



TOWN OF FAIRFAX

STAFF REPORT

September 17, 2014

TO: Mayor and Town Council

FROM: Garrett Toy, Town Manager *GT*
Jim Moore, Planning Director

SUBJECT: Adoption of a resolution adopting an Amendment to the General Plan to (1) formally correct typographical errors on tables and maps, (2) make minor narrative revisions to correct numerical inconsistencies and provide additional clarity regarding the PDD zoning for Opportunity Sites, and (3) correct the listing of the General Plan designation for Assessor's Parcel No. 174-070-50 (commonly known as 2600 Sir Francis Drake Boulevard, site of the Jehovah's Witness Kingdom Hall), from Planned Development District (PDD) To Upland Residential 7-10 (UR-7); Exempt from CEQA per 14 C.C.R. §15061(b)(3)

RECOMMENDATION

Adopt Resolution adopting an Amendment to the General Plan to (1) formally correct typographical errors on tables and maps, (2) make minor narrative revisions to correct numerical inconsistencies and provide additional clarity regarding the PDD zoning for Opportunity Sites, and (3) correct the listing of the General Plan designation for Assessor's Parcel No. 174-070-50 (commonly known as 2600 Sir Francis Drake Boulevard, site of the Jehovah's Witness Kingdom Hall), from Planned Development District (PDD) To Upland Residential 7-10 (UR-7).

BACKGROUND

On August 6, 2014, the Town Council, after numerous public meetings to consider the matter, unanimously adopted Ordinance No. 780 which repealed Ordinance No. 778. Ordinance No. 778, among other things, had rezoned Highway Commercial (CH) zoned properties to Central Commercial (CC), rezoned four properties to Planned Development District (PDD), and rezoned certain properties to Public Domain (PD).

As part of the discussion to repeal Ordinance No. 778, the Council indicated it wanted to have a "fresh start" for the rezoning process to implement General Plan policies, including those found in the Housing Element. This "fresh start" would allow the Planning Commission and Council to address concerns raised during the initial approval process of Ordinance No. 778.

The Council approved the series of steps to address these concerns at the July 16th Council meeting. At the July 16th meeting, the Council directed staff to proceed with the recommended actions to remove the Jehovah's Witness property from the PDD land use designation and make corrections to tables in the Housing Element to eliminate any uncertainty as to the density of specific zoning designations. These proposed steps were also presented by staff to the community at the Forum on the General Plan held on Saturday, July 12th. The first step in the "fresh start" process is this General Plan Amendment to incorporate the above actions.

On August 21, 2014, the Planning Commission considered a General Plan (GP) Amendment per Council direction and recommended approval to the Council with additional revisions to the staff recommendation. The additions included: (1) adding a paragraph at the beginning of the Housing Element introduction stating that the tables and charts are for illustrative purposes, (2) adding a similar note below each table and/or chart, and (3) capitalizing "Opportunity Sites" everywhere in the document where specific opportunity sites are referenced. In addition, subsequent to the April 21st Planning Commission meeting, staff added a statement to HE Program H-4.1.1.7 to provide clarity that the proposed rezoning for Opportunity Sites would allow residential units by right, but still require such approvals as design review.

DISCUSSION

At its September 3, 2014 meeting, the Council conducted a public hearing and considered the recommendations from staff and the Planning Commission regarding the proposed revisions to the General Plan. After much discussion, the Council directed staff to return to the Council on September 17th with the proposed GP Amendment reflecting the Council's direction. The express purpose was to provide the Council with a "clean" version of the attachments to the GP Amendment so as to eliminate any uncertainty as to what the Council was approving. Below is summary of GP Amendment No. 1.

Land Use Element Revisions – Jehovah's Witness Parcel

The General Plan Map (Figure LU-1 in the Land Use Element) inadvertently included the Jehovah's Witness property under the new PDD land use designation. The General Plan, including the Housing Element, never envisioned the zoning for the property to be changed from Upland Residential 7 (UR-7) to PDD. This amendment correctly reflects the site's actual General Plan Land Use designation of UR 7-10 and makes it consistent with the property's existing zoning designation of UR-7.

The Proposed Zoning Map (Figure LU-2 Proposed Fairfax Zoning) shown in the General Plan has been revised to indicate the property has a zoning designation of UR-7. This has no impact on the current adopted Zoning Map which already shows a land use designation of UR-7.

Housing Element Revisions

While the proposed revisions to the Housing Element can be considered errata or minor statements of clarification, the Council wanted to include these revisions in a General Plan amendment to eliminate any uncertainty as to zoning densities. Specifically, Tables H-3, H-5, and H-12 in the Housing Element incorrectly listed a density of .25 units/acre for UR-7 and UR-10 zoning designations. The revisions include the correct density of .14 units/acre for UR-7 and .10 units/acre for UR-10.

The following are the Housing Element revisions contained in this GP Amendment:

- 1) Added residential zoning districts (e.g., RM, RS-7.5) and "Fairfax Planning Area (FPA)" designation not initially included on Table H-3;
- 2) Provided more clarity as to the typical housing types within the zoning districts on Table H-3. For example, staff added "emergency shelters" under "Typical Housing Type(s)" for Central Commercial, added "see Town Code Chapter 17.108" under Recreational

Commercial, and added under Public Domain that the only residential use is for emergency shelters;

- 3) Eliminated reference to the Service Commercial zoning district which does not allow residential uses and the SF-RMP district since there are no parcels in Town with that zoning designation on Table H-3;
- 4) Changed "CUP" = conditional use to "C" in Table H-4;
- 5) Clarified narrative regarding densities on page H-17;
- 6) Added a note to Table H-5 and corrected formatting errors;
- 7) Revised residential development standards listed in Table H-5 to better reflect zoning code (Note: staff added these revisions upon further review of Table H-5);
- 8) Revised Tables H-3, H-5, and H-12 in the Housing Element to correct the density of .14 units/acre for UR-7 and .10 units/acre for UR-10;
- 9) Revised HE Objective H-1.1 to correct numerical inconsistencies (i.e., 124 units and not 108). Note: It is derived from the total regional housing needs determination (from 1999-2014) of 172 units less the 48 units that have either been approved, built, or allowed by right during that same 15 year period;
- 10) Corrected the reference to UR-7 zoning on the "Opportunity Site Master List" map and made other minor typographical corrections such as changing the term "Light Commercial" to "Limited Commercial" and "Planned District Development" to "Planned Development District;"
- 11) Revised HE Program H-4.1.1.6 to provide clarity that revisions in the PDD zoning apply only to certain Opportunity Sites;
- 12) Revised HE Program H-4.1.1.7 to provide clarity that the proposed rezoning for Opportunity Sites would allow residential units by right, but still require such approvals as design review.

Attached are red-lines of the proposed revisions by page number in the Housing Element as well as the corrected "Town of Fairfax 2010-30 General Plan Map & Zoning Map." Please note that the red-line revisions highlighted in yellow represent additional revisions recommended by staff. The entire Housing Element is available on the Town's website at www.townoffairfax.org.

FISCAL IMPACT

n/a

ATTACHMENTS

Redlines of tables and narratives
Resolution 14-40 (with exhibits)