



THE TOWN OF
CORTE MADERA
MARIN COUNTY CALIFORNIA

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SANITARY DISTRICT NO. 2
415-927-5057

CENTRAL MARIN
POLICE AUTHORITY
415-927-5150

October 6, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear Board President Arreguín:

On behalf of the Town Council of the Town of Corte Madera, please accept our comments related to the proposed Regional Housing Needs Allocation (RHNA) methodology recommended by the RHNA Housing Methodology Committee (HMC). Please consider these comments in advance of the October 15, 2020 ABAG Executive Board meeting where the recommended methodology will be discussed.

The Town of Corte Madera appreciates the efforts and dedication of the diverse stakeholder group of HMC members over the last year in attempting to make a collective recommendation regarding the appropriate distribution of 441,000 new housing units within the region and understands the urgency and challenge of addressing regional policy goals related to housing affordability, climate change and equity in this RHNA cycle. Unfortunately, however, the methodology recommended by the HMC allocates new housing units to areas that lack adequate transportation infrastructure, away from existing and future job centers, and into areas at risk of sea level rise and wildfire in quantities inconsistent with the growth patterns and policy objectives more carefully considered in Plan Bay Area 2050. As a result, the recommended methodology and resulting RHNA, if indeed intended to set realistic quotas for housing growth regionally, will not only fail to meet the Bay Area's total regional housing need, but will threaten our region's ability to grow sustainably into the future.

Our conclusions may be best illustrated by the fact that, pursuant to the proposed HMC methodology, the Town of Corte Madera is expected to experience an 18% household growth rate from 2019 as a result of the 2023-2031 RHNA. This is a greater growth rate than Berkeley and Oakland in the East Bay (16% and 17% respectively), San Mateo and Redwood City on the Peninsula (17% each), and significantly greater than San Rafael and Santa Rosa in the North Bay (12% and 10% respectively), yet Corte Madera lacks a Major Transit Stop and is expected to lose approximately 3,000 jobs (or approximately 43% of its current jobs) by 2050 according to the Plan Bay Area 2050 Draft Blueprint.

Other similarly situated cities in Marin and the region are expected to grow at similarly high relative growth rates between 2019 and 2031, despite Plan Bay Area 2050 projections to the contrary. The result is to push a greater proportion of new development into areas that will promote auto dependency and longer commute times, exacerbate GHG impacts, and run counter to the goals and objectives well-formulated and strongly articulated in the recently released Plan Bay Area Blueprint. Additionally, for Corte Madera, it means pushing housing

growth into areas that are either increasingly at risk due to projected sea level rise or wildfire since the vast majority of Corte Madera's geographic area is in either FEMA's 100-year flood plain or the Wildland Urban Interface (WUI).

To reduce the negative effect of the proposed HMC RHNA methodology, we recommend consideration of both of the following changes to the recommended methodology:

- *Utilize Plan Bay Area 2050 household (HH) growth rates between 2019 and 2050 as the baseline for the RHNA allocation rather than Plan Bay Area HHs in 2050.*

Utilizing the PBA 2050 household growth rate as the baseline will align RHNA more closely with Plan Bay Area Blueprint objectives related to reducing GHG emissions by focusing a greater proportion of growth to areas where transportation investments, job growth, and beneficial market conditions are expected to exist. This proposed change to the HMC methodology is supported by many other Bay Area jurisdictions who have also provided public comments and was supported by ABAG staff in its July 2020 report to the HMC.

- *Reduce the 40% allocation factor to High Resource Areas for moderate and market rate units utilized in Recommended Option 8A*

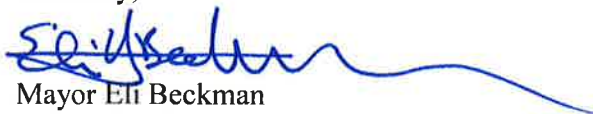
While not clear from the presentation materials provided to the HMC, it appears that the 70% allocation factor for very low and low-income units, and the 40% allocation factor for moderate and market rate units, are driving a significant number of additional units to High Resource Areas, such as Corte Madera, beyond that anticipated in Plan Bay Area 2050. It is not clear how the 40% allocation factor for moderate and market rate units helps further the equity purpose the HMC intends, as it would appear to drive relatively more higher income households to High Resource Areas. Reducing or eliminating this allocation factor would presumably reduce the overall housing allocation to jurisdictions like Corte Madera without affecting the strategy the HMC proposes to introduce greater equity into the RHNA process.

