



FAIRFAX TOWN COUNCIL MEETING

STAFF REPORT

MEETING DATE: March 6, 2024
PREPARED FOR: Mayor and Town Council
PREPARED BY: Jeffrey Beiswenger, Planning & Building Services Director
Linda Neal, Principal Planner
SUBJECT: Receive Annual Progress Report on the General Plan and Housing Element for the Calendar Year 2023

RECOMMENDATION

Staff recommends that the Town Council:

- Review the Annual Progress Reports on the Fairfax General Plan and Housing Element for the calendar year 2023.
- Adopt Resolution Accepting Fairfax Annual Progress Report for the General Plan and Housing Element Calendar Year (CY) 2023.

DISCUSSION

California Government Code Section 65400(a)(2) requires that the planning agency of each city and county submit to their legislative bodies an annual progress report (APR) on the status of the General Plan and Housing Element and their implementation in the previous calendar year. A copy of the APR must be sent to both the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD) by April 1st of each year.

The intent of the legislation is to ensure the Town's General Plan is relied upon for land use decisions and that it remains an effective tool for guiding development. The report provides the Town Council with information regarding the current status of the General Plan policies and their implementation during the past year.

The APR is comprised essentially of two reports required by two different agencies, with the (1) General Plan Annual Progress Report to the Office of Planning and Research and the (2) Housing Element report on the Regional Housing Needs Allocation and Housing Element program implementation reviewed by the Housing and Community Development Department. This staff report, resolution, and a copy of the full report will be submitted to both agencies.

The Housing Element Annual Progress Report is completed in a form created by the Department of Housing and Community Development. The purpose of the HCD APR table is to clearly identify the Town's progress on meeting its Regional Housing Needs Assessment (RHNA) for the current 6th Cycle (2023-2031). It also includes a detailed list of the status and progress of Housing Action Programs.

Regional Housing Needs Allocation (RHNA)

A key component of the APR is to report on progress towards meeting the Regional Housing Needs Allocation (RHNA). The RHNA is determined by the Association of Bay Area Governments (ABAG). The RHNA is a State-mandated process intended to ensure every jurisdiction plans for enough housing to accommodate future growth. For the fifth cycle Housing Element RHNA (2015-22) the Fairfax allotment

was 61 units and for the current sixth cycle RHNA (2023-31) the Fairfax allotment is 490 units, a significant increase. The RHNA is broken down into income groups as depicted in Table 1.

**Table 1
RHNA Allocated by Income Level**

Income Category	2015-2022 Period		2023-31 Period	
	RHNA	Units Achieved	RHNA	Units Achieved
Very Low	16	17	149	5*
Low	11	71	86	--
Moderate	11	41	71	--
Above Moderate	23	18	184	--
Total	61	147	490	5

**Building permits issued for 7 units. Occupancy permits issued for 5 units.*

During the previous RHNA cycle, the Town achieved over double the units called for by the RHNA allotment, exceeding the number of units within each income category except in above moderate. Only 18 above moderate units were constructed, five short of the RHNA number.

The first two years of the previous RHNA cycle were quiet from a construction perspective with only six homes built. After that new construction picked up pace, with the most significant year for affordable housing production was 2018. Permits were issued for Victory Village (54 units) in 2018, as well as other affordable units. Over this past RHNA cycle, the Town experienced an increase in ADU production and an increase in the number of new single-family residences being built. In 2019 the Town issued building permits for 6 ADU's and 1 single-family residence, in 2020 building permits were issued for 13 ADU's and 2 single-family residences. In 2021 permits were issued for 12 ADU's and 3 single-family residences and in 2022 permits were issued for 8 ADU permits and 2 single-family residential permits.

The Town is expecting to see additional construction during the current RHNA cycle (2023-31) with ADU construction increasing and a few larger projects constructed in the later part of the cycle. Unit production is off to a slow start with only five ADUs finalized in 2023. This low number is partially due to a rule change by HCD, where unit production is no longer based on the initial issuance of a building permit but on the finalization and occupancy of the unit. This is more difficult to track since it can often take years from building permit issuance for a unit to be completed. In 2023, permits were issued for seven new ADUs along with five that were completed for final occupancy.

In addition to reporting on RHNA, the Town is also required to report on progress towards implementing the 2010-2030 General Plan (which now includes the 2023-31 Housing Element). The focus is on progress towards implementing Action Programs, as listed in Table D in the attached APR.

