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Housing Controversy Forces Regular City Business into Back Seat

By Laurie Snyder

Orindans expecting to have their key policy concerns heard by the Orinda City Council at its July 16 meeting grew increasingly frustrated as 20 people from inside and outside of Orinda rose once again to express their opinions of Plan Bay Area and the impact it may or may not have on the community.

Although housing was not on the City Council's agenda, speakers opposed to Plan Bay Area lined up for the public comment portion of the meeting. Residents who came that evening for the scheduled public hearing on a proposed hike in city fees, a discussion with residents and business leaders regarding potential ways to resolve the downtown's increasingly challenging parking situation while maintaining public safety, and other city business, waited over an hour for their turn at the podium.

Following commentary by residents of the Crossroads neighborhood, the parking matter was continued over to an as yet unscheduled meeting for further discussion. The fee hike hearing proceeded smoothly (see the accompanying article).

So, what happened during the public forum?

The majority of the public forum presenters were members or supporters of the citizens' group Orinda Watch. Many have spoken during public forum sessions in previous council meetings, including Rusty Snow, Richard Colman, Chet Martine, and Chris Kniel, a former member of Orinda's Planning Commission. A fair number reiterated their belief that city leaders and staff have been working outside the full view of the public to update Orinda's General Plan in a concerted effort to bring high-density, low income housing to the downtown area - possibly even going so far as to rezone the area in a way that will double its density.

"The draft Housing Element update, discussed at multiple public meetings, includes the rezoning of a single site in the Residential Medium-Density (RM) district," according to city manager Janet Keeter. "This particular parcel is located behind the Santa Maria Church and is currently zoned for 10 units per acre. The proposed change would allow at least 20 units per acre. This change is an approach to meet the state law. No change to zoning of the other sites zoned RM is proposed."

Keeter also emphatically described reports that the city has already authorized 20-unit per acre zoning for the entire downtown as "false."

Speakers also voiced concerns and confusion regarding the height limits of Orinda buildings. Many had heard - through school email distribution lists and other e-messaging tools - that the council plans to raise Orinda's downtown building height limit to 55 feet. "No such proposal is before the council," said Keeter, who added that "there are no plans to revise the Orinda Municipal Code to make such a change."

Despite these responses by the city, Orinda Watch members continued to press council members on July 16 to withdraw Orinda's draft housing element. According to Orinda Watch's website, "The City Planning Director told a group of Orinda Watch members during a meeting on May 6, 2013 that the City did not need to update its General Plan to comply with state housing laws or to meet the City's needs at this time, and thus had no plans to do so." City leaders disagree with this statement. The city cannot opt out; it is required by state law to have a housing element as part of its general plan - and to update it every five to eight years. Failure to adopt a compliant housing element in time for Jan. 31 certification by the Department of Housing and Community Development could have resulted in the loss of local land use authority, as well as the transportation funding which helps to repair and maintain Orinda's roads and drains.

HCD ruled June 12 that Orinda's draft housing element is compliant - the first time the city's housing element has been in compliance with state law since Orinda incorporated in 1986. And on July 18 at a joint meeting of the Association of Bay Area Governments and Metropolitan Commission, Plan Bay Area was approved.

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