While we again recognize the challenge that the HMC faced in developing an appropriate allocation methodology, and appreciate many of the thoughtful contributions they have introduced into the process, we believe the outcomes of the recommended methodology, without modifications, *do not further the statutorily mandated objectives of RHNA and are inconsistent with Plan Bay Area 2050 objectives* that aim to grow the Bay Area sustainably and allocate scarce resources efficiently.

As one of the few Bay Area jurisdictions to meet and exceed its current 5th Cycle RHNA allocation with respect to all income categories, Corte Madera believes that there is room in our community to thoughtfully develop new housing that both helps to address the region's affordability and equity issues and improves the quality of our Town. Without modification however, the recommended HMC methodology presents wholly unrealistic housing quotas over the 2023-2031 RHNA cycle which appear to simply be a punitive attempt to set higher resource communities up for failure and state-imposed land use controls and penalties.

We thank you for your time and consideration.

Sincerely,



Mayor Eli Beckman
Town of Corte Madera

From: [Edward Sing](#)
To: [Fred Castro](#)
Cc: [Paul Foreman](#); reylagraber@aol.com
Subject: Item 6a on Nov. 12, ABAG Regional Planning Committee Agenda Public Hearing on RHNA Proposed Methodology
Date: Wednesday, November 11, 2020 8:39:42 PM

External Email

It would be greatly appreciated if you can pass this email on to the Regional Planning Chairman and Committee Members.

Dear Regional Planning Committee Chairperson Mitchoff and Committee Members:

I would like to add my support to Paul Foreman's comments to you, below regarding Item 6A of your November 12th Planning Committee meeting - in addition to the following:

One concern that arose during discussions of the recently defeated Measure Z in Alameda (which would have removed voter approved development restrictions in Alameda) is the susceptibility of Alameda to multiple natural hazards (earthquakes, liquefaction, sea level rise, tsunami surges). Although these hazards exist for many cities adjacent to San Francisco Bay, Alameda is unique in that egress from Alameda should such natural hazards occur and emergency response access to the island is limited to aging bridges and tunnels which are already overwhelmed during normal rush hour conditions. Adding RHNA 3900 housing units in the period from 2023 to 2030 would require building another 12000 (approximate) market rate units in order to achieve the RHNA target. This would increase the total number of housing units in Alameda by over 30% (approximate), burdening an already stressed infrastructure as well as exacerbating ingress onto and egress off of the island during emergency conditions. Such concerns should be reflected in the process of determining RHNA requirements for Alameda.

The RHNA requirements stress proximity to major city centers. This might have been a valid factor pre-Covid but now, it has been demonstrated that teleworking has greatly decreased the need for proximity to the major city centers and will inevitably create a need for more jobs in professional as well as service industries in more outlying cities. Such changing employment and housing needed characteristics should be reflected in the process of determining RHNA requirements for Bay Area cities. Even discounting potential changes in employment centers due to Covid, giving more weight to proximity to major business centers is somewhat tenuous, as pre-Covid, over 400,000 commuters used mass transit to commute from outlying cities into the major business centers.

I fully support the concept of social equity. However, I ask that you consider Paul Forman's and my concerns and viewpoints regarding the proposed RHNA requirements for the City of Alameda.

Thank you,

Edward Sing
Alameda Resident

From: ps4man@comcast.net <ps4man@comcast.net>
Sent: Wednesday, November 11, 2020 3:39 PM
To: 'fcastro@bayareametro.gov' <fcastro@bayareametro.gov>
Subject: Item 6a on Nov. 12, ABAG Regional Planning Committee Agenda Public Hearing on RHNA Proposed Methodology

Dear Regional Planning Committee Chairperson Mitchoff and Committee Members:

The purpose of this letter is to express my concern with the ABAG Executive Board's tentative adoption of a methodology that does not include natural hazards in the allocation formula. On page 5 of the Oct. 15 report of the Executive Director he comments on the decision to omit this factor from the methodology with the parting sentence, "Local governments will have the opportunity to consider the most appropriate places for planning for housing in lower-risk areas when they update the Housing Elements of their General Plans." That may be true of most cities in the Bay area, but it is certainly not true of my City, Alameda.