Housing Element

The 2023-31 Housing Element was adopted in December of 2023. Significant progress on implementing many of the programs was made in 2023, including:

- Adoption of the workforce housing overlay code amendments
- Adoption of the clustering zoning code amendments
- Adoption of objective design and development standards
- Code amendments to allow for supportive housing, residential care facilities and other housing types as required by state law.
- Work on tenant protection efforts were initiated

Additional implementation activities are expected in 2024, such as:

- Meeting with a potential applicant for the School Street property.
- Continued construction of ADUs and JADUs.
- Continued work on tenant project efforts.
- Marketing of affordable housing opportunities.
- Providing fair housing information.
- Hiring a new housing planner.

A full list of programs implemented is included on Table D of the HCD spreadsheet.

Land Use Element

This element is at the center of the General Plan and interacts with all the other elements. The element conveys a sense of the uniqueness of Fairfax including the village-like aesthetic, quaint neighborhoods, and busy street where many residents bicycle and walk. Minor amendments will be considered in 2024 for consistency with the Housing Element. In 2023, the following implementation activities related to land use goals and policies occurred:

- Ridgeline protections / clustered housing rules.
- Code changes to encourage infill development.
- Clear and objective design standards.

In 2024 implementation activities are expected to continue, including:

- Revising the Land Use Element to be consistent with the Housing Element / Safety Element.
- Staff also intends to create hand-outs and graphic to assist with the implementation of clear and object design standards.

Circulation Element

The primary infrastructure (roads, sidewalks, bicycle ways, and utilities) for Fairfax is largely in place. Therefore, this element focuses on how to use and improve the existing infrastructure to achieve Town goals. This element is particularly important since it serves as the policy basis for the Town's Capital Improvement Program (CIP). General Plan consistency is required prior to receiving any grant funding.

Town Center Element

This element contains strategies related to the downtown area and promoting the economic base of the community. This element will be amended in 2024 for consistency with the 2023-31 Housing Element. The Housing Element contains a program to create a Town Center Plan (also see Goal TC-3 below) which will impact revisions to the Town Center Element. In 2024, this element will be amended to be consistent with the 2023-31 Housing Element. The Housing Element itself contains a program to create a Town Center Plan.

Open Space Element

The purpose of this element is to protect the Town's open space resources, address safety issues (landslides, flooding, etc.) and balance these with the right to develop property according to the Town Code. In 2024, the Planning Commission is interested in pursuing dark sky regulations, which are related to protecting the natural environment from unnecessary light pollution.

Conservation Element

The stated purpose of this element is to: (1) identify and conserve natural and cultural resources; and (2) identify where the community can conserve resources generally and reduce the overall impact on the planet. A significant step towards implementing this element was the adoption of a Climate Action Plan (CAP) a few years ago. Implementation of the CAP is on-going.

Safety Element

Town staff will be updating the Safety Element in 2024 to address State requirements related to evacuation and other fire safety concerns. The Town is also working cooperatively with other Marin jurisdictions on a Local Hazard Mitigation Plan which will help implement many of the programs under the Safety Element. The Planning Commission will have opportunities in 2024 to weigh in on changes to this element and implementation strategies.

The Town has been working on Local Hazard Mitigation Plan with other Marin jurisdictions and this document is under review by State. Updates to the Safety Element itself will be undertaken in 2024, as triggered by the Housing Element adoption. For example, state law requires a careful study of evacuation routes.

Noise Element

The Town has not proactively implemented programs under the noise element, and it is not necessary at this time. The Town has an effective chapter in the Municipal Code to address day-to-day noise complaints. Chapter 8.20 (Noise Control). Noise is a significant consideration in the construction of new housing, so the element will play a role over the current RHNA cycle and will serve as an important basis for environmental analysis and mitigation measures.

Next Steps

Upon approval of the attached resolution by the Town Council, staff will submit this report to OPR and HCD by the April 1, 2024, deadline.

FISCAL IMPACT

None.

