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Lafayette officials fire back at regional housing recommendations

By Nick Marnell



A speaker attacks the Metropolitan Transportation Commission at the Jan. 28 council meeting. Photo Jeff Heyman, City of Lafayette

recommends 10 policy changes and five calls for action, including the production of 35,000 housing units a year, of which 21,000 are affordable to lower- and moderate-income households; the preservation of 300,000 affordable housing units; and the protection of 300,000 lower-income households from displacement. The Compact also calls for stiffer tenant protections, minimum transit zoning requirements and the unlocking of public land for affordable housing.

Implementation of the recommendations will "require bills to be passed in Sacramento ... regional ballot measure campaigns in 2020 and beyond ... and every local government in the Bay Area to do their part," according to the Compact.

"This is a very scary document, and it includes things we know do not work," Vice Mayor Mike Anderson said at the Jan. 28 city council meeting. Anderson said that rent control only drives rents higher, and that many of the Compact recommendations would in effect take away local control of zoning and housing.

The vice mayor cited the example of BART zoning requirements. Assembly Bill 2923 allows BART to develop housing on property it owns, but the Compact calls for the zoning to extend to one-quarter mile beyond the BART stations, putting even more pressure on local municipalities - like Lafayette - that are producing housing in compliance with their established development standards.

By suggesting a new quarter-percent sales tax to pay for its recommendations, the Compact may prevent Lafayette from implementing taxes for its own purposes, said Niroop Srivatsa, interim city manager. And she bristled at the extra work the Compact would require of her staff. "We should be spending our time building the housing units instead of on paperwork and bureaucracy," Srivatsa said.

Anderson later expanded on his Compact concerns. "It's a regional effort to influence state legislation, but it's hard to get a grip on where to apply the pressure," he said. Anderson pointed to the high-tech industry, which promised to allow its employees to work from home. "It didn't happen," he said. "You have all of these people driving for miles to their jobs. We need to get these companies to decentralize their operations. They don't need to build Salesforce buildings. Put the work where the people live, and put the jobs where the housing already is."

Anderson added that there are plenty of vacant storefronts in Lafayette.

Mayor Cam Burks expressed misgivings about transparency, including how the Compact ideas were generated and how few people were engaged in the process. Burks also noted that many of the suggested bills are already on the fast track to passage in Sacramento. "It's very troubling," he said.

"All we did was select the three co-chairs and they filled out the rest of the committee," said John Goodwin, MTC spokesman. "It may seem like only a few people, but they represent a diversity of interests and a breadth of experience."

Council members recommended that the Compact become the focus of the April Tri-City meeting, which will be hosted by Lafayette, with MTC representatives available to explain the details of the Compact to

Lafayette officials largely denounced an action plan developed by a regional committee that would spur housing growth in the Bay Area by raising \$1.5 billion annually through revenue sources like a vacancy tax, parcel tax, increased sales tax, gross receipts and head taxes on employers, and the issuance of general obligation bonds.

The Committee to House the Bay Area, known by the acronym CASA and formed by the Metropolitan Transportation Commission, also emboldens state leaders to pass legislation to change the Proposition 13 tax allocation formula to give jurisdictions that provide more housing a higher share of property tax revenue. CASA also urges the state to form a Regional Housing Enterprise to implement and administer the policy recommendations.

The plan, called the CASA Compact, is a 15-year emergency policy package targeted to the Bay Area, and

Lamorinda residents.

But with his concerns about proposed legislation already on the way to Sacramento, Burks pushed for an even earlier meeting date, possibly in March. He also made clear that the city should feel no guilt over its own efforts to cope with the housing crisis.

"Lafayette has done and continues to do our part, and a cookie-cutter approach is just not right," Burks said.

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