The ABAG Natural Hazard map at https://abag.ca.gov/sites/default/files/factor_01_natural_hazards_v2.pdf indicates that Alameda is among those cities with the lowest percentage of urbanized area outside of a hazard zone (less than 50%). It is obvious that the primary hazard that causes this is sea level rise. See <https://www.nbcbayarea.com/investigations/unlike-any-disaster-we-have-ever-seen-says-state-agency-about-rising-seas-in-bay-area/2236314/> which indicates the current projections for year 2100 are 66 inches with a storm surge level of 84 inches. A review of flood visualization maps shows that the portion of Alameda that is outside of a hazard zone is the center of the island which is already a very densely built up area. Therefore Alameda has ***no choice*** but to build new housing directly in the flood hazard zone. In fact, the 4000 plus new units that have been approved in the present cycle are primarily in the flood hazard zone.

Add to all of the above the fact that Alameda is an island with very limited ingress /egress over antiquated tubes and bridges and the fact that most of our police and fire first responders live off the island.

None of the above is intended to argue that Alameda should not have a significant RHNA. We are a high resource City that fits very well into the equity factor. However, a fair allocation demands that our negative natural hazards factor should be an element of the final allocation.

To fail to do so endangers not only present residents but also those who will be occupying the new housing.

Sincerely,

Paul S Foreman

November 11, 2020

Mayor Jesse Arreguin, President
Executive Board, Association of Bay Area Governments
375 Beale Street, Suite 700
San Francisco, CA 94105

RE: Proposed RHNA Methodology - Support for **Option 8A** using the Plan Bay Area 2050 **Households** Baseline with the **Equity Adjustment**

Dear President Arreguin and ABAG Executive Board,

We are a diverse set of organizations and stakeholders, including the 6 Wins for Social Equity Network and close partners, from across the region focusing on housing, the environment, and the economy. **We strongly support ABAG's proposed RHNA methodology, known as the "High Opportunity Areas Emphasis & Job Proximity" methodology ("Option 8A") using the Plan Bay Area 2050 Households baseline, but believe the methodology needs to be further refined through a small but meaningful adjustment to more fully meet the statutory objective for affirmatively furthering fair housing.**

With the adjustment, this methodology will move us closer to an inclusive and prosperous region where all residents have a safe and affordable home and equal access to environmental, economic, and educational opportunity.

Option 8A represents a sound compromise born of an in-depth, iterative process at the ABAG Housing Methodology Committee. Over the last year, this diverse group of local elected officials, city and county staff, and community stakeholders engaged in robust discussion on every aspect of the methodology. ABAG adopted the Committee's recommendation due to its strong performance on the statutory objectives of RHNA. A majority of the Committee also supported an equity adjustment. We urge you to continue to respect the integrity of this process and move forward with the Committee's recommendation, with the equity adjustment.

As ABAG staff has demonstrated through a set of performance metrics, Option 8A performs well on all five of RHNA's statutory objectives. This methodology will help our region improve our environment, reduce our commutes, and ensure every resident has a stable home they can afford:

1. Improve our Environment: Option 8A will help improve our environmental health and mitigate climate change in several ways:

