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Court upholds city of Lafayette's approval of Terraces of Lafayette development

By Jennifer Wake

After more than two years of litigation, the city of Lafayette's approval of the Terraces of Lafayette development has been upheld by the State Court of Appeal. On Wednesday, Nov. 30, the Court of Appeal upheld the Superior Court's decision and found that the city's 2013 environmental review complied with the California Environmental Quality Act (CEQA) and that the city properly followed the Housing Accountability Act in approving the project.

In 2020, the city was sued by Save Lafayette, a citizens group, to overturn Lafayette's approval of the Terraces project on environmental and General Plan and zoning consistency issues. On Nov. 12, 2021, the Contra Costa County Superior Court upheld the city's approval of the Terraces of Lafayette (case #N20-1413). Save Lafayette appealed the Superior Court's decision. In the Nov. 30 ruling, the court held that the city had properly followed the Housing Accountability Act by applying its general plan and zoning standards that were in effect when the application was deemed complete, and rejected all of Save Lafayette's CEQA challenges.

The Court of Appeal's opinion will become final after 30 days. "We are pleased that the Appellate Court has affirmed that the city complied with the California Environmental Quality Act in its environmental review of the development project," said Lafayette Mayor Teresa Gerringer. Once finalized, the court's decision will allow O'Brien Land Company to proceed with the development of 315 for-rent apartments, including 63 below-market-rate units.

For more information, go to the city's website at <https://www.lovelafayette.org/terraces>.

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