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Dear Esteemed Planning Commissioners,

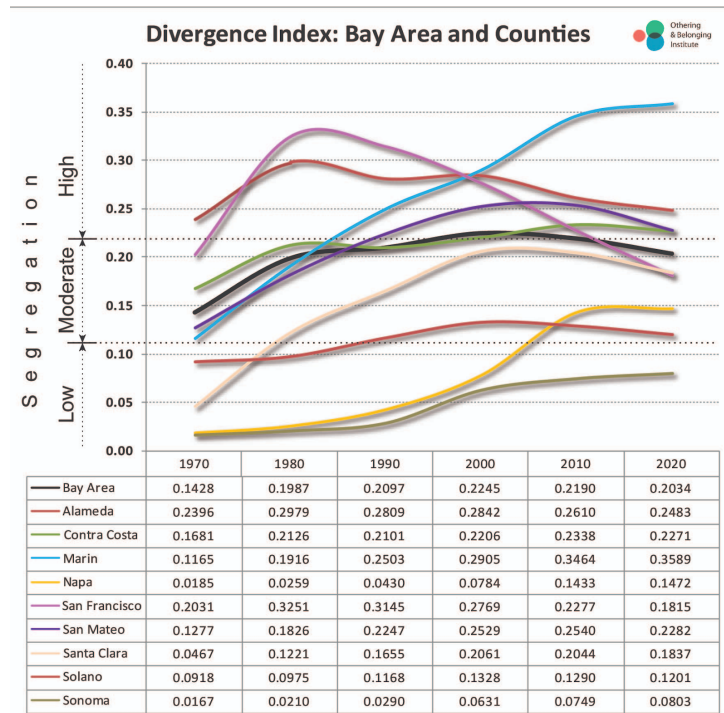
The Marin Environmental Housing Collaborative (MEHC) advocates for projects and policies that advance affordable housing, environmental sustainability, and social justice.

We are writing regarding the public hearing on “Countywide Plan Amendments Related to Precedence Clauses”. We urge the Planning Commission to approve either Option A or Option C, as described in the related Staff Report. Either of these options will comply with the outstanding Court order, requiring the County to “remove the void precedence clauses which direct subordination of the Community Plans to the CWP.”

Option A is our preferred option, as HCD has stated that it will approve this option and our Housing Element will remain compliant. Option C is likely to be approved by HCD as well, and so we support this as well.

We are particularly concerned about the appellant’s desire to remove accountability for Affirmatively Furthering Fair Housing from the 22 Community Plans throughout Marin. Most Marin residents want Marin to become more racially integrated. The appellant’s demands are not consistent with the views and wishes of the vast majority of Marinites.

Marin County was the most segregated County in California in 2022, and our levels of segregation are continuing to increase, even as segregation decreases in other Bay Area Counties. (See the [Divergence Index](#) by the University of California at Berkeley, Belonging and Othering Institute).



This segregation is a direct result of the restrictive zoning implemented throughout Marin County, especially the significant restrictions we have placed on multi-family housing. We provide background on the history of zoning and its relationship to segregation in our [Racial Equity one-pager](#) or our more in-depth *Perspective on Why is Marin so White?*, but in brief, the current segregation in Marin County is a policy choice. If we want a more integrated Marin, we need to allow the construction of more housing, especially multi-family housing.

Below are some of the suggested changes that we find particularly problematic:

- Page 131 - change “that discourage multifamily housing” to “that could discourage multi-family housing.”
  - Marin County did not permit any housing with 5+ units during the last housing element cycle, despite the enormous demand for housing. Our historic policies have essentially barred multi-family housing, and we should not water that down.
- Page 131 - Delete “AFFH and” from the following sentence “Housing Element policies and implementation programs actively support AFFH and opportunities for expanded housing options within the Countywide Plan and Community Plans.”
  - As mentioned, Marin is highly segregated and our segregation levels have been increasing. We are disturbed that a non-representative group of residents are asking to sidestep their responsibility to uphold AFFH.
- Page 247 - requests to change “environmental justice” to “environmental and social needs” and “race equity lens” to “lens that recognizes underserved communities”.
  - Again, our segregation has been increasing, due to our policy choices. Asking to remove race from the analysis risks the perpetuation of high levels of segregation.
- Page 253 - Changing “inherited language rooted in segregation” to “potentially inheriting language that may have been rooted in segregation”.
  - The history of Exclusionary Zoning is extremely clear - it was a tactic employed explicitly to enable segregation. If you are not clear on the history of Zoning, we’d encourage reading *The Color of Law* by Richard Rothstein or *Arbitrary Lines* by Nolan Gray. Regardless, there is widespread consensus that these zoning plans were racist by design, and there is no doubt that they were racist in effect.
- D-70 - All the changes here in the section on Affirmatively Furthering Fair Housing, including the deletion of the requirement to remove discriminatory language from the Community Plans.

We did not do a full review of edits, but those highlighted above should be sufficient to show that this option is an attempt to exempt and excuse the communities covered by Community Plans from the efforts to address Marin County’s discriminatory practices.

We urge the Planning Commission to adopt the Staff’s recommendation for the precedence clauses and support the many Marinites who are working to create a more integrated Marin.

Best,



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