

Appendix D

Fifth Cycle Housing Element Accomplishments

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This Appendix details the Town of Fairfax's achievements in implementing the goals, policies, and programs from the 2015–2023 Housing Element. The Town made important progress in addressing housing needs through the development of new units, including units affordable to lower-income and special needs households. A summary of the Town's key accomplishments and cumulative effectiveness of programs for special housing needs is provided below and a complete review of the Town's progress in implementing 2015–2023 policies and programs is provided in Table D-1.

Effectiveness of Special Housing Needs Programs

Special needs populations include farmworkers, large families, female-headed single parent households, people experiencing homelessness, persons with disabilities, seniors, households with extremely low incomes. As shown in greater detail in Table D-1, the Town made a diligent, consistent effort to achieve its housing goals that address special housing needs through the implementation of policies and programs from the 2015–2023 Housing Element. Following is a summary of the effectiveness of programs for special housing needs:

- During the Fifth Cycle, the Town permitted 147 new housing units, exceeding its RHNA allocation for Very Low, Low, and Moderate income. Notably, the Town permitted more than 60 ADUs and JADUs during the period, with significant growth in permitting of ADUs and JADUs since 2018.
- The Town instituted an ADU Amnesty Program provides a 50 percent reduction in processing and building permit fees to encourage legalization and creation of ADUs/JADUs. A total of 19 unpermitted ADUs were legalized during that planning period.
- Victory Village, a project on Sir Francis Drake Boulevard with 53 one-bedroom units for low-income adults aged 62 and older, was granted a density bonus. The project was built by Resources for Community Development under the Low-Income Housing Tax Credit program and all units receive Section 8 rental subsidies from the Marin Housing Authority. The Town also deferred payment of road impact fees for a period, and a payment plan starts after that time.
- In 2018, the Town adopted ordinance 816 to prohibit landlords from discriminating against tenants based on source of income. Fairfax was the first town in the County to adopt this type of ordinance, which is based on the ordinance the county adopted in 2017. In 2019, the Town adopted Just Cause Evictions and Mandatory Mediation Ordinances (No. 870 and No. 871, respectively), which were subsequently amended in 2022 to further expand renter

protections in Fairfax by capping annual rent increases at 60 percent of the increase in the regional consumer price index and limiting the annual adjustment to be no greater than 5 percent. Additionally, the updated ordinances strengthen protections for elderly, disabled, and other vulnerable populations.

Table D-1 Housing Programs Progress Report

This table describes progress of all programs in the Town of Fairfax Fifth Cycle Housing Element, including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.

1	2	3	4
Program	Objective	Timeframe in H.E	Status of Program Implementation
Program H-1.1.1: Work with Housing Advocates. The Town will coordinate with local businesses, housing advocacy groups including the Marin Workforce Housing Trust, and the Chamber of Commerce to increase community understanding and support for workforce and special needs housing for lower-income households.	Create conditions that will foster the development of at least a total of 141 units for persons with a variety of incomes by 2022.	Annually and ongoing	The Town worked with housing advocates and providers on affordable housing projects throughout the RHNA period. The RHNA allocation was exceeded in every affordable category, as follows: very low, 17 built / 16 RHNA; low, 71 built / 11 RHNA; moderate 41 built / 11 RHNA. This program is being discontinued and replaced with programs that have more specific housing production objectives.
Program H-1.1.2: Prepare Public Information Material. Staff will continue to prepare community information material to improve awareness of housing needs, issues, and programs. Materials will include meeting materials and presentations as well as handouts at the planning counter.	Create conditions that will foster the development of at least a total of 141 units for persons with a variety of incomes by 2022.	2015 and as needed	This program will be discontinued and replaced with similar programs such as Program 1-J (Technical Assistance).
<p>Program H-1.1.1.3: Conduct Community Outreach and Shared Responsibilities. The Staff will continue to implement a program providing public information and outreach to increase citizen awareness, including establishing a forum for discussion of housing issues. Specific actions include:</p> <ul style="list-style-type: none"> • 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 lower-income and special needs housing developments. <p>Town staff 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, nonprofit housing sponsors, the school district, faith-based organizations, and health and human services, to implement the 2015–2023 Housing Element.</p>	Create conditions that will foster the development of at least a total of 141 units for persons with a variety of incomes by 2022.	Ongoing	<p>This was implemented during the previous RHNA cycle and resulted in the construction of 147 units by 1-1-2023, greatly surpassing the RHNA allotment for Fairfax of 61 units. The RHNA allocation was exceeded in every income category, except for above moderate, but we are expecting more ADUs to be completed by the end of 2023.</p> <p>This program will be discontinued and replaced with programs that have more specific housing production targets.</p>
Program H-1.1.1.4: Preserve Existing Lower-Income Units. The Town has two deed restricted housing projects, Bennett House and part of Creekside, but does not currently have any deed-restricted “at-risk” units at this time. Should there be affordable units at risk in the future, the Town will work with property owners of deed-restricted units that are at risk of converting to market rate housing to preserve the lower-	Create conditions that will foster the development of at least a total of 141 units for persons with a variety of incomes by 2022.	As needed	The Town does not have any deed restricted units at risk of conversion to market rate during the Sixth Cycle; however, in order to preserve existing affordable housing stock this program is being replace with Program 3-9, which requires the replacement of any existing housing removed through

