

**FAIRFAX TOWN HALL FORUM**

**POLICY TO REZONE PROPERTIES IN  
THE CH TO CC**

**October 29, 2015**



# Background

- ▶ 2010 Housing Element adopted by TC in October 2013
- ▶ Petition and repeal of rezoning actions in 2014
- ▶ Two Town Forums and numerous meetings regarding General Plan and Housing Element in 2014
- ▶ Updated 2015 Housing Element adopted by TC in May 2015
- ▶ “FRESH START” – Town Forum to discuss the key considerations of converting Highway Commercial (CH) to Central Commercial (CC) which would allow second story residential units without a permit



# Objective of the Forum

- ▶ Discuss policy considerations and process for changing Town Code to allow second story residential units in the downtown area without a use permit
- ▶ Not here to discuss the merits of CH to CC policy
- ▶ Considerations:
  - Parking
  - Traffic
  - Affordability
  - Unit Size/Type
  - Number of Units
  - Uses



# Forum Structure

- ▶ 6:00–9:00pm (7:30–8:00pm)
- ▶ Staff act as both facilitator and resource
- ▶ Hear presentation
- ▶ View display boards
- ▶ Discussion of policy considerations
- ▶ Community input
- ▶ Record comments on flip chart
- ▶ Questions/Answers
- ▶ Next Step/Schedule



# WHY CH TO CC?

- ▶ Discussions with State HCD
- ▶ Regional Housing Needs Allocation
- ▶ Why residential units in downtown?
  - Historic nature
  - Autocentric
- ▶ How many 2 story buildings in existing CC area?
- ▶ How many residential units?



# Aerial of Downtown



# Housing Element Policies

- ▶ Goal H-3: Create transit oriented housing in the Town Center area that is less dependent on automobile travel and, thereby minimizing traffic impacts to the greatest extent possible while providing support for transit.
  - Objective H-3.1.1 Develop at least 53 units of lower-income housing within a convenient distance from transit access points, where reduced automobile usage and parking requirements are possible.

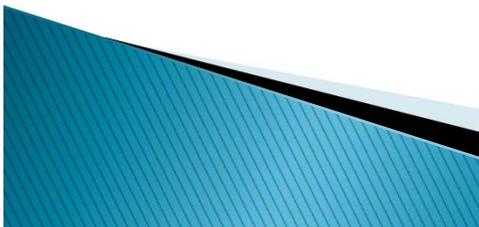
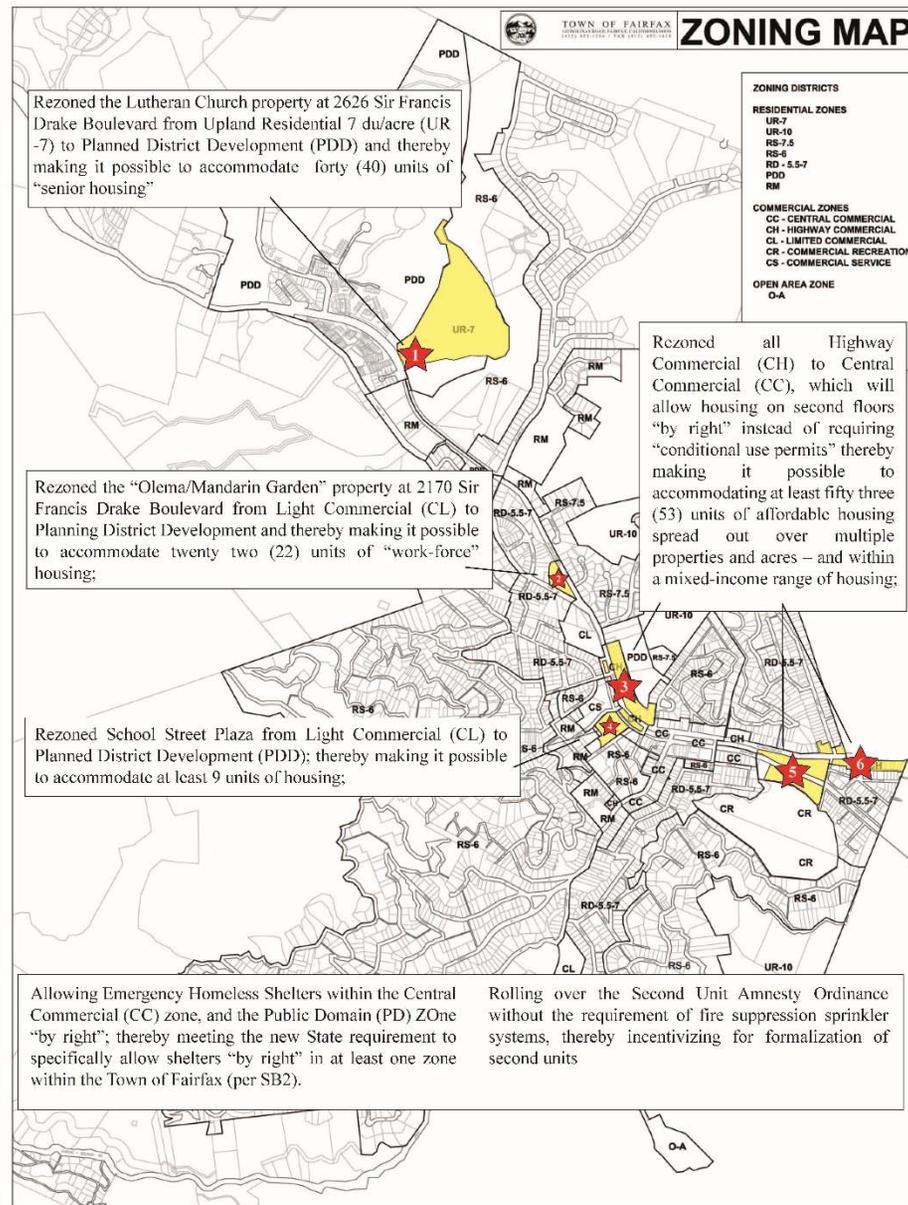


