Fairfax Town Council
General Plan Forum
Frequently Asked Questions

1. **What does workforce housing mean?**

   Workforce housing refers to housing specifically designated for employment categories such as teachers, fire personnel, police officers, and service workers (e.g., retail, food) who work in Town.

2. **What is the advantage to preapproving density?**

   Designating a group of parcels, or a land use area, for a certain amount of development potential in advance of any specific project application, allows the Town to plan for infrastructure needs (utilities, road improvements, services and service personnel). Doing so also allows the Town to analyze the potential impacts of projects under the California Environmental Quality Act (CEQA). Potential project sponsors also are alerted to Town's preferred development parameters prior to incurring predevelopment costs, thereby reducing uncertainty in the development process.

   Further, under California law illegal "spot zoning" may result when a small parcel of land is subject to more or less restrictive zoning than surrounding properties. In that regard, comprehensive land use planning reduces the risk of litigation over spot zoning that could be construed as "irrational discrimination".

3. **What does affordable mean?**

   One's ability to pay for housing (ownership or rental) defines affordability. Spending 30 percent of household's gross income on housing (principal, interest, property taxes, and insurance) is the measurement for calculating affordability. For example, a middle school teacher earning $70,493 per year should only pay a maximum of $1,762 per month for housing (ownership or rental); a postal clerk earning $45,767 per year would only pay a maximum of $1,144 per month for housing (ownership or rental).

4. **What does *low-income* mean?**

   As defined by the California Housing Element law, low income means households earning less than 80 percent of the Marin County annual median income adjusted for household size. For 2014, the annual median income in Marin County for a family of 4 is $97,100. A family 4 is considered low income if they earn less than $88,600 per year. A very low income family of four earns less than $55,350 per year. A one-person household earning less than $38,750 per year is considered very low income, and if less than $23,250 per year, extremely low income.

5. **How do those units later not become market-rate housing?**

   The most common method to ensure that the units remain affordable is to place a deed restriction on the project, which places limitations on the use of the property. Deed restrictions can regulate the type of housing, and run with the land – meaning they cannot be changed or removed by subsequent owners. Often times the financing for affordable housing projects requires a 55-year affordability restriction.

6. **How does Central Commercial (CC) allow for second floor residences by right?**

   Section 17.52.040 of the Town's Zoning Ordinance includes a list of 55 uses that are allowed "by right" in the CC zone, meaning that a Conditional Use Permit process is not required for those specific uses. Number 43 on that list is "Residential uses on the second floor".

7. **What is the easement at the Bank Street right of way?**

   There is a public easement across the southern portion of the former gas station site. The Town could use that easement to connect Bank Street to Sir Francis Drake, or for other uses.

8. **What is the benefit in designating the School Street Plaza site Planned Development District (PDD) instead of just submitting a regular project application?**

   By designating the School Street Plaza site PDD, with or without establishing an allowable "base density", the Town is able to include the site's development potential in the impact assessment under the CEQA and adds certainty to the process for both the town and applicant. Conversely, a regular project application under the current Limited Commercial (CL) zoning, where residential uses require a "conditional use permit", adds uncertainty to the process and is a disincentive to a potential project sponsor.

9. **Who is in charge of making it affordable, and how affordable?**

   The project sponsor and the Town work together to determine how many units in a specific project are designated as affordable. The project sponsor's funding mix can influence and/or restrict affordability. The Town's General Plan and zoning ordinance can also influence affordability.

10. **What about using second units as part of the next RHNA round? (Part of comments regarding School Street Plaza)**

    The Town included three new second units (e.g., illegal second units coming into compliance through an amnesty ordinance and/or new second units created) in the most recent Housing Element, which was the most that the State Office of Housing & Community Development (HCD) would allow since the Town's prior recent history of adding second units had been minimal and because there was just one planning year left in that RHNA period (cycle 4). Staff intends to include 16 new second units in the next RHNA round (cycle 5) since there have been two new second units permitted in the last year and there will be eight years left (e.g., 2x8=16) in the new RHNA cycle 5 (assuming that the Town completes the next Housing Element update by May 31, 2015, otherwise the town will be on a four year cycle going forward).

    Attached is a graphic showing the last RHNA allocation of 172 units by income group and how the town addressed meeting those numerical targets.

11. How can it be done the "Fairfax way"?

By changing the zoning for the specific Opportunity Sites identified in the 2010 Housing Element, in advance of any development proposals, to accommodate a variety of affordable housing, the Town was providing the leadership to meet the State's housing requirements.

12. When is the Town built out?

Within the existing Town boundaries, the Town is already nearly built out in that there is a limited amount of vacant undeveloped land, much of which is either very steep or constrained by other environmental characteristics. There are however, underdeveloped "infill" opportunity sites, some with, and some without environmental constraints.

The Town is expected to experience slight growth in the next 10 to 15 years, and the job market is also expected to increase slightly. Between 2010 and 2020, the Town is expected to gain approximately 200 new residents and 120 new jobs. Please note: Though unlikely for the Town of Fairfax, annexation of adjacent undeveloped land is one way that some municipalities expand to accommodate additional growth when available land within existing boundaries is no longer available.