



MEMORANDUM

DATE: September 13, 2010
TO: Housing Element Committee (HEC)
FROM: Lilly Schinsing, Associate Planner 
SUBJECT: Evaluation of 1995 Housing Element

Discussion

At the August 23, 2010 HEC meeting the HEC directed staff to work with a subcommittee to review the draft evaluation of the 1995 Housing Element. The subcommittee met on September 2, 2010 and September 7, 2010 to discuss the draft evaluation. Vice Chair Cox will be presenting an overview of the subcommittee's discussion and has provided the attached document for the HEC's review.

Attachment: Town of Fairfax "Evaluation of the 2006 Housing Element," page 25 of the public presentation draft, dated August 26, 2010

I:\CDD\Boards & Committees\HEC\Memos\Evaluation Memo 9-13-10.doc

ITEM NO. 5 PAGE 1

Item 5
(2 PAGES)

Evaluation of the 2006 Housing Element

State Law requires the assessment of the following: Appropriateness of Goals, Objectives, and Policies (65588(a)(1)); Effectiveness of the Element (65588(a)(2)); Progress in Implementation (65588(a)(3)). The 2006 Fairfax Housing Element has unsatisfactory evaluations in these categories; we seek to change that with the adoption and State Certification of the 2010 Housing Element.

Town staff prepared an assessment of the progress with implementation and effectiveness of the policies and programs contained in the 2006 Housing Element; and considered the State recommendations in order to eventually be certified. It is evident that the Town of Fairfax has not been successful in implementing policies and programs from the 2006 Housing Element in order to accommodate our current needs. In short, many of the policies and objectives proved unattainable.

As a result, the 2010 Housing Element update must take into account the shortcomings of the 2006 Housing Element to ensure that the Town of Fairfax does not face fines and penalties from state and federal agencies, or challenges from housing advocacy groups.

The single program that was implemented was Policy H 8.5: Legalization of Existing ADUs and Program H 8.B: Establish an Amnesty Program for Un-Permitted ADUs. However, due to stringent fire sprinkler requirements and/or parking requirements the Amnesty Ordinance – to date – has not been successful. In spring of 2010 Town Council Amended the Second Unit Amnesty Ordinance eliminating the need for fire sprinkler systems in order to bring units in to compliance; it is hoped that many informal units will take advantage of this revision and the time period extension.