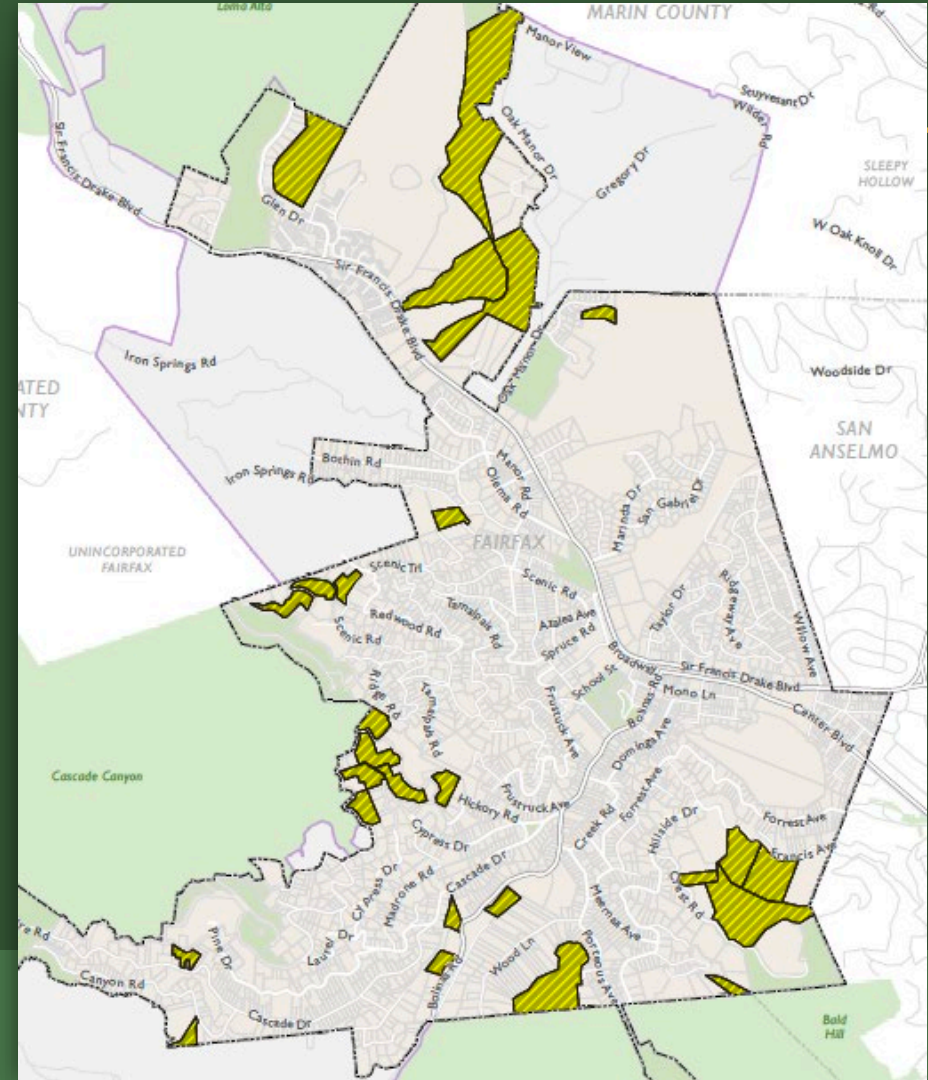


# Town of Fairfax Housing Element Update Project

Town Council Briefing on Housing Element Status  
October 18, 2023



# Housing Element Timeline

- Draft 2023-31 Housing Element submitted to HCD on **May 9**
- HCD review completed on **August 11**
- Site tour and meeting with HCD in Fairfax on **September 1**
- Data collection and analysis in process to respond to HCD comments
- Working iteratively with HCD staff to review draft responses and receive preliminary feedback to confirm the responses adequately address HCD comments
- Release Hearing Draft Housing Element and Final EIR in November, ahead of Town Council hearing in December

# Meeting Objectives

1. *Provide overview of comments on the Draft Housing Element from HCD*
2. *Summarize revisions in progress to address the comments*
3. *Outline meetings and milestones for finalization of the project*

# Overview of Revisions:

- Housing Sites Inventory
- Realistic Capacity Projections
- AFFH
- Housing Action Plan Programs
- Quantified Objectives
- 5th Cycle Accomplishments
- Other topics



