

Lisa Natusch

Subject: RE: Letter on Hillsborough's duty to AFFH in RHNA6.
Attachments: Hillsborough.pdf

From: Salim Damerdji [REDACTED]
Sent: Monday, August 8, 2022 9:17 AM
To: Al Royse <ARoyse@HILLSBOROUGH.NET>; Christine Krolik <ckrolik@HILLSBOROUGH.NET>; Marie Chuang <MChuang@HILLSBOROUGH.NET>; Sophie Cole <scole@HILLSBOROUGH.NET>; Larry May <LMay@HILLSBOROUGH.NET>; General Plan <generalplan@HILLSBOROUGH.NET>
Cc: HousingElements@hcd.ca.gov; Keith Diggs <keith@yimbylaw.org>
Subject: Letter on Hillsborough's duty to AFFH in RHNA6.

Dear Hillsborough City Council:

Please see the attached letter from South Bay YIMBY regarding Hillsborough's duty to AFFH in its 6th cycle Housing Element.

Best,
Salim Damerdji



August 04, 2022

Dear Hillsborough City Council:

We are writing on behalf of **South Bay YIMBY** regarding Hillsborough's 6th Cycle Housing Element Update. As a regional pro-housing advocacy group, South Bay YIMBY works to ensure cities adopt housing elements that are fair, realistic, and lawful.

Per §8899.50(a)(1) of state code, Hillsborough's housing element must affirmatively further fair housing, which entails 'taking meaningful actions... that overcome patterns of segregation.'

The City of Hillsborough is uniquely positioned to affirmatively further fair housing, as Hillsborough is a wealthy, exclusionary city that researchers with the Othering and Belonging Institute at UC Berkeley identify as highly segregated from the rest of the Bay Area. This socioeconomic segregation is caused by the exclusionary cost of housing in your community, where an average home, as of April 30th, costs \$5,644,000, which is only affordable to someone earning a salary of \$814,000, meaning **only the richest 1% of households can afford to settle down in your community**. To put a finer point on the level of affluence in your city, the average home in your city costs more than French castles and private islands in the Caribbeans. It is thus no coincidence that your city is 38% whiter than the rest of the Bay, as well as 93% less black and 17% less brown than the rest of the Bay Area.

In a 2021 report entitled 'Exclusionary Zoning: Its Effect on Racial Discrimination in the Housing Market,' economic advisors for the White House outline how exclusionary zoning, like yours, causes segregation. Your exclusionary zoning pushes low income children to live in less resourced areas, which begets worse life outcomes from health to income. The research is clear: exclusionary zoning violates your duty to further fair housing.

To take meaningful actions that overcome patterns of segregation, we recommend you:

1. **End apartment bans in high opportunity areas.** This will give middle and working class families the opportunity to share in the resources your rich neighborhoods enjoy. As of 2020, **your city banned apartments in 100.0% of high opportunity residential areas.**
2. **Accommodate 1262 low income homes in your site inventory.** While substantially larger than the floor of 244 low income homes required by RHNA, 1262 is the number of homes required to bring the proportion of low income families in your city in line with the rest of the Bay Area. While this number is large enough to be politically challenging, it will always be politically challenging to overcome segregation, as AFFH requires.

Thank you,

Salim Damerджи, South Bay YIMBY

Keith Diggs, YIMBY Law

Lisa Natusch

Subject: RE: Objections to the draft housing element update

From: Dennis Moore [REDACTED] >
Sent: Sunday, August 7, 2022 6:16 PM
To: General Plan <generalplan@HILLSBOROUGH.NET>
Subject: Objections to the draft housing element update

Folks -

First, let me say that I'm so appreciative of the effort that staff, Council members, and the HEAC participants put into the work to provide input to the Housing Element update.

However, I have some objections to the resulting draft, based on things I've learned independently since I participated in HEAC (e.g., Los Altos Hills and Atherton differences with our plan, San Bruno subsidies), as well as feedback from other Hillsborough homeowners with whom I've spoken. As I understand it, for example, Los Altos Hills is not including a 20% "no net loss" buffer, but rather a 15% buffer - HEAC members were told a smaller buffer would not be acceptable to CA HDC. Atherton's plan is composed, as far as I can tell, 100% of ADU's and JADU's, which HEAC members were also told would be unacceptable to CA HDC. San Bruno is working with developers to build housing with subsidies in place for district teachers. I'm surprised this information was not shared with the HEAC - did no one on the consulting team, staff, or on the Council know about how these other similar towns are responding? I do remember asking at least in one HEAC meeting and in at least one survey response what other towns were doing, and did not get this information.