- a. The “Access to High Opportunity Areas” factor allocates more homes in jurisdictions with high quality economic, educational, and *environmental* opportunity.¹ This means that more homes, especially affordable homes, will be allocated to jurisdictions with quality jobs, adequately-resourced schools, and minimal pollution.
 - b. The 70 percent weight to the “Access to High Opportunity Areas” factor for affordable homes will require jurisdictions that have mostly zoned for single-family homes to now zone for multi-family housing to meet the very low- and low-income allocations.² Multi-family buildings, such as apartments, are more efficient uses of our space and they use less energy, water, and land than single-family neighborhoods.³
 - c. The Plan Bay Area 2050 Households baseline and job proximity factors allocate more homes near projected job growth, thereby reducing commutes and greenhouse gas emissions. Option 8A with an Equity Adjustment allocates 60 percent of the total RHNA to the counties with highest projected job growth: San Francisco, San Mateo County, and Santa Clara County.
2. Reduce our Commutes: Option 8A will reduce commutes for *all kinds of jobs*, not just the tech jobs in Silicon Valley, in order to meet the new statutory jobs-housing fit requirement. Jobs-housing fit is a jurisdiction’s ratio of low-wage jobs to homes affordable to those workers.⁴ Those workers include farmworkers, service workers at our tourist destinations, homes, offices, and schools, and many others. Currently, many of our jurisdictions have a severely imbalanced jobs-housing fit. For example, Pleasanton’s jobs-housing fit is 19 (meaning there are 19 low-wage jobs for every home affordable to those workers), Danville’s is 11, and Sonoma’s is 8. Each day, over 180,000 people commute into Contra Costa County for work and about one-third of those commuters are traveling more than 50 miles to those jobs, which means we need homes in Contra Costa County too.⁵ Thus, Option 8A and the Equity Adjustment will help reduce commutes for everyone.
3. Stable Homes for all Bay Area Residents: Residents across the Bay Area have a wide range of income levels but those on the lower end have few options affordable to them. Option 8A helps ensure that there will be new homes affordable in every part of the

¹ California Tax Credit Allocation Committee’s [Opportunity Mapping Methodology 2020](#); Environmental opportunity is based on [CalEnviro Screen 3.0](#), which measures the level of environmental health in each census tract, including the extent of air and water pollution.

² Cal. Gov. Code Section [65583.2\(c\)\(3\)\(B\)](#).

³ “[Apartments in buildings with 5 or more units use less energy than other home types](#),” U.S. Energy Information Administration (June 2013).

⁴ “[Low-wage Jobs-housing Fit: Identifying Locations of Affordable Housing Shortages](#),” UC Davis (Feb. 2016).

⁵ U.S.Census Bureau, Center for Economic Studies at <https://onthemap.ces.census.gov/>.

region. However, an Equity Adjustment, as described below, is necessary to fully meet this need.

An Equity Adjustment is necessary to improve this methodology's performance on the affirmatively furthering fair housing objective. At the Housing Methodology Committee's final meeting on September 18, more than half of the committee supported an adjustment to ensure that each exclusive jurisdiction receives a share of the region's very low and low-income allocations that is at least proportional to the jurisdiction's share of the region's total number of households.⁶ Many members of the ABAG Executive Board also stated on October 15 that meeting the statutory objectives of RHNA and advancing racial equity were critical and worthy of potential improvements to the methodology.

The Equity Adjustment will operate as follows: if a racially and/or economically exclusive jurisdiction receives a share of the region's very low- and low-income allocations that is less than proportional to the jurisdiction's share of the region's households, the Equity Adjustment will add very low- and low-income units to its allocations until the jurisdiction's share of the region's very low- and low-income allocations is proportional to its share of the region's households. For example, if jurisdiction A is racially and/or economically exclusive and is home to 1% of the region's households but receives 0.8% of the region's very low- and low-income allocations, then the adjustment will add at least 0.2% of the region's very low- and low-income allocations to jurisdiction A.

Under the proposed methodology, without an adjustment, there are 17 exclusive jurisdictions that are *not* receiving this proportional share of very low- and low-income allocations.⁷ Using an adjustment to re-allocate just 3,003 more affordable homes (which make up 1.7% of the total lower-income RHNA and 0.7% of the total RHNA) to these jurisdictions will ensure that this proportional threshold is met throughout the region. These allocations are essential to encourage more multi-family zoning, which will further both our need to build more affordably in areas of opportunity and build more efficiently and densely. Otherwise, the RHNA will exacerbate fair housing problems in over one-third of our historically exclusive jurisdictions which would be the opposite of affirmatively furthering fair housing.

⁶ Housing Methodology Committee [Meeting on Sept 18, 2020](#) at 1:06:00-1:06:47 (only 9 out of 31 members voted against the equity adjustment).

