



PRESS RELEASE

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Residents Sue the City of Mill Valley over Adoption of Discriminatory Housing Plan

MILL VALLEY, June 20, 2023– Friends of Hauke Park (FOHP), a grassroots association of Mill Valley residents, announced the Filing today of a lawsuit against the City of Mill Valley to prevent continued discrimination against East Mill Valley neighborhoods in its housing policy and misuse of CEQA.

“The power brokers of Mill Valley’s City Government, who all live in West Mill Valley, have a long tradition of dumping projects they deem undesirable into East Mill Valley,” said Patrick Soluri, attorney with the law Firm of Soluri Meserve. “All of Mill Valley’s existing six public affordable housing developments are located in East Mill Valley. Continuing its longstanding policy of steering public housing away from Mill Valley’s most affluent neighborhoods, the City now proposes to add a seventh such project in East Mill Valley. The massive, Five-story, 66,000 square foot complex would be set amidst a neighborhood of one and two-story homes”.

FOHP has long supported locating more affordable housing in its neighborhood east of Camino Alto, provided it is on an appropriate mass and scale that respects East Mill Valley residents, protects wildlife in the adjacent wetlands, and guards the safety of children using Hauke Park. However, the City and its subsidized developer, EAH Housing, insist that adding a 5-story, 45-unit housing complex is the only possible solution that will ‘pencil out,’ despite receiving the City’s free land donation and the availability of additional state and federal subsidies. If the proposed complex is built as designed, it would be the tallest structure in Mill Valley, by far, and would loom over Hauke Park with virtually no set-back and with inadequate parking. Even the City’s own planning commissioner acknowledged it would be an “eyesore.”

FOHP has spent over two years explaining to City officials that capitulation to wealthy and powerful NIMBYs is not legitimate housing policy. These efforts have fallen on deaf ears. The City has adamantly refused to either follow its own housing consultant who identified better affordable housing sites in West Mill Valley or reduce the density of the complex *by even a single unit*. **Sadly, the City’s actions are not about adding more affordable housing to Mill Valley, but rather about keeping affordable housing OUT of the wealthier West Mill Valley.**

In reviewing the City's Housing Element Update, the State of California's Department of Housing and Community Development (HCD) questioned whether the City's site selection that focused solely on East Mill Valley complied with its duty to affirmatively further fair housing throughout the City. Instead of responding to HCD's concern, the City continued with its plan, and further misused CEQA's "tiering" provisions in an attempt to avoid public accountability for its actions.

Affordable housing laws were created to correct housing inequality, which is why FOHP fully supports them. Unfortunately, the City of Mill Valley is using these laws in exactly the opposite manner of what was intended. The City intends to exacerbate existing inequities by locating all of its affordable housing in an area of the City with the greatest racial diversity and lowest incomes. This perversion of affordable housing laws has forced FOHP to seek relief in court.

The purpose of this lawsuit is to set aside the City's arbitrary and capricious inventory of affordable sites housing so that all suitable sites throughout Mill Valley are identified without improper political influence, and further to set aside the City's misuse of CEQA so that a Final decision on suitable sites is made after meaningful CEQA review.

To learn more about the lawsuit, contact Patrick M. Soluri, Attorney at Law with Soluri Meserve, at 916.455.7300 or patrick@semlawyers.com

See [here](#) for a copy of the petition for writ of mandamus to the Marin County Superior Court.

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Friends of Hauke Park (FOHP)

FOHP is an East Mill Valley neighborhood association whose mission is to support reasonably sized, low-density affordable housing throughout Mill Valley. We are focused on protecting the natural environment, recreation, health, and safety of everyone that uses Hauke Park from threats posed by politicians and developers. Our members promote collaborative planning and design with the neighborhood at every step. We also hold the City of Mill Valley accountable for building affordable housing equally throughout Mill Valley.

<https://www.haukepark.org/>