# Sites Inventory: Existing Uses

- Under State law (Government Code Section 65583.2(g)(2)), Element must provide substantial evidence that the existing uses will not impede housing development
- Table 3-5 provides indicators of redevelopment potential for non-vacant commercial sites
- During site visit, HCD staff remarked that sites appear suitable and recommended preparing additional narrative to elaborate on the viability conclusions

**TABLE 3-5: UNDERUTILIZED PROPERTIES**

APN	Address	Existing Land Use	Zoning	Acres	AV Ratio	FAR	Built year	Owner Interest	Lotsqft	Bldg sqft	Net Acreage	Capacity
001-104-12	10 OLEMA	Retail/General Commercial	CL	1.21	0.52	0.12	1903	Y	52,795	6,113	1.07	31
174-070-50	2600 SIR FRANCIS DRAKE BLVD	Church/Religious Facility	UR-7	6.22	0.69	0.01	1973	Y	271,109	3,600	1.00	29
002-122-47	95 BOLINAS RD	Retail/General Commercial	CC	0.51	0.96	0.50	0	--	22,155	10,975	0.26	7



# Sites Inventory: Martinez v. City of Clovis

- Recent California appellate court decision has implications for Fairfax
- Program 2-A proposes a Workforce Housing Overlay that would property owners of identified commercial sites the option to develop high density housing if they choose
- Appellate court ruled that the minimum density of the underlying base zone must be at least 20 dwelling units per acre (du/ac) if overlay sites counted toward lower income RHNA
- Residential uses are permitted or conditionally permitted in the CH, CL, and CC zoning districts, but minimum density is not specified for these base zones.
- Zoning text amendment needed to establish an appropriate minimum density for residential uses if proposed
- Timing: with zoning amendments to create the Workforce Housing Overlay

# Sites Inventory: Accommodating RHNA Shortfall

- Government Code Section 65583.2(h) requires that sites rezoned to accommodate a shortfall of lower income RHNA must:
  - Permit multifamily development "by right," subject to objective standards;
  - Permit at least 16 units per site at a density of at least 20 du/ac;
  - Permit 100 percent residential developments; and
  - If mixed use is permitted, require that at least 50 percent of the floor area in a mixed use development be for residential uses.
- Workforce Housing Overlay will accomplish this, except 2 small sites identified for lower income RHNA that need to be reclassified Moderate (1577 and 1625 Sir Francis Drake)
- Two other small sites (2082 and 2086 Sir Francis Drake) are under common ownership and can be considered a single site