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income housing by providing incentives or resources, such as providing funding from the Town's trust fund, working with the County to target Section 8 vouchers for the units, or providing other funds for improvements. Additionally, when units become at risk, the Town will comply with all noticing requirements related to at-risk units, educate tenants about their rights, and contact all potentially interested nonprofits to develop a preservation strategy for the at-risk units.			redevelopment with affordable to the same or lower income level.
Program H-1.1.2.1: Establish Neighborhood Meeting Procedures. The Town 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. The Town will coordinate with nonprofit developers and others who would be affected by the procedures to ensure that there are no constraints to the housing development process.	Create conditions that will foster the development of at least a total of 141 units for persons with a variety of incomes by 2022.	Within one year of HE adoption	Complete. During the application review process, and prior to any action on projects, Town Staff requests that the neighbors are notified and consulted regarding future projects.
Program H-1.1.2.2: Outreach to Lower-Income Housing Developers. The Town will continue to reach out to potential developers of lower-income housing on the opportunity sites identified in this Housing Element, in particular those who may develop residential units on small underutilized parcels. The Town will seek to understand challenges associated with development of these units and work to reduce constraints associated with the challenges.	Create conditions that will foster the development of at least a total of 141 units for persons with a variety of incomes by 2022.	Annually and ongoing	The Town worked with housing advocates and providers on affordable housing projects throughout the RHNA period. The RHNA allocation was exceeded in every affordable category, as follows: very low, 17 built / 16 RHNA; low, 71 built / 11 RHNA; moderate 41 built / 11 RHNA. This program is being discontinued and replaced with programs that have more specific housing production objectives.
Program H-1.1.3.1: Adopt an Anti-Discrimination Ordinance. The Town will prepare, and the Council will adopt an Anti-Discrimination Ordinance.	Create conditions that will foster the development of at least a total of 141 units for persons with a variety of incomes by 2022.	Establish in 2016 and ongoing	Complete. In 2018, the Town adopted ordinance 816 to prohibit landlords from discriminating against tenants based on source of income. The Town also adopted Rent Stabilization and Just Cause Evictions Ordinances that went into effect on December 2, 2022. For the Sixth Cycle, new programs will focus on fair housing education, awareness, and enforcement.
Program H-1.1.3.2: Respond to Complaints and Develop a Program to Broadly Disseminate Information on Fair Housing. In order to promote equal housing opportunities for all persons, the Town provides means for the resolution of housing complaints and fair housing issues by referring phone inquiries to the Marin County Department of Health and Human Services. In addition, the Town provides Marin County brochures and Marin County Department of Health and Human Services information regarding fair housing and tenant rights at Town Hall and on the Town's website.	Create conditions that will foster the development of at least a total of 141 units for persons with a variety of incomes by 2022.	Establish in 2016 and ongoing	Throughout the Fifth Cycle Town staff coordinated with Fair Housing Advocates of Marin to refer residents for services. Based on consultation with FHAM, housing discrimination remains a chronic problem throughout the county. This program is being continued as Program 4-F and augmented with Programs 4-C and 4-D.

