



City Council

Mike Anderson, Mayor
Don Tatzin, Vice Mayor
Brandt Andersson, Council Member
Mark Mitchell, Council Member
Traci Reilly, Council Member

May 16, 2013

Ms. Amy Worth, Chair
Metropolitan Transportation Commission
Joseph P. Bort Metrocenter
101 Eighth Street
Oakland, CA 94607-4770

Mr. Mark Luce, President
Association of Bay Area Governments
P.O. Box 2050
Oakland, CA 94607-4756

Subject: Response to Draft *Plan Bay Area*

Dear Chair Worth and President Luce:

Thank you for the opportunity to submit the City of Lafayette's comments on the draft *Plan Bay Area* ("Plan") and its jobs and housing estimates for Year 2040. We appreciate ABAG's and MTC's efforts to comply with SB 375 and develop a plan that meets the aspirations of local jurisdictions and current and future residents. However, we are very concerned that the Plan places an undue and unrealistic burden of growth on local jurisdictions. Furthermore, despite statements to the contrary, we are concerned about the erosive effect that its policies may have on local land use control.

- 1. Given your deadline of May 16, we offer the following comments on the Plan and request that you extend the comment period for at least an additional sixty days.**

The public has had limited time to review the thousands of pages contained in the Plan, its environmental document and appendices. Since the Plan's policies will impact residents of all jurisdictions in the nine county Bay Area for almost three decades, we believe that it is imperative that you grant this extension.

- 2. We request a reclassification of Lafayette's Priority Development Area ("PDA") from Transit Town Center to Transit Neighborhood.**

In 2007, Lafayette applied for and received its designation as a PDA "Transit Town Center" for its downtown which, at the time, was also the Redevelopment Project Area. Lafayette had just begun working on a specific plan for the downtown. The Downtown Specific Plan was subsequently adopted in late 2012. The specific plan's EIR concludes that additional growth in Lafayette's downtown - even that envisioned in the existing General Plan - will result in substantial traffic impacts. Existing traffic levels of service ("LOS") in the downtown are already at LOS D at some intersections that are close to BART and there are two major intersections at

LOS F. The specific plan’s EIR shows that under the General Plan build out scenario, more intersections could reach LOS D, E, and F by 2030 and mitigation may not be feasible. These impacts are even more significant because of projected growth in Moraga. The result would be increased congestion on Lafayette streets and degradation in the quality of life of downtown residents and patrons.

Furthermore, the residential densities and allowable office building FAR suggested for a Transit Town Center far exceed anything Lafayette has considered in its 45 years as an incorporated city. Adopting such guidelines is completely inconsistent with the residents’ vision and plans for their community.

Given this finding of the specific plan’s EIR and the goals of the General and Specific Plans, we cannot achieve the densities envisioned in a Transit Town Center and believe that the designation of Transit Neighborhood is the appropriate designation for Lafayette’s downtown. Furthermore, we can achieve the housing goals while retaining the characteristics of a Transit Neighborhood.

3. We request a shift in our housing growth numbers between the downtown and the rest of the City and reductions in Lafayette’s 2040 job numbers.

Households

The projection of 1,420 new housing units throughout Lafayette by 2040 is acceptable for the entire community. However, for the downtown/PDA, an increase of 990 households or 52% is too high. In addition to the traffic constraints previously mentioned, the downtown is also limited by the following:

- A lack of parcels available or suitable for redevelopment. The specific plan’s EIR estimated that at most, 30 percent of the downtown would redevelop by 2030. Furthermore, a network of creek corridors with significant riparian habitat crisscrosses the downtown limiting potential development sites.
- A severe lack of parks in the downtown – only 0.7 acres. This does not come close to meeting our General Plan’s standard of 5 acres/1,000 residents. The specific plan proposes three additional parks in the downtown to meet this shortfall, and these park sites would not be available for additional development. Retaining riparian habitat and adding small downtown parks are important portions of our community vision.

The City had previously supported an increase of 815 households between 2010 and 2040 because although high, it was reasonably consistent with the General Plan and Downtown Specific Plan projections. We request a reduction to 815 households as shown below. We note that this still equals approximately 60 percent of the growth forecast citywide whereas downtown housing constitutes approximately 20 percent of the existing housing stock.

Citywide and Downtown Household Totals for 2010, 2040, and Growth Including *Plan Bay Area* Recommendations and Proposed Revisions (non strike-out)

	2010	2040	2010-2040	% Growth
Lafayette	9,220	10,640	1,420	15
Downtown	1,890	2,705 2,880	815 990	43

Jobs

The 2010 baseline numbers in *Plan Bay Area's* tables are not consistent with the 2010 US Census numbers which ABAG used in 2012 when it developed the five scenarios. We ask that ABAG correct the 2010 baseline data for Lafayette.

