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Orinda Housing Element Discussions to Continue

By Laurie Snyder



Orinda Watch member Dan DeBusschere signals Tonya Gilmore, city public information officer, during public discussions regarding Orinda's draft housing element Aug. 20. Video cameras (light, front center) and far right (over Gilmore's shoulder) are unusual at council meetings. Photo Ohlen Alexander

the city has no intention of procuring the property, condemning the property, acquiring it through eminent domain, or pressuring the church to develop the property. The decision on whether or not to develop that property in the future is solely the decision of the church."

Orinda's planning director, Emmanuel Ursu, then walked everyone through the 300-plus page staff report on the housing element. (That presentation, related documents and audio of the meeting are available on the city's website.) Orinda has had to prepare housing elements on three previous occasions. For 2009-2014, Orinda was allocated 218 units. "The requirement is not that we actually produce this number of units, but rather that we have zoning in place that allows these number of units to be produced," said Ursu. Any units which aren't built in one period can be counted toward the allocation for the next one.

The city submitted its first draft to the state in October 2010. The state's response cited areas where Orinda failed to meet state law. After the City Council's public direction in February 2011, staff updated the draft, and sent the revised version to HCD and the City Council in June 2012. HCD advised that it "could certify it as long as the city implemented a policy to rezone 3.2 acres to at least 20 units to the acre." Aug. 20 was another chance for the City Council and residents to provide input.

The city identified Santa Maria as one place to adjust zoning because it is "the only existing multi-family zoned property site in Orinda that does not have development on it." This does not mean that the city is requiring development there, said Ursu. Councilmember Victoria Smith clarified further, saying the city cannot simply raise the density on an already-developed site. "If we were to say, 'Well, we'll make [the Brookwood condo area] the one where we'll change it to the 20 to 25 units per acre, the HCD wouldn't accept that because they wouldn't think it was feasible that that property was going to be torn down and a new property developed."

Vice mayor Sue Severson added that if Santa Maria's zoning was changed to 20 units per acre, the city has met its obligation simply by making that zoning change. There would be no pressure to develop the site. Any decision to do so would be left up to the private property's owner.

During the second public comment period more than 30 residents addressed the City Council. Orinda Watch leader Rusty Snow called for the City Council to withdraw the housing element, and urged creation of an advisory committee "because the citizens of Orinda have lost confidence." Kniel proposed that this committee be comprised of representatives from Orinda Watch (www.orindawatch.org), Save Orinda (www.saveorinda.com) and Orinda Vision (<http://orindavision.org>), plus four members at large.

Orindan Woody Karp, whose insights were discounted by some because of his involvement with the Eden program at 2 Irwin Way, advised listeners that there is a serious need for senior housing. "I receive calls every day from residents in Orinda, Moraga and Lafayette" asking to be put on the waiting list - a list already over capacity

Orinda's school year commenced early as residents learned the latest about Orinda's housing element from their city council Aug. 20. Audio was piped to gallery seating for the overflow crowd.

Chris Engl, a leader of the citizens' group Orinda Watch which has been vocal in its opposition to the housing element, spoke during the initial public forum along with former planning commissioner Chris Kniel and several others before Mayor Amy Worth kicked off the main event. "The housing element, as you know, is an element required under state law of all cities and counties in the state of California." Orinda has been the only city in Contra Costa County not to adopt one.

Worth stated there would be no final decision made that evening, saying the City Council would hear from staff and the public before directing staff regarding the city's next steps. She asked attendees to respect each other's right to comment. Each speaker was limited to three minutes to give all wanting to talk the chance to do so.

Janet Keeter, city manager, reiterated that the housing element "will not be formally submitted to the state Housing and Community Development Department [HCD] for certification until such time as the City Council adopts it," and then responded to rumors that Orinda intends to build low income housing on a 3.2-acre vacant parcel that is part of the Santa Maria Church property. "I'd like to emphasize

with 412 people (89 from Orinda) for just 66 units.

Countering resident Clyde Vaughn's dire prediction of ultra-low income housing that would result in slums and gang intrusion into one of the country's friendliest cities, Orinda's Laurie Reich said, "We are not talking about slums. We are not talking about gangs," and noted that the income level of those seeking lower income housing in Orinda would likely be higher than many realize - around \$46,750. "I think we should provide housing for our teachers."

"This is a generous community," observed Rev. Will McGarvey, the executive director of Contra Costa County's Interfaith Council. He praised Orinda for providing affordable senior housing, but spoke of the need for communities to do more. The Rev. Scott Denman addressed the value of providing housing "for the citizens who serve us every day as teachers, firefighters." The Rev. Dr. Hubert Ivery, pastor of St. Mark's in Orinda, concurred.

The City Council directed staff to return with a red-lined version of the draft, which will be reviewed but not approved at its next meeting Sept. 17. The City Council still must address issues related to the California Environmental Quality Act.

Reach the reporter at: laurie@lamorindaweekly.com

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