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Orinda Prepares Housing Element

By Andrea A. Firth

As Orinda's City staff and the Planning Process Review Task Force (PPRTF) work toward finalizing their report, which will address the potential for incorporating greater housing opportunities in the downtown areas of the City, running in a parallel track but about six months ahead, is the City's requirement to file an updated Housing Element with the California Department of Housing and Community Development (HCD). With the PPRTF recommendations not quite final or ready for implementation, Council members decided to submit a basic version of the housing element to the HCD with plans to update the housing plan in the Fall to include the PPRTF recommendations as appropriate.

What is a Housing Element?

State law requires that cities plan for the projected housing needs of the community at all economic levels. As part of the city's General Plan—the comprehensive, long-term plan for the physical development of the city—the state mandates cities to include a housing element. In order for the private market to adequately address housing needs and demand, cities are required to adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development. Orinda's current housing element planning period runs from 2007 to 2014, and the next update is due to HCD by June 30th.

How is the housing element relevant to the Orinda resident?

As is often the case in Orinda, all things relevant tie back to the deteriorating condition of the roads. Compliance with the state's housing element law is a prerequisite to the city's receipt of Measure C/Measure J transportation funds, and this equates to about \$320,000 in annual pavement maintenance for the city. At the most recent City Council meeting, Planning Department Director Emmanuel Ursu mentioned that 40% of California's cities do not currently have housing elements that meet the state requirements, however this is not position that Ursu recommends for Orinda. Along with the possibility, albeit remote, that the city could lose road maintenance monies, according to Ursu, additional risks associated with not having a legally adequate housing element are exposure to law suits from housing advocacy groups and the potential for the Contra Costa Transportation Authority to prohibit the city from issuing any development permits until the housing element were compliant.

The housing element also requires cities to provide adequate zoning to allow for transitional housing and emergency shelters. "This does not mean we must construct or operate such facilities; however, if we received a request from a property owner to do so, and the property owner complied with the standards we established (hours of operation, location, staffing requirements, size of the

operation, etc) then we could not deny the request," explains Ursu. "My intent is to present the City Council with parameters for the operation of such facilities that both follow the requirements of state law and are consistent with the services our local churches already provide in this respect," he adds. Ursu will present a revised, draft Housing Element to the City Council at their next meeting on June 16th.

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