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In addition, the staff will develop a program for additional distribution and display of fair housing information. Display areas will include the traditional locations in the Town including the post office, library, and the Women's Club, and the Town 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.			
Program H-1.1.3.3: Identify Housing Programs and Funding Sources. Staff will continue to explore available housing programs and funding sources that are applicable to Fairfax. In particular, efforts will be made to identify funding for developments appropriate for the opportunity sites identified in this Housing Element.	Create conditions that will foster the development of at least a total of 141 units for persons with a variety of incomes by 2022.	2015-2023	The Town worked with Marin County and housing developers to help build the Victory Village project. This program is being discontinued and replaced with programs that focus on specific development sites.
Program H-2.1.1.1: Rezone two acres of the Christ Lutheran Church property (upon approval of subdivision of the site) at 2626 Sir Francis Drake Boulevard from UR 7 du/acre (UR-7) to PDD and thereby make it possible to accommodate a minimum of 40 units and a maximum of 41 units of senior housing. The maximum does not apply to any units granted under the State Density Bonus Law. Program H-4.1.1.5 proposes to revise the PDD district standards to require residential-only development at this Opportunity Site at a minimum of 20 units per acre and to put specific development standards in place. No discretionary review besides confirming compliance with objective design standards will be allowed on the site following rezoning. In addition, the standards will be revised to reduce the minimum acreage for this PDD parcel from 5 acres to 1 acre. If the rezoning and General Plan Amendment happens as a result of a submittal of a development application for the Christ Lutheran Church site the Town will cover the costs of the rezone and General Plan Amendment.	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	Complete rezone by 1/31/2016	The Christ Lutheran Church property was rezoned and used to develop the Victory Village development for 47 affordable units. This program is no longer needed.
Program H-2.1.1.2: Rezone 10 Olema Road, the old "Mandarin Garden" restaurant site, from CL to PDD and thereby make it possible to accommodate a minimum of 22 units and a maximum of 23 units of workforce housing. The maximum does not apply to any units granted under the State Density Bonus Law. Program H-4.1.1.5 proposes to revise the PDD district standards to require residential-only development in the PDD zone on two specific Opportunity Sites (e.g., this Site and two acres of the Christ Lutheran Church Site at 2626 Sir Francis Drake Boulevard only) at a minimum of 20 units per acre and to put specific development standards in place. No discretionary review besides confirming compliance with objective design standards will be allowed on the site following rezoning. In	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	Complete rezone by 1/31/2016	The 10 Olema Road site was not developed during the planning period. This program will be replaced with Program 2-A (Workforce Housing Overlay) and Program 2-B (Rezoning Sites from Prior Inventories).

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1 Program	2 Objective	3 Timeframe in H.E	4 Status of Program Implementation
addition, the standards will be revised to reduce the minimum acreage for a PDD parcel from 5 acres to 1 acre.			
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: <ul style="list-style-type: none"> Encouraging owners of new apartment units to accept Section 8 certificates. Maintaining descriptions of current programs at the Town Hall to distribute to interested individuals. Posting notification of information regarding current programs at the usual places in the Town. Consider providing funding support, as possible and appropriate. Coordinating with the Marin Housing Authority on rental assistance programs, including Shelter Plus Care, AB 2034, Housing Opportunities for Persons with AIDS (HOPWA), HOME Investment Partnerships, the Rental Assist Line, Rental Deposit Program, Community Development Block Grants (CDBG), and Welfare to Work Program. 	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	Annually and ongoing	Marin County provides rental assistance programs and the Town coordinates with the county on providing those programs to Fairfax residents. Through Policy 3-5, the Town will continue to coordinate with Marin County to ensure that Fairfax residents are aware of and have access to available rental assistance funding. For the Sixth Cycle, the Town will focus staffing and financial resources on efforts to increase housing supply and diversify housing types in the community as well as efforts to prevent displacement. <p>Strategies to create affordable housing:</p> <ul style="list-style-type: none"> Program 1-C Housing on Town-Owned Sites Program 2-E Affordable Housing Density Bonus Program 3-E Inclusionary Housing Program and Commercial Linkage Fee <p>Strategies to promote multifamily housing:</p> <ul style="list-style-type: none"> Program 1-A Develop and Adopt Town Center Plan Program 1-B School Street Plaza Program 2-A Workforce Housing Overlay Program 2-B Rezoning Sites from Prior Inventories <p>Strategies to expand the range of housing types in Fairfax:</p> <ul style="list-style-type: none"> Program 1-D Shopkeeper Housing Program 1-E Live-Work Units Program 1-F Home Sharing and Tenant Matching Program 1-H ADU/JADU Awareness Program 1-I Pre-Approved ADU Floor Plans Program 1-J Technical Assistance Program 1-K Fee Discounts Program 1-L Financial Assistance Program Program 1-M Zoning Incentives for ADUs/JADUs <p>Strategies to prevent displacement:</p> <ul style="list-style-type: none"> Program 4-C Mediation and Enforcement Program 4-D Anti-Discrimination/Fair Housing Training Program 4-F Fair Housing Information
Program H-2.1.3.1: Ensure Reasonable Accommodation. Consistent with Senate Bill (SB) 520, reduce barriers in housing for individuals with disabilities. Enact the following:	Housing opportunities for the Town's residents with special needs, including 40 units of	2016-2017	Program continued as 3-D in the Sixth Cycle Element. Ordinance adopted in November 2023 to provide reasonable accommodations. Now complete.