ATTACHMENTS

- A. Resolution
 - Exhibit 1 - Progress Report Table for the 2010-2030 Fairfax General Plan
 - Exhibit 2 - Progress Report Table for the Housing Element, 6th Cycle, 2023-31

TOWN COUNCIL RESOLUTION NO. 2024-

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
ACCEPTING FAIRFAX ANNUAL PROGRESS REPORT FOR THE GENERAL PLAN AND
HOUSING ELEMENT CALENDAR YEAR (CY) 2023**

WHEREAS, California Government Code Section 65400(a)(2) requires that the planning agency of each city and county submit to their legislative bodies an annual report on the status of the General Plan and Housing Element and its implementation in the previous calendar year; and

WHEREAS, the Town Council reviewed the annual report on the status of the General Plan and Housing Element; and

WHEREAS, the Town Council has determined that the annual report meets the intent of California Government Code Section 65400(a)(2) by, providing (1) progress report table for the 2010-2030 Fairfax General Plan and (2) progress report for the Housing Element, 6th Cycle, 2023-31 pursuant to Government Code Section 65584.

NOW, THEREFORE BE IT RESOLVED, the Town Council of the Town of Fairfax hereby accepts the Fairfax Annual Progress Report for the General Plan and Housing Element Calendar Year (CY) 2023

The foregoing resolution was adopted at a regular meeting of the Fairfax Town Council on this 6th day of March, 2024 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Barbara Coler, Mayor

ATTEST:

Christine Foster, Deputy Town Clerk

Attachments:

Exhibit 1 - Progress Report Table for the 2010-2030 Fairfax General
Plan Exhibit 2 - Progress Report Table for the Housing Element, 6th
Cycle, 2023-31

Exhibit 1

Progress Report Table for the 2010-2030 Fairfax General Plan

Exhibit 1 - Progress Report Table for the 2010-2030 Fairfax General Plan

Implementation program for the 2010 – 2030 Fairfax General Plan – reporting calendar year - 2023	Status	Completion Date	Comments on Implementation
LAND USE ELEMENT			
Program LU-4.1.1.1: Develop a set of application submittal requirements for fire management, as required by the Ross Valley Fire Department	On-going		Town submits all applications to Ross Valley Fire for review prior to approval. Continuing to refine the application process for more complete submittals at project inception.
Program LU-5.1.1.1: Identify and catalog all potential infill development sites within the Town.	Complete	2023	Completed as part of 2023-31 Housing Element project
Program LU-7.1.2.1: Develop and adopt general and area-specific Design Guidelines for residential and commercial projects.	Complete	2023	Completed November, 2023
Program LU-7.1.3.1: Encourage applicants with development proposals to incorporate mixed-use elements into project plans.	Complete	2023	In commercial zones applicants with retail on ground floor are granted more height to accommodate mixed-use
Program LU-7.1.4.1: Develop Design Guidelines and Development Standards to be used by project applicants.	Complete	2023	Completed November, 2023
Program LU-8.1.1.1: Inventory all sites in the Planning Area that afford opportunities for development affordable housing, with adoption of each review of the Housing Element.	Complete	2023	Completed as part of 2023-31 Housing Element project
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.	Complete	2024	Changed to Workforce Housing Overlay (WHO) in February, 2024 to allow for residential, commercial and/or mixed-use development
Program LU-8.1.1.1.4: Change the zoning designation for 2626 Sir Francis Drake (Christ Lutheran Church) from Residential UR-7 to Planned Development District.	Complete	2019	Changed to RM-S to accommodate an affordable housing project for low income seniors (Victory Village)
Program LU-8.1.1.5: Change the designation for the School Street Plaza area from Limited Commercial to Planned District Development; thereby making it	Complete	2024	Changed to WHO in February 2024 to accommodate a potential residential project on the site identified in the 2023-31 Housing Element

