



Published August 18th, 2021

## Proponents for local land use control submit initiative to state attorney general

By Jennifer Wake

Lafayette Mayor Susan Candell is working with a group of non-partisan, ethnically and geographically diverse local electeds and community activists, led by Mayor Bill Brand of Redondo Beach, to override numerous state laws that eliminate or severely erode local control over local development. The group submitted a proposed initiative to the State Attorney General for summary and title on Aug. 16 to amend the Constitution of California to make all land use and zoning a municipal affair only.

"Local communities are best suited to determine how to develop their cities while balancing budgets against the multitude of other challenges each community uniquely faces," Candell said. What concerns the mayor most is that the housing legislation being put forward by state legislators has done nothing to solve the real affordability and homelessness crises in California. "These laws are increasing inequity and only benefit developers and real estate speculators," she said.

For example, if Senate Bill 9 passes, Candell says any single-family lot in Lafayette can be split and converted to up to six units without any public hearing or CEQA review.

"There are no exemptions for lots in Very High Fire Hazard Severity Zones like in our neighborhoods north of Highway 24 with single ingress/egress," Candell said. "Since the rules of this legislation do not favor or encourage existing homeowners to make these changes, developers and speculators will take the profit, not the former homeowners, at the expense of the neighborhoods."

And Candell believes Senate Bill 10 is even worse. "Instead of a single lot to six units in SB 9, SB 10 allows conversion of any lot into 14 units, by right, with no local review. And, most egregiously, none of these units are required to be affordable."

According to Candell, La Fiesta Square is currently for sale in Lafayette and it is expected that it will be bought and converted to a large mixed-use project, with retail/commercial on the bottom floor, and residential above. While she supports these types of projects, she's concerned that the community will have little, if any, input on the project, which is one of the biggest and most iconic corners in Lafayette.

"The state is also forcing us to develop our BART parking lots into denser and taller housing than anywhere else in our city, again without any community input," Candell said. "We will lose the parking for riders who need to drive to BART, and the new units have very little parking required. The loss of local land use control erodes the ability of local communities to plan for future environmental and economic challenges and support the critical infrastructure necessary for public health and safety services including schools, police and fire services."

Without the city council's or planning commission's ability to control land use in Lafayette, Candell says they are left with profit-driven developers and speculators "planning" the city. "Our community has lost the ability to prepare and plan for the impacts to our critical infrastructure for which we are responsible," she said. "In the case of La Fiesta Square, our community will be forced to accept anything they propose if they follow state laws."

Once the Attorney General files the initiative, he will then send it to the Department of Finance and the Legislative Analyst's offices before it's returned to the AG for final wording. Once proponents receive the Title and Summary, they will have 180 days to collect 1.3 million signatures across the state to get it on the November 2022 ballot.

"We know this will be a very big and expensive effort, only to be followed by an expected push back by big money developers, real estate speculators and big tech leading up to the election," Candell said. "Our residents have time and time again supported local leaders over the state's `one-size-fits-all' bad policies, so we are confident that we will be successful in our efforts."

Sign up for the Lamorinda Local Initiative Information Night scheduled for Thursday, Aug. 26 at 7 p.m., at: [https://us02web.zoom.us/webinar/register/WN\\_M\\_8bay4IRR-o5R0NW5wIEQ](https://us02web.zoom.us/webinar/register/WN_M_8bay4IRR-o5R0NW5wIEQ)

Reach the reporter at: [jennifer@lamorindaweekly.com](mailto:jennifer@lamorindaweekly.com)

[back](#)

Copyright © Lamorinda Weekly, Moraga CA