# Housing Element

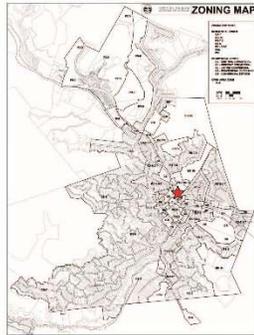
- ▶ Policy H-3.1.1: Transit-Oriented Development. The Planning Commission and Town Council will appropriately rezone areas to promote a mix of land uses that are transit supportive and complement the historic nature of the Town – as articulated in the 2010 Land Use Element.
  - Program H-3.1.1.1: Amend CH Zone. Rezone all CH zones to CC zones, which will allow housing on second floors by right instead of requiring Conditional Use Permits.



## Opportunity Site Master List - 6 Total Sites



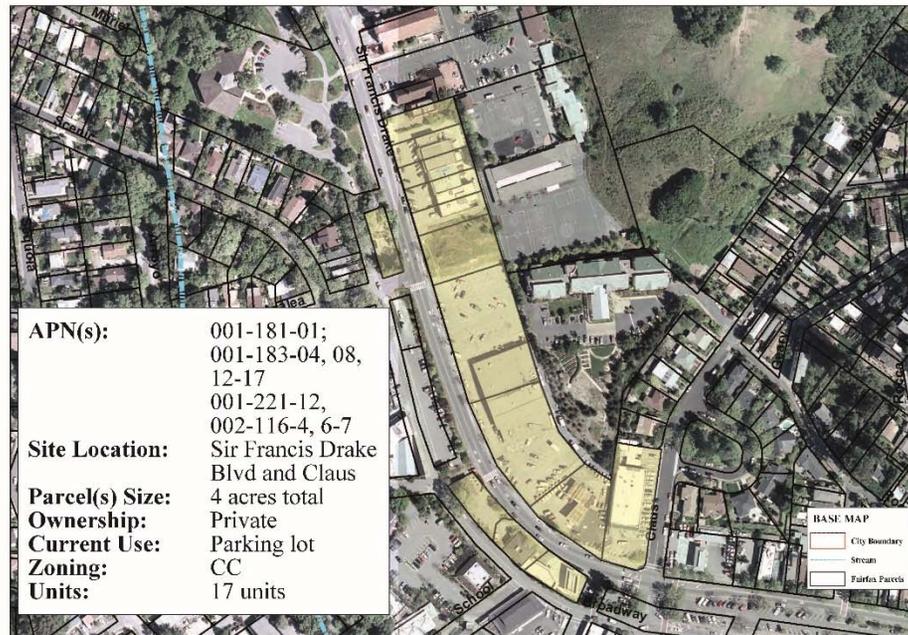
### Site #3: Westside Commercial (14 total parcels)