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<ul style="list-style-type: none"> 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. 	senior housing and 22 units of workforce housing.		
Program H-2.1.3.2 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.	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	Ongoing	The zoning ordinance has been amended to allow for Emergency Shelters, Residential Care Facilities as required by state law. This program will be discontinued.
<p>Program H-2.1.4.1 Work with housing providers to ensure that special housing needs are addressed for seniors, large families, female-headed households, single-parent households with children, persons with disabilities and developmental disabilities, and homeless individuals and families. The Town will seek to meet these special housing needs through a combination of regulatory incentives, zoning standards, new housing construction programs, and supportive services programs. Program H-4.1.2.1 contains incentives that the Town plans to implement. The Town will also continue to work with lower-income housing providers and funders to construct or acquire a variety of types of lower-income housing opportunities for individuals and groups with special needs and extremely low-income households. Specific housing types include:</p> <ul style="list-style-type: none"> Smaller units, including single-room occupancy units (see Program H-2.1.6.3). 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. <p>In addition, the Town may seek funding under, CDBG, HOME Investment Partnerships, the federal HOPWA, California Child Care Facilities Finance Program, and other state and federal programs designated specifically for special needs groups such as seniors, persons with disabilities, and persons at risk for homelessness.</p>	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	Ongoing	The Victory Village project was completed during the planning period which provided 47 units of housing for low income seniors. This program will be discontinued.
Program H-2.1.4.2: To comply with the state Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6), the Town will amend the Town Code to treat employee housing that serves six or fewer persons as a single-family structure and permitted in the same	Housing opportunities for the Town's residents with special needs, including 40 units of	2016-2017	This program was not completed during the Fifth Cycle; however, in Nov 2023 the Town adopted a zoning ordinance update to bring the Town Code into compliance with State law

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manner as other single-family structures of the same type in the same zone (Section 17021.5) in all zones allowing single-family residential uses. The Zoning Ordinance will also be amended to treat employee housing consisting of no more than 12 units or 36 beds as an agricultural use and permitted in the same manner as other agricultural uses in the same zone (Section 17021.6).	senior housing and 22 units of workforce housing.		regarding the treatment of employee housing that serves six or fewer persons.
Program H-2.1.5.1: Expand conditional use categories for group homes, through the following approach: <ul style="list-style-type: none"> Group homes for more than six individuals shall be added as a conditional use to all residential zones. Conditional use permits require a public hearing/approval by the Planning Commission. 	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	2016-2017	This program was not completed during the Fifth Cycle, so Program 3-A was included in the Sixth Cycle to bring the Town Code into compliance with State law. Program 3-A was completed in Nov 2023 with the adoption of a zoning ordinance update.
Program H-2.1.6.1: 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. Transitional and supportive housing will be allowed in the same way other residential uses are allowed in all residential zones. The Town will simplify existing practices and clarify the zoning code.	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	Within one year of HE adoption	This program was not completed during the Fifth Cycle, so Program 3-B was included in the Sixth Cycle to bring the Town Code into compliance with State law. Program 3-B was completed in Nov 2023 with the adoption of a zoning ordinance update.
Program H-2.1.6.2: Modify Residential Care Facility Zoning. Town staff will prepare recommendations for review and 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 allow residential care facilities (group homes) for six persons or fewer by right in all residential districts. 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.	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	2016	This program was not completed during the Fifth Cycle, so Program 3-A was included in the Sixth Cycle to bring the Town Code into compliance with State law. Program 3-A was completed in Nov 2023 with the adoption of a zoning ordinance update.
Program H-2.1.6.3: Amend Zoning to Allow Single-Room Occupancy Units. Permit single-room occupancy dwelling units without a conditional use permit in the CC zone.	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	2016	This program was not completed during the Fifth Cycle; however, in Nov 2023 the Town adopted a zoning ordinance update to bring the Town Code into compliance with State law regarding SROs.