Implementation program for the 2010 – 2030 Fairfax General Plan – reporting calendar year - 2023	Status	Completion Date	Comments on Implementation
possible to accommodate a mix of uses including housing and/or a new school at the site.			
Program LU-8.1.2.1: Establish a classification for second units with parking restrictions, accessible without use of an automobile.	Complete	2023	Updated consistent with state law which included parking exemptions
Program LU-8.1.3.1: Develop sizing guidelines for residential Second Units.	Complete	2023	Updated consistent with state law which include sizing guidelines
Program LU-8.1.4.1: Review current zoning along the Sire Francis Drake Boulevard corridor, and rezone areas as appropriate, to support transit-oriented development.	Complete	2024	WHO zoning established at part of 2023-31 Housing Element effort
CIRCULATION ELEMENT			
C-1.3.2: Pursue implementation of recommendations in the Pedestrian & Bicycle Master Plan, Chapter 5.	On-going	2025	The Town received a grant to update Pedestrian & Bicycle Master Plan. To be updated in 2024/25
C-1.4.1: Pursue implementation of recommendations in the Pedestrian & Bicycle Master Plan to promote safe pedestrian and bicycle circulation.	On-going	2025	The Town received a grant to update Pedestrian & Bicycle Master Plan. To be updated in 2024/25
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 conditions, Take advantage of repairing or resurfacing project to upgrade existing pedestrian or bicycle infrastructure and to install bicycle lanes or shared lane marking.	On-going		<p>In 2023, the following repairs and improvements were completed:</p> <ul style="list-style-type: none"> - Rehabilitation of lower Scenic Road and Porteous Avenue which included refreshing of bike route street markings along out Bicycle Route to School. - Emergency road patching of Bolinas Road incline (Bolinas is heavily used by bicyclists) - Sidewalk improvement project to grind vertical off-sets on large percentage of sidewalks. - Completed road restoration of Pine Road collapse - Completed retaining wall along Canyon Road to protect against a potential collapse. - Completed road stabilization project on Wreden and Scenic roads

Implementation program for the 2010 – 2030 Fairfax General Plan – reporting calendar year - 2023	Status	Completion Date	Comments on Implementation
			- Added bike sharrow on Bolinas Road between Broadway and Park Road.
C-2.4.1: Provide benches for resting at the top intersection of trails between streets.	On-going		
C-2.4.3: Improve steep trails with steps	On-going		Town continues to maintain the network of pedestrian trails and stairways serving neighborhoods and to improve and install new sections of pedestrian sidewalks including requiring their installation for substantial remodels/new home projects.
C-2.5.1: Review the Town network of collector streets for compliance with state and federal regulation regarding facilities and improvements that provide disabled access.	On-going		Received grant funding to improve ADA accessibility along Claus Road and Bank and Broadway intersection, work to be performed in 2024/25
C-2.5.2: Develop and implement a program for compliance with state and federal regulations regarding facilities and improvements that provide disable access within the network of Town collector streets.	On-going		Received grant funding to improve ADA accessibility along Claus Road and Bank and Broadway intersection, work to be performed in 2024/25
C-2.6.1: Provide continuous sidewalks where possible and prioritize these locations where it is most feasible to provide them.	On-going		Town continues to maintain the network of pedestrian trails and stairways serving neighborhoods and to improve and install new sections of pedestrian sidewalks including requiring their installation for substantial remodels/new home projects.
C-4.1.1: Prepare and distribute and 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.	Complete	2020	Town Council adopted and updated Emergency Operations Plan with Evacuation Maps in 2019. Also in 2019/2020, the Town developed Community Friendly Evacuation Maps (known as FireClear Maps), they were mailed to all Fairfax residents in 2020, also online with QR codes at https://firesafemarin.org/prepare-yourself/evacuation-guide/evacuation-maps/#gsc.tab=0 .
C-5.9.1: Stripe the Parkade surface to connect the Broadway steps to the Sir Francis Drake Boulevard pedestrian crossing.	Complete	2020	

Implementation program for the 2010 – 2030 Fairfax General Plan – reporting calendar year - 2023	Status	Completion Date	Comments on Implementation
C-6.4.1: Provide and maintain clean, safe and comfortable places to wait for public transportation.	Complete	2020	New bus stop was added on the South Side of the Parkade and the Main bus stop was rebuilt in 2020
C-7.1.1: Consider purchasing of electric or hybrid vehicles as part of the Town fleet	On-going		Town is pursuing a shift in Town vehicles from conventional to electric vehicles. As vehicles age out of the fleet they will be replace
C-7.1.2: As infrastructure changes are made, and are warranted by available transportation options, build infrastructure to support emerging options, such as charging stations for electric vehicle or plug-in hybrids.	On-going		Working with regional partner on charging infrastructure
HOUSING ELEMENT			
See HCD Implementation Table D			
TOWN CENTER ELEMENT			
TC-3.2.1.1: The Town shall consider bicycle and pedestrian related development a priority when reviewing development applications for the downtown area.	On-going		The Town has installed several bike racks in the downtown area and added more flashing beacons.
TC-3.2.9.1: The Town shall work with local artists to prepare a plan for locating public art in the downtown area.	On-going		Artist in Residence Program (AIR). Program began in the 1990's and expanded in 2018 from one artist to a collaborative of artists which now consists of up to 3 artists working together to educate and share art with the citizens and the Town. A location for public art established in the Parkade.
TC-3.2.9.2: The Town shall identify funding sources for implementing a public art program for the downtown area.	On-going		Artist in Residence Program AIR expanded in 2018.
OPEN SPACE ELEMENT			
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....	On-going		Open Space Committee: prepared criteria for protecting open space (adopted 2011) and prepared parcel inventory list of potential open space sites for the General Plan (adopted 2012)