⁷ Four out of those 17 jurisdictions are in Napa and Sonoma Counties where fire risk is increasing. Consistent with the duty to affirmatively further fair housing, ABAG should work with HCD and those 4 jurisdictions to discuss how these risks can be mitigated in their housing elements.

To apply the Equity Adjustment, the additional allocations must come from other jurisdictions. The following are a few different ways to perform this reallocation:

1. **Unincorporated jurisdictions:** The Equity Adjustment could take allocations from some unincorporated jurisdictions that may lack sewage and utility lines or have substantial protected open space. If ABAG chooses this option, it must carefully consider which unincorporated areas from which to reduce allocations, because there are many high-income, urbanized communities in unincorporated areas as well. For example, Alamo is an unincorporated community in Contra Costa County where the jobs-housing fit is 10, the median home value is \$1.6 million, and it is a high opportunity area.⁸ Thus, this reallocation must still affirmatively further fair housing by ensuring that the unincorporated areas with high-income, urbanized communities are allocated their fair share of affordable units.
2. **Non-exclusive jurisdictions:** as staff had recommended to the Housing Methodology Committee on September 18, another option is to reduce allocations from all jurisdictions that are *not* “racially and economically exclusive” (as defined by the AFFH performance metric) in proportion to their initial share of the region’s lower-income RHNA.
3. **Least exclusive jurisdictions:** another option is to reduce allocations from the jurisdictions that have the *lowest* extent of racial and economic exclusion (as defined by the AFFH performance metric).

Moreover, **we strongly urge ABAG to reject alternatives, such as changing the baseline, that perform worse on the statutory objectives’ performance metrics.** Alternative proposals that use Plan Bay Area 2050 Growth as the baseline, for example, fail to meet the statutory objective to affirmatively further fair housing and perform worse than the current ABAG proposed methodology on almost all other metrics. If any further adjustments to the methodology are made, they should instead perform holistically better on the metrics and objectives.

Finally, we recognize that there are many essential objectives of the RHNA process that must be advanced through local housing element updates, including equitable planning that accounts for geographies particularly vulnerable to fire and flood, protecting our open space, and dismantling segregation within local jurisdictions. These are essential goals that local jurisdictions must address in their housing elements after they receive their RHNA allocations. State law allows local jurisdictions to plan how to meet their RHNA in ways that are most appropriate for their local context. For instance, they should avoid using sites with

⁸ UC Davis Jobs-Housing Fit [data](#) (2016); [Alamo Census Estimates](#) (2019); California Tax Credit Allocation Committee’s [Opportunity Map](#) (2020).

insufficient water, sewage, and dry utilities,⁹ they should avoid planning for very low and low income homes in the neighborhoods facing moderate and high wildland fire hazards, and they should plan for more affordable homes in the neighborhoods with higher access to opportunity. We look forward to continuing to work with our elected leaders and agency staff across the region to ensure these goals are met.

Now is the time for all Bay Area cities and counties to come together and move collectively toward a more equitable, sustainable, inclusive future where people of all racial and economic backgrounds have access to housing and resources. ABAG's proposed methodology with the Equity Adjustment outlined above will help us get there.

Signed,

Shajuti Hossain, *Public Advocates*

Debra Ballinger, *Monument Impact (in Concord)*

Tim Frank, *Center for Sustainable Communities*

Louise Auerhahn, *Working Partnerships USA (in San Jose)*

Justine Marcus, *Enterprise Community Partners*

Leslie Gordon and Tameeka Bennett, *Urban Habitat*

Rodney Nickens Jr., *Non-Profit Housing Association of Northern California*

Jeffrey Levin, *East Bay Housing Organizations*

Darnell Grisby and Hayley Currier, *TransForm*

Mike Rawson, *Public Interest Law Project*

Matt King, *Sacred Heart Community Service (in San Jose)*

Laura Hall, *EAH Housing*

Héctor Malvido, *Ensuring Opportunity Campaign to End Poverty in Contra Costa County*

⁹ Cal. Gov. Code Section [65583.2](#)(b)(5)(B).