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Program H-2.1.6.4: Amend Zoning to Allow Mobile Homes and Mobile Home Parks. Permit mobile homes (manufactured homes) on permanent foundations by without a conditional use permit in all residential zones, subject to the same standards as single-family dwellings and permit mobile home parks in all residential zones with a conditional use permit.	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	Annually and ongoing	This program was not completed during the Fifth Cycle; however, in Nov 2023 the Town adopted a zoning ordinance update to bring the Town Code into compliance with State law regarding mobile homes.
Program H-2.1.6.5: Engage in a Countywide Effort to Address Homelessness-Related Needs. Continue to support countywide programs to provide a continuum of care for the homeless, including emergency shelter, transitional housing, supportive housing, and permanent housing.	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	Annually and ongoing	Discontinue and replace with several more specific, actionable programs related to providing housing and services related to housing the homeless, including programs 3-B (Transitional and Supportive Housing) and 3-C (Low-Barrier Navigation Centers).
Program H-2.1.6.6: Address Town Homeless Needs. Continue to work on providing additional housing and other options for the homeless.	Housing opportunities for the Town's residents with special needs, including 40 units of senior housing and 22 units of workforce housing.	Annually and ongoing	Discontinue and replace with several more specific, actionable programs related to providing housing and services related to housing the homeless, including programs 3-B (Transitional and Supportive Housing) and 3-C (Low-Barrier Navigation Centers).
Program H-3.1.1.1: Amend CH Zone. Rezone all CH zones to CC zones, which will allow housing on second floors without a conditional use permit instead of requiring conditional use permits.	Develop at least 62 units of lower-income housing within a convenient distance from transit access points, where reduced automobile usage and parking requirements are possible.	1/31/2016	This program was not completed during the Fifth Cycle. The program will be eliminated and replaced with the Workforce Housing Overlay district (Program 2-A) to better achieve the objective.
Program H-3.1.2.1: Identify and Designate Transit-Oriented Development Sites. The Town will identify TOD sites. Such opportunity sites were designated during the update of the Town General Plan and included in the Land Use and Housing Elements; if necessary, the Zoning Ordinance will be revised to accommodate the TOD sites.	Develop at least 62 units of lower-income housing within a convenient distance from transit access points, where reduced automobile usage and parking requirements are possible.	2016-2017	The program will be eliminated and replaced with the Workforce Housing Overlay district (Program 2-A) to better achieve the objective.
Program H-4.1.1.1: Rezone School Street Plaza from CL to PDD, thereby making it possible to accommodate a minimum of 9 units with a maximum of 10 units of housing. The maximum does not apply to any units granted under the State Density Bonus Law. Please note: The Town is also considering splitting the site into PDD zoning on the back one acre where the 9 units could be accommodated and approximately .8 acres of CC zoning fronting Broadway.	A closer link between housing and jobs; by creating housing close to where people work and by establishing commercial, office, and other nonresidential use contributions for workforce housing.	1/31/2016	This program was not completed during the Fifth Cycle. The property owner is actively planning redevelopment of the site with up to 175 housing units and Program 2-B has been included in the Sixth Cycle to facilitate that project.

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<p>Program H-4.1.1.2: Revise the Town's Zoning Ordinance. Town staff will review, and if necessary, prepare Zoning Ordinance amendments, for consideration and action by the Planning Commission and the Town Council to facilitate and incentivize creation of lower- income housing especially on mixed-use and infill sites.</p> <p>Amendments will include:</p> <ul style="list-style-type: none"> • A zoning designation allowing live/work residential units in the CC-zoned areas. • Opportunities for infill housing. • Waiving penalties for legalizing existing second units by bringing them up to code. • Enforcing affordability maintenance through deed restrictions. • 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. 	<p>A closer link between housing and jobs; by creating housing close to where people work and by establishing commercial, office, and other nonresidential use contributions for workforce housing.</p>	<p>By 1/31/16</p>	<p>The program will be eliminated and replaced with the Workforce Housing Overlay district (Program 2-A) to better achieve the objective.</p>
<p>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 on- site workers and/or caretakers; other types of housing can be provided.</p>	<p>A closer link between housing and jobs; by creating housing close to where people work and by establishing commercial, office, and other nonresidential use contributions for workforce housing.</p>	<p>2017</p>	<p>This program was not completed during the Fifth Cycle; however, demand remains strong in Fairfax given the number of artisans and entrepreneurs in the community. Accordingly, for the Sixth Cycle Program 1-D Shopkeeper Housing and Program 1-E Live-Work Units have been added. Additionally, adoption of the Workforce Housing Overlay district (Program 2-A) will allow for mixed-use and live-work developments.</p>
<p>Program H-4.1.1.4: 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 infill, transit-oriented, and mixed-use development. The Town will review and consider reducing the parking space requirements for one-bedroom units.</p> <p>Recommendations will be made based on the review and action taken on the recommendations.</p>	<p>A closer link between housing and jobs; by creating housing close to where people work and by establishing commercial, office, and other nonresidential use contributions for workforce housing.</p>	<p>2017</p>	<p>Parking ratio was reduced for a one bedroom unit from 2.0 to 1.5 spaces per unit, consistent with this program. This program will be discontinued.</p>
<p>Program H-4.1.1.5 Amend the PDD Zone Standards for Specified Opportunity Sites.</p> <p>Amend Chapter 17.112 of the Fairfax Town Code to:</p> <ul style="list-style-type: none"> • Reduce the minimum acreage for a PDD from 5 acres to 1 acre for the Lutheran Church and 10 Olema Road opportunity sites. • Specify that the 10 Olema Road opportunity site and a maximum of 2 acres on the Christ Lutheran Church opportunity site shall be reserved for residential development 	<p>A closer link between housing and jobs; by creating housing close to where people work and by establishing commercial, office, and other nonresidential use contributions for workforce housing.</p>	<p>By 1/31/2016</p>	<p>This program is no longer needed. The Christ Lutheran Church has been used for affordable housing. The 10 Olema site remains vacant and available. It will be rezoned according to program 2A (Workforce Housing Overlay)</p>