Implementation program for the 2010 – 2030 Fairfax General Plan – reporting calendar year - 2023	Status	Completion Date	Comments on Implementation
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 Planning and Building Services department.	On-going		Town periodically acquires properties recommended by the FOSC if they meet the criteria.
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.	On-going		Code update in 2023 to allow for a clustered zoning option on parcels larger than one acre.
OS-3.2.3.1: Review development applications to ensure that views of Visually Significant Areas are not negatively impacted.	On-going		
OS-4.1.1.1: Identify, and when appropriate designate, the areas that are prone to landslides that are in existing opens space, and/or in the inventory established by OS-1.2.1.	Complete	2020	Town approved a digitized / updated landslide hazard map (General Plan Figure S-3) Ordinance 845, adopted 2/5/20
CONSERVATION ELEMENT			
CON-1.1.1.3: Create a CAP for Fairfax, publish it on the Town Website, and maintain on an on-going basis	On-going		Maintained by Climate Action Committee, The Town Council adopted its first Climate Action Plan in 2/5/14 and an updated Revised CAP 7/7/21, CON-1.1.1.3
CON-1.2.2.1: 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.	Complete		A series of code amendments have been adopted to implement, most recently in March of 2024 (Workforce Housing Overlay)
CON-4.2.2.3: Modify existing ordinance 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	On-going		Condition included for all HRD applications for new houses and 50% remodels

Implementation program for the 2010 – 2030 Fairfax General Plan – reporting calendar year - 2023	Status	Completion Date	Comments on Implementation
Resource Control Board or applicable NPDES Municipal stormwater permit in effect.			
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.	On-going		Receptacles provided in parks, buildings,
CON-7.1.1.4: Provide public location(s) where common specialized materials, such as batteries, electronic, and fluorescent light bulbs may be collected. Publicize the location and arrange appropriate disposal.	On-going		Batteries, electronics, annual drop-off locations
SAFETY ELEMENT			
S-1.1.6.1: Rigorously enforce all relevant codes and construction standards.	On-going		Enforced by Building Official
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.	On-going		Required by HRD Ordinance
S-2.1.2.2: Continue to comply with all requirements of the National Flood Insurance Program.	On-going		Enforced by Department of Planning and Building Services
S-2.1.3.2: Require new developments and substantial remodels to incorporate Low Impact Design and Best Management Practice (BMPs) to mitigate stormwater runoff.	On-going		Enforced by Planning Department through HRD and CUP processes
S-3.1.5.4: Require fire sprinklers in all new or substantially remodeled housing.	Complete		Planning and Building Services with Ross Valley Fire Department
S-4.3.1.1: Continue the annual volunteer Creek Clean-up Program	On-going		

Implementation program for the 2010 – 2030 Fairfax General Plan – reporting calendar year - 2023	Status	Completion Date	Comments on Implementation
S-4.3.3.1: Maintain and periodically test the warning sirens to inform the public of imminent flood potential.	On-going		Fairfax Police Department
S-4.4.2.4: Develop a defensible space vegetation program that includes the clearing or thinning of (a) non-fire-resistant vegetation within 30 feet of access and evacuation roads and routes to crucial facilities or (b) all no-native specific (such as eucalyptus and pine, but not necessary oaks (with 30 feet of access and evacuation roads and routes to critical facilities.	Complete		Completed by Ross Valley Fire, The Marin Wildfire Prevention Authority (MWPA) was enacted by the voters in March 2020. The Town joined MWPA prior to its enactment. MWPA is a 17 member agency comprised of all jurisdictions in Marin County with the exception of Tiburon and Belvedere. MWPA was enacted for 10 years through property taxes, its budget is ± 20M annually. MWPA plans, finances, implements, manages, owns, and operates a multi-jurisdictional agency to prevent and mitigate wildfires in Marin County – defensible space , vegetative management, evacuation routing and other prevention activities are conducted by MWPA through its member agencies.
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.	On-going		Completed with Fire Safe Marin and posted on Town website.
NOISE ELEMENT			
N-3.1.2.1: Revise the Town Code to require noise analyses	On-going		Revised the finding for conditional use permit and adjustments to require that noise impacts are considered.

