



Fwd: EBHO Comments on October 2021 Draft Housing Element - item 7B on 10/25/21 Planning Board Agenda

Jeffrey Levin <jeff@ebho.org>

Mon, Oct 25, 2021 at 6:31 PM

From: Jeffrey Levin <jeff@ebho.org>

Date: Mon, Oct 25, 2021 at 5:28 PM

Subject: EBHO Comments on October 2021 Draft Housing Element - item 7B on 10/25/21 Planning Board Agenda

To: Xiomara Cisneros <xcisneros@alamedaca.gov>, Ronald Curtis <rcurtis@alamedaca.gov>, Hanson Hom <hhom@alamedaca.gov>, Rona Rothenberg <RRRothenberg@alamedaca.gov>, Teresa Ruiz <truiz@alamedaca.gov>, Asheshh Saheba <asaheba@alamedaca.gov>, Alan Teague <ateague@alamedaca.gov>

Cc: <nmcpeak@alamedaca.gov>

Dear Planning Board Members –

On behalf of East Bay Housing Organizations (EBHO), I am submitting the following comments on the October Draft Housing Element, which appears as item 7B on your agenda for tonight (October 25, 2021).

EBHO is a member-driven organization working to preserve, protect, and create affordable housing opportunities for low-income communities in the East Bay by educating, advocating, organizing, and building coalitions.

We welcome the opportunity to comment on this draft document, as we have done with past Housing Elements in Alameda.

We particularly appreciate the effort to accommodate the City's Regional Housing Needs Allocation (RHNA) by siting housing for all economic levels throughout the city in ways that promote fair housing and racial equity while avoiding concentrating lower income housing in areas referred to by State law as areas of racial and ethnic concentrations of poverty, including recommendations to rezone areas of the city to accommodate multifamily housing in previously exclusionary locations. We also appreciate the early consideration of draft housing element policies, well in advance of the deadline for adoption and submission of the final housing element.

At the same time however, we must note that the current draft is incomplete. As acknowledged in the table of contents, many of the mandatory sections of the housing element have not yet been prepared and are not included in this draft. These include an analysis of existing and projected housing needs, an analysis of potential constraints on housing, a fair housing analysis, an analysis of any special housing needs, identification of zone(s) where emergency shelters are allowed by-right, an evaluation of the previous element, an analysis of opportunities for residential energy conservation, and analysis of assisted housing developments that are "at-risk" and eligible to change from low-income housing uses, and a specific implementation program.

Of particular importance for the current housing element cycle is the statutory requirement that the housing element contain concrete provisions to affirmatively further fair housing, not only by prohibiting discrimination, but as noted on page 4 of the draft document, by “taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.”

Since the fair housing assessment has not yet been prepared or published in draft for public comment, it is impossible to determine whether the site inventory and policies meet the requirement to overcome past patterns of segregation and address significant disparities in housing needs and access to opportunity.

Affirmatively furthering fair housing also requires specific and ongoing efforts to maximize public participation in all stages of the preparation of the housing element, including outreach and engagement with community members and stakeholder groups, particularly with respect to low income households and members of protected classes. Currently there is no description of any such efforts and without having engaged in such a process, it is premature to finalize a site inventory or specific policies and goals.

We also want to point out that the draft site inventory does not include presentation in the format prescribed by the State, which requires for each site detailed information about its characteristics, land use designation, zoning, realistic capacity for development, and the income levels that will be served by housing on that site.

Recent changes to State law require that the City not only provide an inventory of adequate sites for all components of its RHNA in the adopted housing element, but that the city continue to maintain adequate capacity throughout the eight-year cycle. Thus, if the city approves market-rate, above-moderate income projects on sites that were designated for lower income housing, or approves fewer units than provided in the site inventory, it must designate new sites with appropriate zoning to make up for such lost capacity. If the City is projecting accommodation of 1,000 units of housing for very low and low income households at shopping center sites, it must assure that those sites are developed with affordable housing. If market-rate housing is developed instead, new affordable housing sites must be identified before approving a project that deviates from the housing element.

We greatly appreciate the city's past efforts to meet the challenge of providing affordable housing, and we are confident that the city can and will develop a housing element that fully meets statutory and regulatory requirements. We urge you to treat the current draft as the starting point of a discussion, and to ensure that staff moves quickly to prepare and publish for comment the required analyses of needs, housing conditions, barriers, and fair housing, with a robust and inclusive public participation process, before finalizing the site inventory, policies and implementation plan.

Jeff Levin, Policy Director

NOTE: I am generally working only on Monday afternoons and all day on Tuesday and Thursday, so I may not be able to reply to your e-mail right away.

East Bay Housing Organizations (EBHO)
538 Ninth Street, Suite 200 | Oakland, CA 94607
510-663-3830 ext. 316 | jeff@ebho.org