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only at a minimum of 20 units and a maximum of 21 units per acre. The maximum does not apply to any units granted under the State Density Bonus Law. This change may also require revisions to other sections of Chapter 17.112 including the purpose and residential density policy sections.			
<p>Program H-4.1.1.6 Land Monitoring Program to Meet the RHNA. The Town will implement a land monitoring program to ensure that the Town has enough land to meet its RHNA, throughout the planning period.</p> <p>The Town has identified two sites (10 Olema Road and two acres of the Christ Lutheran Church) to meet its current and previous planning period lower-income RHNA numbers. The PDD zone district standards will be amended for two of these sites (10 Olema Road and a portion of the Christ Lutheran Church site) to require a minimum of 20 and a maximum of 21 dwelling units per acre. The maximum does not apply to any units granted under the State Density Bonus Law. The Town will continue to maintain a list of available sites during the planning period. This program will ensure that two Opportunity Sites (10 Olema Road and two acres of the Christ Lutheran Church) are rezoned to appropriate minimum densities, and will identify additional sites to be rezoned if any of the proposed sites cannot be rezoned.</p> <p>All rezoned sites will permit owner-occupied and rental multi-family developments without a conditional use permit or any other discretionary review for allowing the housing units (though design review will still occur). The two Opportunity Sites (10 Olema Road and two acres of the Christ Lutheran Church) will accommodate a minimum of 20 units and a maximum of 21 units per acre and at least 16 units per site, per state law requirements.</p> <p>The maximum does not apply to any units granted under the State Density Bonus Law. In addition, the Town will ensure that at least 50 percent of its lower-income RHNA shortfall is accommodated on sites designated for exclusively residential uses.</p>	A closer link between housing and jobs; by creating housing close to where people work and by establishing commercial, office, and other nonresidential use contributions for workforce housing.	2015-2023	<p>One of the opportunity sites identified in this program (Lutheran Church site) was used to construct the Victory Village project, 47 affordable units for low income seniors. The 10 Olema site remains vacant and available. It will be rezoned according to program 2A (Workforce Housing Overlay)</p> <p>The Land Monitoring Program will be continued as part of programs 5A and 5B.</p>
<p>Program H-4.1.2.1: 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, to encourage an increase in the supply of well-designed housing for extremely low-, very low-, low-, and moderate-income households. The amendments will include adoption of a density bonus ordinance consistent with the State Density Bonus Law (GC Section 65915 et seq.). In addition, staff and decision-makers will evaluate the following:</p> <ul style="list-style-type: none"> Implementation of additional elements of a density bonus program (above and beyond those required by GC Section 	A closer link between housing and jobs; by creating housing close to where people work and by establishing commercial, office, and other nonresidential use contributions for workforce housing.	2017	This program was not completed during the Fifth Cycle, so Program 2-E was incorporated into the Sixth Cycle Element and was implemented in November 2023 when the Town Council adopted Zoning ordinance amendments to implement the density bonus provisions.

