

SUSTAINABLE TAMALMONTE
215 JULIA AVENUE
MILL VALLEY, CA 94941

November 16, 2011

Supervisor Kathrin Sears
3501 Civic Center Drive, Suite 329
San Rafael, CA
Re: Analysis of Impediment to Fair Housing Choice & Implementation”

Dear Supervisor Sears,

Like most Marin residents, the Sustainable TamAlmonte Executive Committee members support the principle that all people should have the ability to buy or rent housing without being subject to discrimination on the basis of race, ethnicity, age, disability, gender, the presence of children or any other category. We also applaud your dedication to furthering social equity. Unfortunately, some of the provisions of the Analysis of Impediments (AI) of Fair Housing Choice and Implementation Plan (Draft – Revised October 4, 2011) work against these just causes and would be detrimental to current and future Marin residents and the environment.

We suspect that the AI Plan is lacking, in part, due to the fact that many areas in Marin were not represented in the decision-making process.

Due to these reasons, the Sustainable TamAlmonte Executive Committee is disappointed that you voted in favor of the Analysis of Impediments (AI) to Fair Housing Choice and Implementation Plan (Draft – revised October 4, 2011). We urge you to re-evaluate the Analysis of Impediment Plan and: 1) Arrange for the Supervisors to review and significantly amend the AI Plan; or else 2) Arrange for the Supervisors to revote, vote “no” and reject the HUD grant.

The Analysis of Impediments To Fair Housing Choice & Implementation Plan (DRAFT – Revised Oct. 4, 2011) is unsatisfactory for the following reasons:

- It unnecessarily lessens local control.
- Due to its ‘one size fits all’ approach, many provisions in the AI Plan are inappropriate for most Marin jurisdictions.
- Some of the recommendations are beyond the County’s purview.
- Marin is in good standing with HUD and no serious violations of the fair housing and equal opportunity regulations have been found in Marin.

Therefore, the “pro-development” mandates of the 2011 Analysis to Impediments are overzealous.

- Most of the recommendations do not have funding and will increase strain on the County budget.
- Regarding Recommendation #9: Permitting affordable housing projects ministerially or through a streamlined process should never be allowed. This would obviously constrain public input on planning decisions. This is in direct opposition to looking out for the best interests of Marin residents, the environment, and future affordable housing residents.

Time and time again, the Marin County planning department has demonstrated a lack of knowledge of individual communities (E.g. Tam Valley & Almonte). Only with local input, did the planning department become aware of crucial information.

Large, high-density developments (typically pursued by affordable housing developers) present the greatest potential for environmental impacts, risk to public health and safety, and incompatibility with traditional neighborhood character. As such, they should be given greater scrutiny not less.

Thorough review is necessary to ensure that housing is fair – meaning equitable, compatible, and environmentally sustainable. A lack of thorough review could lead to: 1) a reduction of building and living standards; and 2) potential detriment to public health & safety and the environment, especially when projects are located in vulnerable areas.

- Regarding Recommendations #10 & #11: Recommendations #10, #11 are discriminatory. It has long been proven that different is NOT equal. Encouraging affordable housing to have higher-than-normal density levels, crowded conditions, and smaller-than-normal sized residences is a boon to developers but paves the way for low income and minority households to live in substandard conditions. It constitutes environmental injustice as it exacerbates the disparities between high income households and low to moderate income households. Furthermore, high-density development has greater environmental impacts and is incompatible with the vast majority of Marin neighborhoods.
- Regarding Recommendation #30: Residential developments should not be encouraged to be located near transit hubs, if such hubs are near busy roads, highways or freeways. This is because it has been proven that residents, who live near busy roadways, have a significantly higher risk of

developing serious illnesses (cancer, respiratory disease, impaired lung development and cardiac disease). To place low-income residents in such peril is especially grievous because they are less likely to have the resources for proper care.

- Regarding Recommendation # 18 & Page 9 of the Appendix:
Recommendation #18 states; *“Conduct regular surveys of privately developed affordable housing projects which are subject to local government restrictions on household income, to determine racial and ethnic demographics of residents.”* Furthermore, Page 9 of the Appendix - *“Background Information about the Voluntary Compliance Agreement”* states; *“We will be asking local governments for demographic information about the occupants of inclusionary units. We will be asking sponsors of Community Development Block Grant (CDBG) and HOME projects to increase their affirmative marketing efforts to recruit participants and residents from the demographic groups deemed least likely to apply.”*

As already stated, all people should have the ability to buy or rent housing without being subject to discrimination on the basis of race, ethnicity, age, disability, gender, the presence of children or any other category.

If the above provisions encourage affordable housing projects in Marin to 1) market equally to all types of people, including protected groups, living or working in Marin and 2) treat all applicants equally when selecting tenants/owners, then they are satisfactory. However, if these provisions encourage Marin’s affordable housing projects to 1) primarily market to protected groups located outside of Marin because Marin’s population and workforce are not diverse enough and 2) give priority to applicants of these same groups located outside Marin over Marin residents or workers who are eligible for affordable housing but who happen to be unprotected, then the provisions are discriminatory against Marin residents and Marin workers. As such, the validity of spending Marin residents’ tax money on the program is questionable, since Marin residents’ tax money should be primarily designated to serving Marin.

The Analysis of Impediments Plan links fair housing with affordable housing. As already expressed to you, Sustainable TamAlmonte supports affordable housing that: 1) Meets Marin’s needs (not necessarily State or Federal mandates) without new development; 2) Has density levels that are compatible with Marin neighborhoods and development standards equal to market-rate housing and undergoes thorough environmental impact review; 3) Is integrated with Marin neighborhoods throughout Marin, rather than primarily located at segregated and unhealthy transit hubs; 4) Is truly sustainable; and 5) Is fiscally responsible. We would support an AI Plan that fosters these criteria.

Thus, we urge you to re-evaluate the Analysis of Impediment Plan and: 1)
Arrange for the Supervisors to review and significantly amend the AI Plan; or else
2) Arrange for the Supervisors to revote, vote “no” and reject the HUD grant.

Thank you for your kind consideration.

Very truly yours,

SUSTAINABLE TAMALMONTE EXECUTIVE COMMITTEE

Sharon Rushton, Adrian Gordon, Lynn Reid, Sandy Glading, Camille Johnson,
Ann Spake, and Gene Spake