Jurisdiction	Fairfax	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Housing Element Planning Period	6th Cycle	01/31/2023 - 01/31/2031

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	2
Low	Deed Restricted	0
	Non-Deed Restricted	2
Moderate	Deed Restricted	0
	Non-Deed Restricted	3
Above Moderate		0
Total Units		7

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	0	0	0
Single-family Detached	0	0	0
2 to 4 units per structure	0	0	0
5+ units per structure	0	0	0
Accessory Dwelling Unit	7	7	5
Mobile/Manufactured Home	0	0	0
Total	7	7	5

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	7	7
Not Indicated as Infill	0	0

Housing Applications Summary	
Total Housing Applications Submitted:	7
Number of Proposed Units in All Applications Received:	7
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions - Applications	
Number of SB 35 Streamlining Applications	0
Number of SB 35 Streamlining Applications Approved	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	0	0
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 35 (2017)	0	0

Ministerial and Discretionary Applications	# of Applications	Units
Ministerial	7	7
Discretionary	0	0

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	0
Number of Units in Applications Submitted Requesting a Density Bonus	0
Number of Projects Permitted with a Density Bonus	0
Number of Units in Projects Permitted with a Density Bonus	0

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	44
Sites Rezoned to Accommodate the RHNA	0

Exhibit 2

Progress Report Table for the Housing Element, 6th Cycle, 2023-31

indicates an optional field

maintain auto-calculation formulas

Table A Applications Submitted

Eligibility by Household Incomes			Total Approved Units by Project	Total Disapproved Units by Project	Streamlining	Density Bonus Law Applications	Application Status	Project Type	Notes	
Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income	6 Total <u>PROPOSED</u> Units by Project	7 Total <u>APPROVED</u> Units by project	8 Total <u>DISAPPROVED</u> Units by Project	9 Please select streamlining provision/s the application was submitted pursuant to.	10 Did the housing development application seek incentives or concessions pursuant to Government Code section 65915? Were incentives or concessions requested pursuant to Government Code section 65915 approved?	11 Please indicate the status of the application.	12 Is the project considered a ministerial project or discretionary project?	13 Notes ⁺
0	3	0	7	0	0					
	1		1			NONE	No	No	Approved	Ministerial
	1		1			NONE	No	No	Approved	Ministerial
	1		1			NONE	No	No	Approved	Ministerial
			1			NONE	No	No	Approved	Ministerial
			1			NONE	No	No	Approved	Ministerial
			1			NONE	No	No	Approved	Ministerial
			1			NONE	No	No	Approved	Ministerial
			0							
			0							

