

2. Authorize the Town Manager to execute the First Amendment to the Professional Services Agreement with EMC Planning Group (EMC) for Update of the Fairfax General Plan Housing Element, Safety Element, and Land Use Element, associated environmental review, completion of Objective Development and Design Standards ("ODDS"), Zoning updates, an Eco-Village Ordinance, Visualizations, and Public Meetings, for a total not to exceed \$844,774- Town Manager

Mayor Hellman stated she would like to pull this item from the Consent Calendar for discussion.

Town Manager Abrams presented a staff report.

Town Attorney Coleson reported this is a refinement of the original scope and includes completing the Objective Development and Design Standards.

Councilmember Coler supported affirming the Fair Housing and equity and diversity piece. She stated the Town Attorney, and not the consultants, should prepare the ballot initiative language. Town Attorney Coleson stated she would work with the consultant and have the final say on the language.

Councilmember Ackerman asked if the Planning Commission would spend some time looking at the ODDS and the timeline for getting them into the Town Code. Town Attorney Coleson stated the ODDS would be reviewed by the Commission soon.

Consultant Flower discussed the timeline and schedule and stated the goal would be to move the ODDS through the decision making process prior to adoption of the Housing Element.

Councilmember Goddard asked for more information about the equity piece, the reasons for the increase in the cost, and the Eco-Village concept.

Mayor Hellman opened the meeting to public comments.

Pam Meigs, Cypress Drive, asked if the work was put out to bid, and if the contract included attorney fees.

Michael Macintosh discussed affordable housing on his property. He opposed extending the contract by over \$200,000 for review of an Eco-Village concept.

Frank Egger, Meadow Way, referred to the possible development of the Marin Town and Country Club and asked if the existing 40 units would be replaced. He had questions about the Eco-Village study.

Mallory Geitheim asked if anyone had informed the state about why adding 490 units would be a danger to the Town.

Mayor Hellman closed the meeting to public comments.

Councilmember Cutrano asked if the Council could approve the funding for the ballot initiative and Eco-Village concept components of the contract at a later date. Town Attorney Coleson stated this contract includes the preparation and presentation of that information for Council review.

Councilmember Coler supported virtual presentations by the consultants- it was effective and saved time and money.

M/s, Coler/Ackerman, Motion to Authorize the Town Manager to Execute the First Amendment to the Professional Services Agreement with EMC Planning Group (EMC) for Update of the Fairfax General Plan Housing Element, Safety Element, and Land Use Element, associated environmental review, completion of Objective Development and Design Standards ("ODDS"), Zoning updates, an Eco-Village Ordinance, Visualizations, and Public Meetings, for a total not-to-exceed contract amount of \$844,774. This is the total amount of the contract from the beginning.

AYES: Ackerman, Coler, Cutrano, Goddard, Mayor Hellman

The meeting was adjourned at 8:45 p.m. in memory of Marie Siegenthaler.