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Housing Element discussion continues at Lafayette Council meeting

By Lou Fancher



Comments from the community involved concerns over adding this 1/4 mile area as a downtown buffer. Image courtesy City of Lafayette

Lafayette City Council members at the regular meeting Aug. 28 heard a report from staff regarding the State Department of Housing and Community Development's comments received in late March and the review and revisions made by staff to the Lafayette 6th Cycle Housing Element and Environmental Impact Report (EIR).

Senior Planner Renata Robles, Housing Consultant Diana Elrod, and Planning and Building Director Greg Wolff presented an analysis of the impacts of growth stemming from the housing plan and housing opportunity sites identified to accommodate the mandated Regional Housing Needs Allocation of 2,114 assigned to Lafayette. An additional required buffer pushes the totals to approximately 3,000 new housing units between 2023-31. Notably, the Housing Element is required by state law to contain programs to Affirmatively Further Fair Housing.

Robles began with an outline of the review that included revisions adopted based on the HCD comments, a meeting in July with an HCD reviewer, as well as technical assistance from consultants Veronica Tam & Associates, information about Affirmatively Furthering Fair Housing programs, and changes to the opportunity sites inventory. Requests had been made to consider the inventory should include church parcels and the DeSilva South property, if staff should seek an additional CEQA review on the AFFH programs or sites inventory, and various other revisions.

The HE revisions were reviewed on July 10 by the council and received, according to Robles, "extensive public comment." There is no specific deadline to submit the edits to HCD, but staff is working rapidly to complete the revisions and satisfy the requests from HCD to explain the submissions with more detail and clarity. Robles said additional changes await pending inventory decisions from the council.

Speaking of the AFFH program specifically, Robles said effort had been made to expand the opportunities beyond the downtown area. Based on input from council and meetings held, staff research regarding multifamily housing looked at increasing the maximum density allowed from 17 to up to 30 units per acre, promoting a range of unit sizes, and prohibiting short-term rentals.

In changes to AFFH, short-term rentals were removed; church sites are not obligated, but have opportunity to provide affordable housing and choices about details to best suit affordable housing projects on individual properties; and clarifications were made that led to an improved map illustrating areas within 1/4 mile of downtown boundaries; and creation of and ramifications of allowing a range of unit sizes within a project.

Elrod reviewed the inventory communication history between the city and the state, which included a denial of the RHNA inventory proposed in October 2021. Revisions made in January 2023 modified allocations according to evaluation site objectives, changes in yield percentages, and alternatives that were considered to meet the RHNA requirements, such as changes to DeSilva South related to density percentages, and consideration of allowing housing on religious or institutional land.

As changes to opportunity sites and to densities will require an additional EIR, Robles noted, the next steps she said are to incorporate any revisions made by council, start the environmental review if required, and return to the council in September with the revised Housing Element draft.

Questions began with Council Member Wei-Tai Kwok asking how many church properties would be impacted, to which Robles said, "less than 10," and he asked Elrod to explain concerns about density from the community about churches that were upzoned and subsequently sold. She said that level of detail had not been examined. Robles said applying the same criteria as is used for senior living facilities could be followed for developing requirements related to religious institution properties.

Public comments and letters received by the council prior to the meeting addressed the inventory list, specifically the lower-income developments; upzoning religious properties, increased density issues, missing middle housing opportunities, objections to the 1/4 mile area added as a downtown buffer area; ADU projections, and residential segregation and environmental and transportation/traffic density impacts - or lack thereof - of low-income housing additions in the downtown, neighborhoods, and remote areas of

Lafayette.

In the meeting's most pointed comments, Lauren McCabe Herpich said missing middles will not fulfill the RHNA allocations and she was "taken aback" by the proposals. "We've had three years of volunteers like yourselves who have dedicated time to create a plan that works for our town, our infrastructure, and our mission statement. Any plan that veers away from what the GPAC worked for years to present to this council . participating in three years of town halls and workshops; I hate to say (this) is a slap in the face for anyone who has actually participated. I really don't know who would volunteer to participate in this, if this is what's going to happen. This was all for nothing if you go against the GPAC recommendations." Herpich said that thriving communities are not just the result of housing density, but are achieved when attention is given to quality of schools, transportation, access to downtown, and parks.

Returning to council, Council Member Susan Candell inquired about SB4 and whether or not following the senate bill streamlines the process for religious organizations and nonprofit colleges to develop affordable housing. City attorney Mala Subramanian explained upzoning issues and said she would continue to look into the policies council may or may not adopt in the future and the legalities therein.

Asked by Mayor Carl Anduri about the 30 unit per acre density allotments, Robles explained they cannot be included in the RHNA count without upzoning those developments and only if including low- and very-low-income housing. In contrast, adding the DeSilva South area to the inventory list, Elrod said, could potentially increase the RHNA numbers.

In regard to adding AFFH projects north of Highway 24, which includes a very high fire severity zone, Robles said staff intends to use only parcels that offer superior evacuation potentials and constraints. Elrod added that revisions are forthcoming due to information that only recently arrived.

Opportunity sites were clarified by Wolff and new information presently coming in will result in new factors to be brought back to the council with the staff's recommendations in September. Candell proposed council hold another discussion about the Bruzzoni shopping center property and possibly expanding the possibilities, an idea supported by the council. Church sites, the council decided, might be included pending additional analysis. Any remaining revisions determined to be necessary will be left to staff to include in the next draft which was to be presented to council Sept. 11, after press time.

The draft Housing Element Update can be found at www.planlafayette.org; the draft and final EIR can be found at www.lovelafayette.org/CEQA.

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