Locator Map



Site Photo

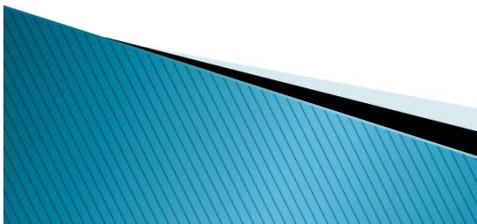


**APN(s):** 001-181-01;  
001-183-04, 08,  
12-17  
001-221-12,  
002-116-4, 6-7  
**Site Location:** Sir Francis Drake  
Blvd and Claus  
**Parcel(s) Size:** 4 acres total  
**Ownership:** Private  
**Current Use:** Parking lot  
**Zoning:** CC  
**Units:** 17 units

**BASE MAP**  
City Boundary  
Stream  
Fairfax Parcels

#### Site Description:

Shopping centers that houses the Women's Fitness Center, Veterinary Office and parking lagoons adjacent to monolithic structures including the Fairfax Market. Three smaller parcels on the southside of Sir Francis Drake in the old railroad right-of-way including a restaurant, bank and gas station



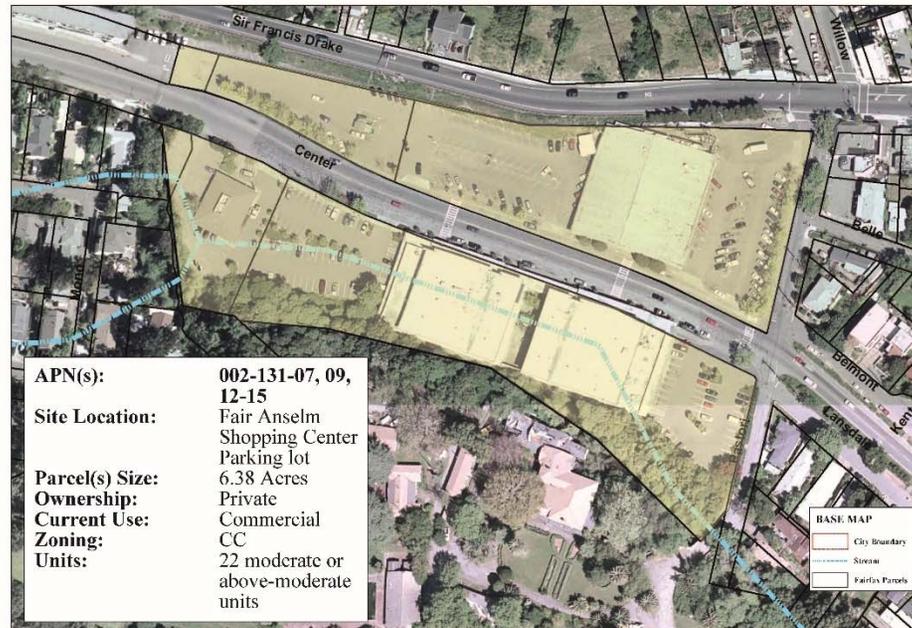
## Site #5: Fair Anselm - (6 total parcels)



Locator Map



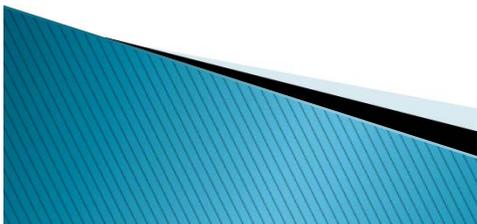
Site Photo



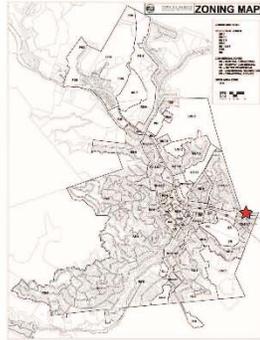
**APN(s):** 002-131-07, 09, 12-15  
**Site Location:** Fair Anselm Shopping Center Parking lot  
**Parcel(s) Size:** 6.38 Acres  
**Ownership:** Private  
**Current Use:** Commercial  
**Zoning:** CC  
**Units:** 22 moderate or above-moderate units

### Site Description:

The shops and parking lot are underdeveloped. There is potential for two story mixed use development



## Site #6: Eastside Commercial - (18 total parcels)



Locator Map

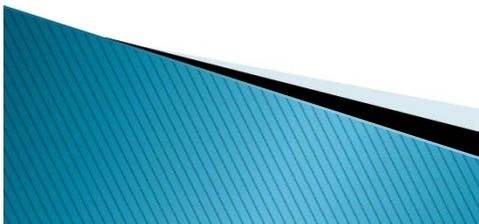


Site Photo



### Site Description:

An eclectic mix of old homes, apartments, private pre-school and offices - with a strong sense of community; and an overall lack of parking which restricts some uses from occupancy the commercial spaces and/or development.