# Sites Inventory: Revised RHNA Summary

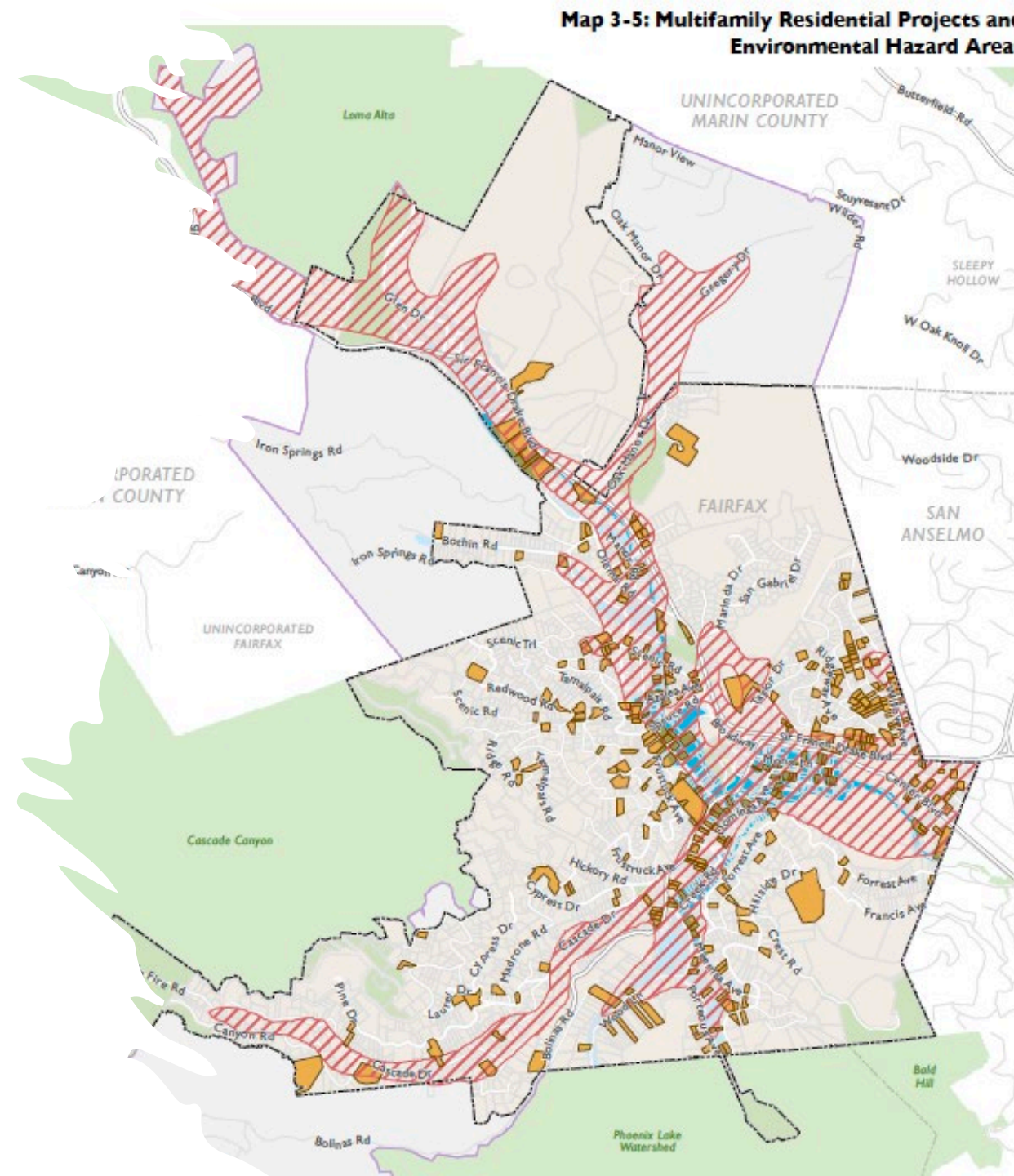
**Table 3-7: Sites Inventory**

	<u>Total Units</u>	<u>Low/Very Low</u>	<u>Moderate</u>	<u>Above Moderate</u>
<u>Vacant Single-Family Sites</u>	<u>36</u>			<u>36</u>
<u>Pipeline Projects</u>				
<u>School Street Plaza</u>	<u>175</u>	<u>35</u>		<u>140</u>
<u>Fairfax Market</u>	<u>8</u>			<u>8</u>
<u>Various Single Family</u>	<u>11</u>			<u>11</u>
<u>Town-Owned Sites (002-123-17/144-01)</u>	<u>10</u>	<u>10</u>		
<u>Workforce Housing Overlay Sites</u>	<u>188</u>	<u>137</u>	<u>52</u>	
<u>ADU/JADU Projection (@20/yr)</u>	<u>160</u>	<u>96</u>	<u>48</u>	<u>16</u>
<b><u>Total</u></b>	<b><u>588</u></b>	<b><u>278</u></b>	<b><u>100</u></b>	<b><u>211</u></b>
<b><u>RHNA</u></b>	<b><u>490</u></b>	<b><u>235</u></b>	<b><u>71</u></b>	<b><u>184</u></b>
<b><u>Buffer</u></b>	<b><u>98</u></b>	<b><u>43</u></b>	<b><u>29</u></b>	<b><u>27</u></b>



# Capacity Projections: Constraints

- Draft Element includes analysis demonstrating that environmental constraints have not been undue barrier to housing construction in Fairfax
- Capacity projections for workforce housing overlay sites based on survey of high density projects in other Marin County communities
- HCD requested analysis to demonstrate that reference projects also faced similar environmental constraints