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<p>65915 et seq.), including establishing simplified density bonus provisions.</p> <ul style="list-style-type: none"> • 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 lower-income housing. • Updates to fee schedules to reduce and/or defer fees, to the extent possible, for lower-income housing. • Establishment of streamlined processing procedures and other mechanisms to fit with funding requirements and to facilitate desirable lower-income projects that have a significant portion of their total floor area committed to housing. 			
<p>Program H-5.1.1.1: Prepare Recommendations and Guidelines. The Town will prepare informational materials to be distributed to developers, architects, and builders, listing and describing development and construction standards for energy conservation in the CalGreen portion of the Building Code.</p>	<p>Well-designed, energy-efficient housing units for a diverse population at compatible scales.</p>	<p>By 2016</p>	<p>The Town adopted a Climate Action Plan (CAP) and as part of the implementation of the CAP, has adopted energy efficient reach codes. Information is available on the City's web site at: https://www.townoffairfax.org/fairfaxs-efforts-to-go-green/</p> <p>This program will be replaced with Program 2-I (Buildings and Construction Code Requirements).</p>
<p>Program H-5.1.2.1: Create Home-Sharing and Tenant Matching Opportunities. The Town will work with nonprofit 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:</p> <ul style="list-style-type: none"> • 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 who do not have vehicles matched with locations that have limited parking facilities. • 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. 	<p>Well-designed, energy-efficient housing units for a diverse population at compatible scales.</p>	<p>2017</p>	<p>Potential demand for this type of housing remains strong. Limited uptake is in part attributable to limited staff resources and limited promotional efforts. This program is to be carried over in the new Housing Element as Program 1-F. Program 5-D will help ensure adequate staff resources for implementation.</p>

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Program H-5.1.2.2: Engage with Nonprofit Housing Providers for Rehabilitation and New Construction. Substandard units may be rehabilitated and/or new units constructed between 2014–2022 by various nonprofit organizations such as Habitat for Humanity. Work may be conducted with the use of other state, federal, or regional funds.	Well-designed, energy-efficient housing units for a diverse population at compatible scales.	2015-2023	Leveraging funds from Marin County's Affordable Housing Fund, Victory Village was built in Fairfax and opened in 2020. It provides 47 units to low-income seniors including 20% of the units for people transitioning from homelessness.
Program H-6.1.1.1: Reopen the Second Unit Amnesty Program and revise the ordinance without the requirement of fire suppression sprinkler systems in the non-Wildlife Urban Interface (WUI) area / up to a 30% slope, thereby "incentivizing" formalization of second units.	Well-designed, legal second units in all residential neighborhoods; applying reasonable parking and street capacity standards.	2015-2016	This program has been implemented and 19 ADUs were legalized during the planning period. The program is being discontinued and replaced with numerous programs to incentivize ADU and JADU production.
<p>Program H-6.1.2.1: Modify Second Unit Development Standards and Permit Process.</p> <p>Modify and update the second unit development requirements to:</p> <ul style="list-style-type: none"> Establish second units as a permitted use by right when the single-family lot, primary structure, and second unit meet all the established zoning and building development and density standards, when adequate traffic safety and parking are available. Attached second units approved by right should be limited in size to a maximum of 700 square feet in floor area. To the extent that state law prohibits discretionary review, the Town shall create guidelines and standards for applications for second units, 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. Establish procedures for second unit applications that require review for second units that meet performance standards and design guidelines at a low cost, and allow processing of the application at the staff level with appropriate public notice. Reduce per unit fees in recognition of the small size and low impacts of second units. Enact an ordinance that provides for the creation of second units related to single-family residences. The ordinance, as specified by GC Section 65852.2, shall do any of the following: <ul style="list-style-type: none"> Impose standards on second units 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 second units do not exceed the allowable density for the lot upon which the second unit is located, and that the second units are a residential use 	Well-designed, legal second units in all residential neighborhoods; applying reasonable parking and street capacity standards.	2016-2017	In Nov 2023, the Town has revised the zoning ordinance in compliance with State ADU law. This program is no longer necessary and has been replaced with a number of programs to incentivize ADU and JADU production.