## Environmental Review for CH to CC

- ▶ Modeled 53 residential units and 15,500 sf of additional commercial.
- ▶ *Conclusion: Approved Mitigated Negative Declaration*

## Traffic Analysis Report

- ▶ *Conclusion: Traffic modeling indicates not any significantly worse with residential units and commercial space.*

(Note: Any additional units or commercial square footage (sf) may require additional environmental review)



## Current Standards for Residential Units in CC zone

- ▶ Second floor residential units allowed w/o use permit
  - ▶ 28.5 ft height limitation with a maximum of two floors
  - ▶ Use Permit required for ground floor residential and live/work space
  - ▶ No minimum or maximum number of units (i.e., density) for CC zone
  - ▶ No unit size minimums or maximums
  - ▶ No affordability restrictions
  - ▶ Projects are subject to Design Review process and additional environmental review, if required
- 

# Considerations for the Council

- ▶ Current Standard
- ▶ Town Objective– affect standard
- ▶ Considerations
  - Change standard and establish base parameters



# Parking Standards In CC Zone

## Current Standards:

- ▶ 1 space for studios, 2 spaces for any bedroom, guest parking depends on combination of uses

Objective: Affordable housing? Encourage housing?

## Considerations:

- ▶ Keep the current standard– apply for variance
- ▶ No requirement for residential and/or commercial
- ▶ Reduced requirement for residential depending on unit type (Note: AB 744)
- ▶ Parking in-lieu fee/parking assessment district (Note: Town Center Plan to include managed parking plan)



# AFFORDABILITY

## Current Standard:

- ▶ No restrictions, but affordable by design (i.e., small efficiency units)

Objective: Affordable housing? Market rate?

Marin County 2015 HUD Median (100%)  
income

1 person household- \$72,100

2 person HH- \$82,400

3 person HH- \$92,700

4 person HH- 103,000



# Rental Rates in Marin County

Beds	Inventory	Marin County	<u>United States</u>	<u>United States</u>
0	183	\$2,413	N/A	N/A
1	1,205	\$2,287	N/A	N/A
2	3,687	\$3,108	N/A	N/A
3	4,685	\$4,045	N/A	N/A
4	2,593	\$5,463	N/A	N/A
5+	1,131	\$11,962	N/A	N/A
Others	680	\$4,871	N/A	N/A

Source: realtor.com



# What should be the affordability level?

Rule of Thumb is affordable rent does not exceed 30% of gross income including utilities

- ▶ *No restriction or target affordability level*
  - ▶ *Median Income (1 per. HH)– \$72,100/yr*  
Rent – approx. \$1,803 /mo.
  - ▶ *Low income (80% of median)– \$ 65,700*  
Rent – approx. \$1,643 /mo.
  - ▶ *Very low income (50%) – \$41,050*  
Rent – approx. \$1,026 /mo.
  - ▶ *Extremely low income (30%) – \$24,650*  
Rent – approx. \$616 /mo.
- 

# Affordability Restrictions

- ▶ Inclusionary Zoning which targets specific income level and % of units to be affordable
- ▶ Rent control
- ▶ By design/size (see Unit Size/Type)



# Unit Size/Type

## Current Standards:

- ▶ No Standard

Objective: Affordable units? Workforce housing? Family or single/couple?



# Considerations

## Type of units and size

- ▶ Small efficiency units (less than 500 sf)
- ▶ Range 300 sf to 700 sf
- ▶ Studio
- ▶ Apartments
- ▶ Live/Work space



# Number Of Units

## Current Standards:

- ▶ No minimum or maximum number per building in the CC zone

Objective: Affordable units? Family or single/couple?

## Considerations:

- ▶ No established limit other than site, CEQA, and building constraints per Town Code (e.g., height limitation)
  - ▶ Create average unit size standard for building (e.g., 500 sf) which will create max. and min. depending on the building square footage
  - ▶ Create maximum and/or minimum limit
- 

# Commercial Uses

- ▶ Would create legal non-conforming uses in CC
  - That will be corrected
- ▶ Language revisions



# QUESTION AND ANSWER

## Community Input



# Next Step/Schedule

- ▶ Recommending that Council refer the matter to the Planning Commission for discussion/consideration based on Council parameters developed at the Forum.
- ▶ PC may conduct additional community workshops
- ▶ PC recommendation to the TC in Spring 2016



# WRAP UP & NEXT STEP