Objections and new proposals

The current plan needlessly:

1. will **change the character** of the town for the worse,
2. will **negatively affect our life savings**,
3. is being considered with **no possible way of solving the infrastructure problems including water supply**,
4. will take our **fire risk from dire to unwise and catastrophic**,
5. will create even **more danger for pedestrians** among our dark and winding roads many with no sidewalks, and
6. will create **nuisances due to traffic and construction**,

My suggestions to revise the draft plan:

1. **eliminate the buffer in our plan or reduce it to no more than 15%**,
2. **eliminate the RD-1, RD-2, and RD-3 zones and the overlay zone** in favor of **expanding the ADU/JADU allocation**,
3. **subsidize housing for police, fire, teachers, and town staff**, and
4. **learn what other towns like Hillsborough are doing, and band together with them to fight for our common interests**.

The longer version follows.

Given new information about what is being done in towns similar to ours, I think we should **reduce the "no net loss" buffer from 20% to 15%**, as was done in LAH, or even lower if we find that other towns are submitting with smaller buffers. This will reduce our required target by at least 28 units from 665 to no more than 637. This should not be

objectionable to HDC - if it is, perhaps we can fight, band together with other towns like ours, and only amend and resubmit only as a last resort.

With that reduction, we can **eliminate the RD-1 zone** from the plan across all of Hillsborough. Leave the current RD zone, with its current definition, in place for all of Hillsborough. My fear is that - some year down the road - there will be a push to reduce the street frontage (including with "flag lots"), lot sizes, or setbacks in order to make this zoning more attractive to developers, and I don't want that day to come. The RD-1 zone was producing only an estimated 15 units, and a reduction of our buffer from 20% to 15% means we don't need those units. Again, if HDC rejects, we can argue our cause, band together with other similar towns to fight HDC, and only resubmit if absolutely required.

Given the information from Atherton, our submission to HDC should **eliminate the RD-2, RD-3, and overlay zoning**, delivering our full RHNA allocation **only with ADU's and JADU's**. We can justify a higher target by saying we will allow one JADU and two ADU's for lots >= 1 acres, will allow one ADU/JADU within existing home "footprints" and one ADU outside the current building's footprint for lots < 1 acre in size, will allow "amnesty" for existing structures that do not qualify, and will promote ADU/JADU construction throughout the town. Again, someday down the road, someone may push to reduce the limit on lot sizes in the RD-3 zone from 10+ acres down to 1.5 acres, flooding our town with McMansions, construction, noise, traffic, and new students, all without the infrastructure to handle any of this. Our first submission, like Atherton's, should be purely based on ADU's and JADU's, plus building on vacant lots. Again, if HDC objects, we can argue, band together with similar towns, and fight - or resubmit if that fails.

In order to benefit our town, it will be desirable for as much of the new housing units to be occupied by those who work here - after all, this whole state process is (as far as I understand it) based to some significant degree on the idea that workers cannot find affordable housing near where they work. Therefore, I proposed that we investigate what other localities are doing (e.g., San Bruno) to encourage developers to create housing which can be affordable to our Hillsborough police, CCFD fire/EMT staff permanently assigned to fire stations in our town, Hillsborough public school teachers, and Hillsborough town staff. As needed, we can find a way to **subsidize their housing while they work in and serve our town in these essential capacities**, perhaps by a bond measure, or with fees and surcharges of some kind.

Lastly, based on the lack of information I received during the HEAC process so far, I suspect we do not have sufficient information about what other towns like ours are doing. I'm surprised that the consultants we are paying did not raise these facts as options to HEAC even when asked, and that staff must not have known given the lack of information we received for example on what is being done in LAH and Atherton. Scientia potentia est (knowledge is power), and lack of knowledge is weakness. We need to **learn more about what other towns like ours are doing**, and we need to **work with other towns like ours in our mutual interest**.

I would appreciate this comment being referenced in any submission we make to HDC or other public agencies, be read during the upcoming August 8 city council meeting, and be included in the minutes for the upcoming August 8 city council meeting. It's unfortunate that this vital topic for our town is so late on the agenda; perhaps Mayor Royce could postpone some of the less urgent items (such as the resolutions of appreciation, presentation by Peninsula Clean Energy, the resolution relating to the Mack E Mickelson Therapy Pool, the resolutions regarding public works vehicles, the resolution accepting the 3D Tech contract, and the designation of the delegate and alternates from the town for an upcoming conference). Perhaps those items could be covered later in the agenda. Based on my discussions with other Hillsborough homeowners, I suspect there will be a lot of feedback that residents want to give regarding the Housing Element draft update.

I appreciate your consideration of this feedback, and am confident that we all share a common desire to preserve Hillsborough as the special place that it is, and that we all came here to share in. Thanks!

Dennis Moore