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<p>that is consistent with the Town's General Plan and zoning designation for the lot.</p> <ul style="list-style-type: none"> • Provide for the granting of a variance or special use permit for the creation of second units if said unit complies with all of the following: <ul style="list-style-type: none"> ○ The second unit is not intended for sale and may be rented. ○ The lot is zoned for single-family or multi-family use. ○ The lot contains an existing single-family or multi-family dwelling. ○ The second unit 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. ○ The increased floor area of an attached second unit shall not exceed 30 percent of the existing living area. ○ The total area of floor space for a detached second unit shall not exceed 700 square feet. ○ 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. ○ Local building code requirements that apply to detached dwellings, as appropriate. ○ The owner of the property with a second unit must live in one of the units. 			
Program H-6.1.2.2: Second Unit Affordability. When local funding is used to assist in the construction of a second unit, require use agreements as a condition of approval to ensure that second unit rents are affordable to lower-income households.	Well-designed, legal second units in all residential neighborhoods; applying reasonable parking and street capacity standards.	Ongoing	The Town permitted more than 60 ADUs and JADUs during the Fifth Cycle, with significant growth in permitting of ADUs and JADUs since 2018. The Town will continue to monitor ADU/JADU production and affordability through the Sixth Cycle with Program 5-C.
Program H-6.1.2.3: Second Unit Incentives. The Town will create guidelines and incentives to ensure affordability of second units.	Well-designed, legal second units in all residential neighborhoods; applying reasonable parking and street capacity standards.	2016 and ongoing	The Town instituted an ADU Amnesty program and has seen significant growth in permitting of ADUs and JADUs since 2018. For the Sixth Cycle, this program will be discontinued and replaced with numerous programs to incentivize the construction of ADUs and JADUs.
Program H-6.1.2.4: In-Lieu Fee/Second Dwelling Unit Program. Fairfax will establish an affordable housing in-lieu fee. This fee will be imposed on all new homes, and on major remodels and additions that result in a structure that exceeds over 2,000 square feet. The fee will be based upon a study to be commissioned by the Town. The affordable housing	Well-designed, legal second units in all residential neighborhoods; applying reasonable parking and street capacity standards.	2016	A fee study was completed in early 2023 and the Town has adopted an inclusionary ordinance and commercial linkage fee in place of this program.

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<p>in-lieu fees shall be deposited in a housing trust fund or other similar repository.</p> <p>The affordable housing in-lieu fee shall be used to create lower- income housing units in the Town of Fairfax, in order to meet the Town's lower-income housing needs as determined by the state and ABAG.</p> <p>Property owners shall have the option of creating a new second unit on the site or paying the in-lieu fee. The site must be suitable for creating a second unit and comply with applicable zoning regulations. Additionally, the property must be deed restricted so that the second unit shall be rented only to low- or moderate- income households.</p>			For the Sixth Cycle, this program will be replaced with number programs to incentivize the production of ADUs and JADUs.
<p>Program H-6.1.2.5: Projects Implemented with Affordable In-Lieu Fee Funds. The Town will explore the following possible projects in order to create lower-income housing.</p> <ol style="list-style-type: none"> 1. Work with Habitat for Humanity (or with a like kind entity or organization) to build 10–20 units of lower-income 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. If possible, the Town will assist in facilitating the purchase of the land and work with Habitat for Humanity to help entitle and build. 2. Town shall evaluate alternate options for the use of In-Lieu Fees that would benefit affordable housing goals. 	Construction of affordable housing projects.	2016-2023	No in lieu fees we generated during this planning period; however, in 2023 the Town adopted an inclusionary zoning requirement and commercial linkage fee to help generate funds for affordable housing. For the Sixth Cycle, the Town has committed to a number of programs to incentivize and facilitate housing production.
<p>Program H-6.1.2.6: Junior Second Unit Ordinance. Review and adopt zoning standards and fees that serve to incentivize the creation of junior second units. Standards and fee considerations should include, but not be limited to, the following:</p> <p>Zoning Standards to consider:</p> <ul style="list-style-type: none"> • Conversion of existing bedroom required – no building expansion; • Maximum 500 square-foot size; • Wet-bar type kitchen only with limitations on size of sink, waste line and counter area; • Cooking facility limited by electrical service (110v maximum) and prohibition of gas appliances; • Separate bathroom permitted, but not required; • Require external access and internal access to the remainder of the home; • No additional parking required if dwelling complies with current parking standards; 	Well-designed, legal second units in all residential neighborhoods; applying reasonable parking and street capacity standards.	Within one year of HE adoption	This program was completed. Further, in Nov 2023, the Town revised the zoning ordinance in compliance with State law. For the Sixth Cycle, the Town has committed to a number of programs to incentivize ADU and JADU production.

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<ul style="list-style-type: none"> Owner occupancy required and established by recorded deed restriction; and Ministerial approval process. Fees considerations: Establish a minimal “flat fee” for a planning entitlement; No Town Development Impact Fees charged; and Work with special districts, e.g. water and sanitary, to reduce or waive fees. 			
Program H-7.1.1.1: Conduct an Annual Housing Element Review. The Town will review the Town’s Housing Element annually, with opportunities for public participation, in conjunction with the state requirement for a written review.	Establish standardized methods for the effective and efficient management of housing data among jurisdictions in Marin.	Annually starting in 2015	Annual reviews have been completed each year. The Town has met or exceeded the RHNA allocation in all very low, low, and moderate income categories. Continue as Program 5-B Annual Review.