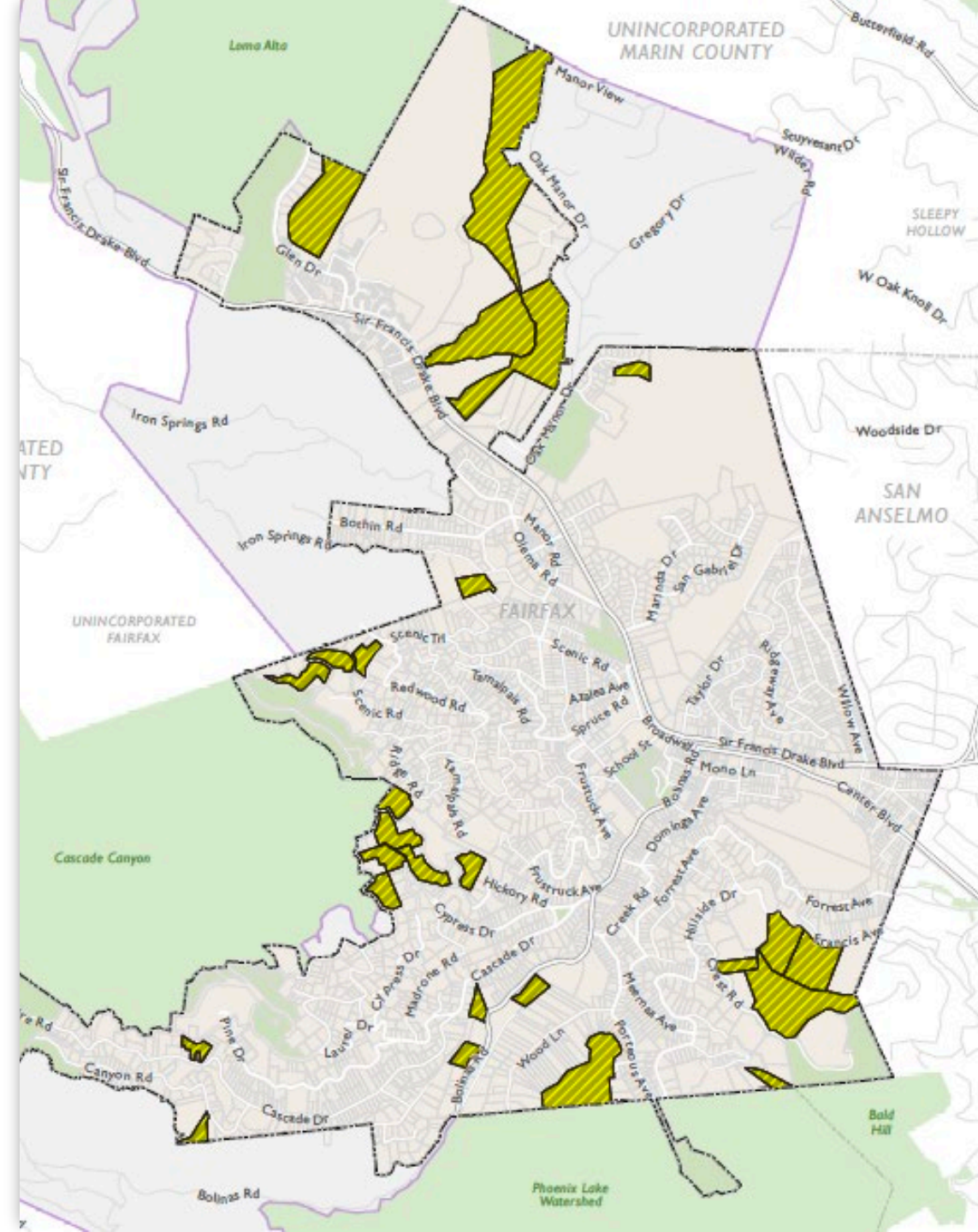
# Capacity Projections: Adequate Zoning

- HCD also requested analysis to demonstrate that zoning for workforce housing overlay sites is comparable to reference projects

