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Planning gets lion's share at joint meeting of Lafayette, Moraga and Orinda councils

By Sora O'Doherty



Bella Vista development in Moraga Photo Andy Scheck

The annual joint meeting of the city and town councils of the Lamorinda municipalities took no actions but heard reports on planning and housing related legislation and transportation. Orinda lacked a quorum, with only Mayor Amy Worth and Vice Mayor Inga Miller in attendance, while the full councils of Lafayette and Moraga were present at the Orinda Library Auditorium. Despite the lively food truck event outside, few made it upstairs; the audience was sparse, with five speakers presenting their views to the joint councils.

Niroop Srivatsa, Lafayette planning and building director, made an extensive presentation on the 2017 housing package of legislation passed by the California Assembly and the housing bills under consideration by the Assembly in 2018. Over 300 bills have been introduced which would, if adopted, impact every area of housing law.

In 2017, 15 of the over 130 housing bills introduced were signed into law. Srivatsa said there were four major themes: funding affordable housing, facilitating housing production, changes to annual reporting requirements and housing element updates, and changes to the processing of housing applications.

Although some legislation provides funds to address housing issues, such as Senate Bill 2 which imposes a recording fee per parcel on specified real estate documents, Srivatsa pointed out that 90 percent of the funding will go to "entitlement" cities (populations over 50,000) and counties (populations over 200,000), with Lamorinda cities only receiving an equitable share of the remaining 10 percent. On the economic side, she mentioned that there will be a \$4 billion general obligation bond on the November ballot to fund affordable housing and veterans' homeownership programs.

Two public speakers presented somewhat differing views on housing legislation. Dan de Busschere asked if the council members were shocked by the punitive nature of new legislation, such as referrals to the attorney general for non-compliance. He was especially concerned by a trend of weakening the provisions of the California Constitution in regard to unfunded mandates, that is, the law that says that if the state imposes requirements on local governments, the state must pay for them. According to de Busschere, a new California commission is weakening that requirement, and he cited SB 828, currently under consideration, which says that the state is not mandated to reimburse when local agencies have the power to impose fees or taxes to cover the required services. He urged the joint councils to push the League of Cities to sue on legislation he says will bankrupt cities and increase their legal costs.

Stephen Schnitzler presented an opposing point of view. A Lafayette resident and in-house attorney for Branagh Developers, Schnitzler said he was speaking from a personal perspective only. "People who are buying homes in Lamorinda now," he said, "would like to see downtowns become more dynamic, more dense, more like Rockridge." He felt that residents were less opposed to state laws than local council members. He also provided some updates on the progress of accessory dwelling unit legislation.

Moraga Mayor Dave Trotter presented a summary of Moraga planning projects and briefly addressed zoning and regulatory updates on home-based wineries, commercial planning development, the Moraga Center Specific Plan, the implementation project, and the hillside and ridgeline regulations, which were adopted last month after six years in the works. Moraga now has many current and pending projects for residential units, including Camino Ricardo (26), Bella Vista (27), Moraga Town Center (36) Indian Valley (71) Bollinger Valley (85-126) and Palos Colorados (123). Trotter also spoke of the \$2 million remodel of Starbucks in the Rheem Shopping Center, the anticipated Canyon Club Brewery microbrewery and restaurant, the soon expected application for 48 apartments over ground floor residential next to the Rheem Theatre, as well as the opening of La Finestra at the Hacienda.

Lafayette downtown has new developments, including Batch & Brine restaurant, Chase Bank, the expanded Safeway parking lot, and a swap with the East Bay Municipal Utility District which will see their old pumping station by Ace Hardware become a public parking lot, with the pumping station relocated to the east end of town. Srivatsa discussed current projects for new residential units, and talked about the EBMUD pedestrian and bike parkway that will eventually reach from the Veterans' Building to BART, with an entryway, plaza, ADA-accessible pathway, 60 bike parking spaces, and suspended art. In addition she mentioned that Steve Cortese, who renovated La Fiesta Square, has purchased and has exciting plans for the old Wells Fargo

Building at the intersection of Moraga Road and Mt. Diablo Boulevard.

Orinda Planning Director Drummond Buckley spoke about Orinda's downtown planning process, including the Streetscape Master Plan and work on the daylighting of San Pablo Creek as it runs through downtown Orinda. He also spoke of the new business registration program and short-term home rentals, which netted Orinda \$12,500 in transient occupancy tax in the last quarter of 2017. This was the first time that Orinda ever received TOT revenue.

Although no actions were taken at the meeting, city and town council members agreed that it would be a good idea for the planning staffs of the three jurisdiction to coordinate closely on the complex issues of state legislation and how to best accomplish the housing goals of their residents, such as providing housing for their children and grandchildren.

Presentations from the meeting are available at
<https://cityoforinda.box.com/s/vv25ljhtdob4w1q5lr88n64g8wi6k33i>.

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