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction		Fairfax	
Reporting Year		2023 (Jan. 1 - Dec. 31)	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs 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
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
1-A: Develop and Adopt Town Center Plan	Integrate workforce housing into Downtown Fairfax	Adopt Town Center Plan by the end of 2026	Work on the Town Center Element of the General Plan will take place in 2024 for consistency with the Housing Element. Work on the Town Center Plan has not started.
1-B: School Street Plaza	175 new housing units by 2028, including 35 affordable units	Start quarterly meetings Q3 2023, target completion of construction in 2028	Have held preliminary meetings with potential developers
1-C: Housing on Town-Owned Sites	10 lower income units by 2030	Prepare and release an RFP by Q2 2024	Intend to release RFP on schedule
1-D: Shopkeeper Housing	Five shopkeeper units by 2031	Adopt code amendments by Q3 2025	<u>Complete: Code amendments adopted in 2023</u>
1-E: Live-Work Units	Five live-work units by 2031	Adopt code amendments by Q3 2025	<u>Complete: Code amendments adopted in 2023</u>
1-F: Home Sharing and Tenant Matching	10 home sharing matches over planning period	Promote Home Sharing Program events starting Q3 2023, may be combined with ADU/JADU events	Fairfax participates with Marin County in the countywide homesharing program.
1-G: Innovative and 'Non-Traditional' Forms of Housing	Increase opportunities for innovative housing types	Ongoing	Adopted building codes to allow for deviations from certain code provisions to allow for tiny homes. Updated zoning ordinance to allow for new housing types consistent with State law
1-H: ADU/JADU Awareness	Outreach, including newsletters, pop ups, and seminars, will be conducted quarterly following program inception with the aim of issuing 20 ADU/JADU construction permits annually over the planning period	Launch program in Q4 2023 with updates via Annual Progress Report to HCD	Participating with other Marin County jurisdictions to join the ADU Collaborative
1-I: Pre-Approved ADU Floor Plans	Construction of 20 new ADUs in Fairfax annually over the planning period	Solicit floor plans by Q2 2024; Pre-approve selection by end of Q3 2024	Participating with other Marin County jurisdictions to join the ADU Collaborative
1-J: Technical Assistance	Construction of 20 new ADUs in Fairfax annually over the planning period	Launch program in Q4 2023 with updates via Annual Progress Report to HCD; checklist and handouts will be ready at inception; target to provide 100 site assessments annually throughout the period after inception	Participating with other Marin County jurisdictions to join the ADU Collaborative
1-K: Fee Discounts	Construction of 20 new ADUs in Fairfax annually over the planning period	Update Town Code to enact incentives by January 31, 2024	Town provides a fee discount for ADU plan review (1/2 the cost).
1-L: Financial Assistance Program	Creation of 32 new ADUs/JADUs for lower income households over the planning period	Identify lending partners by Q3 2024; launch program in Q2 2025	Intend to identify lending partners by Q3 2024
1-M: Zoning Incentives for ADUs/JADUs	Zoning incentives for ADUs/JADUs	Update Town Code to enact incentives by January 31, 2024	<u>Complete: Code amendments adopted in 2023</u>
2-A: Workforce Housing Overlay	159 moderate and lower income RHNA units by 2030	Adopt Workforce Housing Overlay by January 31, 2024	<u>Complete: Code amendments adopted</u>
2-B: Rezoning Sites from Prior Inventories	159 moderate and lower income RHNA units by 2030	Complete rezoning by January 31, 2024	<u>Complete: Code amendments adopted</u>
2-C: Establish Objective Design and Development Standards	Design and development standards that fully comply with the requirements of State law including the Housing Accountability Act.	Zoning Code amendments drafted by end of 2023 for review and adopted by Town Council by January 2024	<u>Complete: Code amendments adopted</u>
2-D: Standards for Low Impact Clustered Residential Development on Large Sites	Land use regulations and standards for low impact clustered residential development that expand opportunities for market rate housing	Zoning Code amendments drafted by end of 2023 for review and adopted by Town Council by January 2024	<u>Complete: Code amendments adopted</u>
2-E: Affordable Housing Density Bonus	Zoning consistent with State Law	Complete rezoning by January 31, 2024	<u>Complete: Code amendments adopted</u>
2-F: Inter-Jurisdictional Planning for Housing	Coordination with other jurisdictions on housing matters	Ongoing	Participate with other Marin County jurisdictions at monthly meetings