Location	Name	Address	Zoning	Underlying Zoning Parameters			
				Density	Height	Parking	Open Space
Corte Madera	Bell Mt. Tam	195 Tamal Vista Blvd	Mixed Use Gateway District (MUGD) <sup>1</sup>	40 du/acre	38 ft. along street frontage; 48 ft. on inner portions of lot	1 per unit for studio and 1 bedroom; 1.5 per unit for 2 bedrooms; 2 per unit for 3+ bedrooms; 1 guest parking space per 10 units	50 sq. ft./du
San Rafael	Second & B Street	815 B Street	2 <sup>nd</sup> /3 <sup>rd</sup> Mixed-use West (2/3 MUW)	30 du/ac <sup>4</sup>	42'-0"	1 per unit for studio and 1 bedroom; 1.5 per unit for 2+ bedrooms	100 sq.ft. of common or private open spaces per du
San Anselmo	18-20 Mariposa	18-20 Mariposa Ave	Commercial (C-3)	20 du/ac	2 stories	1 per unit for studio and 1 bedroom; 1.5 per unit for 2 bedrooms; 2 per unit for 3+ bedrooms	-
Novato	Verandah	7711 Redwood Blvd	Business and Professional Office (BPO)/Affordable housing overlay	20-23 du/ac	35'-0"	1.2 per unit for studio; 1.5 for 1 bedroom; 2 per unit for 2 bedrooms; 2.2 per unit for 3+ bedrooms; 1 guest parking space per 3 units	150 sq.ft. of common or private open spaces per du
Sausalito	676 Bridgeway	676-686 Bridgeway	Commercial (CC)/Downtown Historic District Overlay	29 du/ac	32'-0"	1.5 per unit	-

# Capacity Projections: Terrain

- HCD letter notes that public comments stated some sites unlikely to develop due to sloped terrain and lack of egress
- Clarify that Program 2-D was incorporated to address this
- Program 2-D would provide an option for owners to develop small scale market rate housing clustered on relatively flat portion of large sites without increasing existing density
- Standards now in draft form require 75% of site be preserved as permanent open space and incorporate ridgeline protections





# Affirmatively Furthering Fair Housing

- Appendix E includes detailed mapping and analysis of fair housing conditions in Fairfax
- New section to be added analyzing how buildout of inventory would affect existing conditions
- Table E-12 to be updated to fully reflect the findings of Appendix E and the programs included in Chapter 4 to address fair housing conditions

# Housing Program Revisions

- Add a new Replacement Housing program to ensure no loss of existing units through redevelopment
- Revisions for compliance with new State law:
  - Share adopted element with utility providers
  - Treat employee housing for 6 or more people as a single-family home
  - Objective standards for emergency shelters/low barrier navigation centers
- Strengthen language of 3 programs, replacing "consider" and "encourage" with firmer commitments

# Quantified Objectives

- Quantified objectives set a target for Fairfax to strive for, based on needs, available resources, and constraints
- Table 3-8 includes targets for new construction and rehabilitation, but not preservation
- Town's ADU Amnesty program and Rent Stabilization and Just Cause Evictions Ordinances can be a basis for projecting preservation objectives

**Table 3-8: 2023-2031 Town of Fairfax Quantified Objectivities**

<i>Income Category</i>	<i>New Construction<sup>1</sup></i>	<i>Rehabilitation<sup>2</sup></i>	<i>Conservation/Preservation<sup>3</sup></i>
Very-Low	149	--	--
Low	86	80	--
Moderate	71	--	--
Above Moderate	184	--	--
<b>TOTALS</b>	<b>490</b>	<b>80</b>	--



# Other Topics

- **Fifth Cycle Accomplishments** - Augment Appendix D to summarize key accomplishments and analyze cumulative effectiveness of programs for special needs groups
- **Needs Assessment** - add text to Appendix B specifically address each requirement for each special needs group with reference to HCD's Building Blocks webpage
- **Constraints Analysis** - Incorporate additional data and analysis related to local fees and exactions, permit processing times, code enforcement procedures, and the cumulative effect of local land use and zoning controls on housing production into Appendix C
- **General Plan Consistency** - add a new section to chapter 1 to address this and describe how consistency will be maintained throughout the planning period

# Next Steps

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# Next Steps: Housing Element and EIR

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- Public Comment period on DEIR ..... Sept 26 – Nov 11
- Planning Commission Hearing on DEIR ..... Nov 16
- Public release of Revised Draft Housing Element ..... Nov 28
- Town Council Hearing ..... Dec 13

# Next Steps: Zoning

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## Zoning Module 2: Low Impact Clustered Residential Standards

- PC study session ..... Oct 12
- PC hearing (module 2) ..... Dec 14
- TC first reading ..... Jan 10
- TC adoption ..... Jan 24

## Zoning Module 3: Workforce Housing Overlay

- PC study session ..... Nov 16
- PC hearing (module 3) ..... Jan 11
- TC first reading ..... Jan 24
- TC adoption ..... Feb 7