Comparison of 2010 Job Estimates from *Plan Bay Area* and the 2010 Census

	2010 (<i>Plan Bay Area</i>)	2010 (Census)	Change from US Census
Lafayette	10,640	10,235	+405
Downtown	5,960	6,182	-222

Plan Bay Area's projected growth in jobs for Lafayette as a whole and for the downtown are too high. These numbers are inconsistent with the City's plans and the City's previous comments to ABAG and MTC have not been addressed. We request that the job distribution numbers for total employment and for the PDA employment be reduced to be consistent with the City's numbers.

The following points demonstrate why the job projections for Lafayette as a whole and within the downtown are unreasonable and unrealistic:

Citywide

- While it is likely there will be increased telecommuting and home-based occupations throughout the city in the future, the only centers of employment outside the downtown are in the local schools and religious institutions. None of these is a large employer and neither is likely to experience the significant growth in employees envisioned in the Plan. And it is equally unlikely that the additional financial and professional jobs will be added outside the downtown.
- There will be other environmental issues as well. It is the goal of both the General Plan and Downtown Specific Plan to maintain the downtown's small town character and preserve existing neighborhoods and views of the hillsides. Meeting this goal guides the allowable density for future development. Because of our topography and the soil conditions of our hillsides, more intense levels of development are limited to the downtown. The opportunities for employment growth outside the downtown are therefore extremely limited.
- The existing hilly topography, seismic constraints and roadway layout of the City are also a public safety challenge. Lafayette, Moraga and Orinda all sit in areas at high risk for wildland fires. Except for a limited area just south of Highway 24, approximately 50,000 people are only served by four two-lane evacuation routes. Right-of-way to expand them does not exist. Adding additional daytime population could pose a safety risk to the residents and commuters.
- The City recently amended the Circulation Element of its General Plan to include a Complete Streets component. We are committed to improving bicycle and pedestrian circulation for people who live and work in Lafayette. However, accommodating these alternative modes of travel within our limited-capacity roads will prevent us from accommodating additional growth in traffic that the forecasted growth for Lafayette and Moraga will bring.

Downtown

- The downtown or PDA cannot accommodate 1,560 additional jobs. As previously mentioned, the EIR for the Downtown Specific Plan concludes that additional growth in the downtown - even that envisioned in the existing General Plan - will result in substantial traffic impacts and failing levels of service. Downtown Lafayette also has to accommodate traffic from existing and planned growth in Moraga. This is growth that is

beyond our control, and yet, it significantly affects the quality of life in Lafayette every day.

- Both the General Plan and the Downtown Specific Plan project an additional 138,000 square feet in office uses and an additional 138,000 square feet in retail uses by 2030. Based on the *Downtown Lafayette Specific Plan Economic and Fiscal Analysis* prepared for the City in 2010 by Seifel Consulting, this amount of commercial development could result in 736-1,150 jobs. However, the report also notes that this amount of commercial development might not be supportable even with the projected additional residential development.

We therefore ask that the job growth for the City and PDA be reduced to be consistent with the City's numbers as shown below.

Citywide and Downtown Jobs Totals for 2010, 2040, and Growth Including Plan Bay Area Recommendations and Proposed Revisions (non strike-out)

	2010	2040	2010-2040	% Growth
Lafayette	10,235 10,640	11,465 13,230	1,230 2,590	12 24
Downtown	6,182 5,960	7,412 7,520	1,230 1,560	20

4. We request confirmation of the following so that we can be assured that our General Plan rather than imposed mandates will guide our planning:

The growth projected for our PDA will be confined within the boundaries of our PDA/downtown. When speaking of a place type, the Plan refers to an increase in housing and jobs “within a ½ mile radius” of a transit station. Lafayette’s downtown/PDA is located entirely on the south side of Highway 24 and the BART station. Given the hilly terrain, land north of the freeway is zoned for low-density single family residential uses only. Please confirm that the ½ mile radius rule does not apply to Lafayette.

Jurisdictions retain the right to require environmental analysis for future projects within the PDAs.

Lafayette’s Downtown Specific Plan states that the environmental impacts of future development will be required and analyzed when making decisions. Please confirm that the Plan and EIR do not take away a local jurisdiction’s right to assess the environmental impacts of future growth. This right is needed because a project placed on a specific location may have different impacts on views and traffic, for example, than if the same project were placed a few blocks away.

5. We endorse the comments submitted by our neighboring jurisdictions Orinda and Moraga. As Orinda states in its letter, both SB 375 and the State law defer to local jurisdictions on matters pertaining to land use policies and regulations. This must be the cornerstone of *Plan Bay Area* and we ask that ABAG and MTC commit to upholding this fundamental guiding principle.

As a concluding statement and to reiterate, **Lafayette is clearly not alone in having grave concerns about the highly speculative and ultimately unrealistic direction that the Plan is taking and in questioning the possible excessive reliance on creating land development patterns that differ from existing general plans to achieve the requirements of SB375.**

Before making the critical and irreversible decision to adopt *Plan Bay Area*, we strongly request that you put a hold on this process and determine other ways to realistically address climate change in

California without burdening already-impacted cities and counties with “top-down” planning concepts and requirements.

Thank you again for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to be 'al' followed by a long horizontal line.

Mike Anderson
Mayor

cc: Lafayette City Council