2-G: Processing and Permit Procedures	Facilitation of 78 moderate income units and 235 above moderate income units during the planning period	Complete rezoning by January 31, 2024	<u>Complete: Code amendments adopted</u>
2-H: Subdivision Requirements	Recommend programs for minimizing construction cost for low-and-moderate-income housing	Complete subdivision amendments, checklists, and recommendations for changes to impact fees by January 31, 2024	Intend to initiate in 2024
2-I: Building and Construction Code Requirements	Recommend programs for minimizing housing expenses for low-and-moderate-income residents	End of Q1 each year of the planning period, with reporting through Annual Progress Reports	The Town promotes BayREN and Electrify Marin rebates to residents. Increased incentives are available for low-income residents to install electric appliances and energy efficiency upgrades like air sealing and insulation. The Town is also targeting LMI households through a pilot home electrification program with ReadySetReplace for the installation of electric appliances.
2-J: Focused Geologic Study in the Town Center Area	Facilitate development of 159 units in Town Center over the planning period	Release RFP in Q2 2024; complete study by end of Q4 2024; incorporate appropriate development standards into Town Code by Q3 2025	Intend to initiate in 2024
2-K: Revise Definition of Family	Remove potential constraints on housing for people with disabilities	Amend Zoning Code by end of Q3 2024	Intend to complete by Q3 2024
3-A: Zoning for Residential Care Facilities	Revised use regulations and development standards consistent with State law	Complete rezoning by January 31, 2024	<u>Complete: Code amendments adopted</u>
3-B: Transitional and Supportive Housing	Consistency with State law	Complete rezoning by January 31, 2024	<u>Complete: Code amendments adopted</u>
3-C: Low-Barrier Navigation Center	Zoning provisions consistent with State law	Complete rezoning by January 31, 2024	<u>Complete: Code amendments adopted</u>
3-D: Provide Reasonable Accommodation	Zoning provisions consistent with federal and State law	Complete rezoning by January 31, 2024	<u>Complete: Code amendments adopted</u>
3-E: Inclusionary Housing Program and Commercial Linkage Fee	25 percent increase in participation in Marin CIL programs and services by Fairfax residents	Adopt ordinance by end of Q4 2023	<u>Complete: Code amendments and fee resolutions adopted in 2023</u>
3-F: Tenant Protection	Enhance protections for 530 renter-occupied lower-income households experiencing cost burden in Fairfax	Upon approval of staffing, hearings, software and outreach by the Town Council	Implementation underway
3-G: Development and Replacement Unit Requirements	Protection of existing housing	Beginning in Q1 2023	Provisions in place
3-H: Housing for Special Need Populations and Extremely Low Income Households	75 units affordable to ELI household, whether through new construction or preservation of existing naturally occurring affordable units	Implementation beginning in Q1 2024, with outreach to affordable developers conducted by end of Q4 2024 and annually thereafter in each year of the planning period	Intend to initiate in 2024 with Town's new housing specialist on staff
3-I: Water and Sewer Priority	Compliance with State law	Within 2 weeks of adoption of Housing Element	Intend to initiate in 2024 with Town's new housing specialist on staff
4-A: Affirmative Marketing of Affordable Housing Opportunities	149 Very Low and 86 Low income units by 2031	(a) Prepare materials by Q3 2023; (b) prepare list of experienced developers and contact them by end of Q4 2023; (c) conduct outreach in Q1 2024 and annually thereafter	Intend to initiate in 2024 with Town's new housing specialist on staff
4-B: Wide Acceptance of Housing Choice Vouchers	Conduct on event in Fairfax annually each year throughout the planning period	Annually throughout the planning period starting in Q4 2023	Intend to initiate in 2024 with Town's new housing specialist on staff
4-C: Mediation and Enforcement	To assist 400 households during the planning period	Ongoing 2023-2031; (a) publish information by Q3 2023 and update annually as appropriate; (b) conduct one event in Fairfax annually each year throughout the planning period starting in 2024.	Intend to initiate in 2024 with Town's new housing specialist on staff
4-D: Anti-Discrimination and Fair Housing Training	Increase awareness of fair housing practices among real estate professionals and lenders	Contact non-profit groups by Q4 2023; annual coordination on support activities throughout the planning period.	Intend to initiate in 2024 with Town's new housing specialist on staff
4-E: Support for Individuals with Disabilities	25 percent increase in participation in Marin CIL programs and services by Fairfax residents (2023-31)	Annually throughout the planning period starting in Q4 2023	Intend to initiate in 2024 with Town's new housing specialist on staff
4-F: Fair Housing Information	Provide and regularly maintain information	Prepare informational materials and post to Town website by end of Q4 2023; update annually thereafter	Intend to initiate in 2024 with Town's new housing specialist on staff
4-G: Disavowal of Racially Restrictive Covenants	Participation of 50 homeowners in County program by 2031	Post information to Town website and send e-newsletter by end of Q1 2024; annually each year of the planning period thereafter	Intend to initiate in 2024 with Town's new housing specialist on staff
5-A: Ensure Adequate Sites Available to Meet Town's Share of RHNA	Conduct review and submit report to HCD as required	Complete review and submit report by April 1 of every year	Report prepared for Town Council consideration in March 2024
5-B: Annual Review	Conduct review and submit report to HCD as required	Complete report and submit report by April 1 of every year	Report prepared for Town Council consideration in March 2024

5-C: ADU/JADU Monitoring	Track progress toward Sixth Cycle RHNA production goals ensure compliance with State Law	(a) reporting with annual report to HCD in April 2024; annually by April of each year thereafter (b) Q4 2026 for corrective action evaluation (if needed)	Report prepared for Town Council consideration in March 2024
5-D: Staff Housing Specialist	RHNA compliance	Initiate candidate search in Q3 2023 with the intent of identifying a candidate and making an offer by end of Q2 2024.	Candidate recruitment underway