

SF Bay Area Renters' Federation
1554 Market Street
San Francisco, CA 94102

August 6, 2015

City of Lafayette, City Council
3675 Mt Diablo Blvd #210,
Lafayette, CA 94549

Re: Homes at Deer Hill; Terraces of Lafayette

Dear Mayor Andersson and members of the City Council:

I run a political organization called the SF Bay Area Renters' Federation. We are the "increase capacity" arm of the anti-displacement movement. Our members are Bay Area residents who think a massive increase in the supply of housing in the Bay Area is necessary to stem displacement. We have a mailing list of over 350 people and 20 active volunteers. We mostly attend community meetings and hearings in support of specific projects.

I am writing today to urge you to deny the Project Alternative ("Homes at Deer Hill"), resume processing of the Apartment Project Application ("Terraces of Lafayette") and ultimately approve the initial proposal to build 315 moderate income apartments.

It's our opinion that the Terraces Project [Alternative Process Agreement](#) is equivalent to Lafayette "proposing to approve [the project] upon the condition that the project be developed at a lower density." If you approve the Project Alternative, a member of my organization, a "person who would be eligible to apply for residency in the development," will bring an action to enforce the Housing Accountability Act. (Section 65589.5(k))

For a local agency to condition approval of a housing project on reducing the density of that project to less than proposed and otherwise permitted by law, the agency must make specific findings under California Government Code Section 65589.5 (the "[Housing Accountability Act](#)"). The Act requires a finding that the project would have a "specific adverse impact on public health or safety" unless the density is reduced. There is no finding in the Environmental Impact Report for the Project that meets these criteria. Therefore, the City Council must deny the Project Alternative ("Homes at Deer Hill"), resume processing of the Apartment Project Application ("Terraces of Lafayette") and ultimately approve the initial proposal to build 315 moderate income apartments.

The Housing Accountability Act was adopted because the lack of housing in California has become a critical problem threatening the economic, environmental, and social quality of life. This lack of housing is partially caused by activities of many local governments that limit the approval of housing projects.

Because the original proposal was for housing affordable to moderate income households, if the court finds in our favor, “the court ... shall award reasonable attorney's fees and costs of suit to the plaintiff.” (Section 65589.5(k))

Should the City Council decide to prioritize homeowners’ aesthetic preferences over the needs of its service workforce, we will not hesitate take legal action to defend the housing policies of this state. New homes do not threaten public health or safety. Indeed, increased housing is essential for California to meet these goals.

Sincerely,

Sonja Trauss
SF Bay Area Renters’ Federation
www.sfbarf.org

cc: Andrew J. Junius
Reuben, Junius & Rose, LLC

Steven Falk
City Manager, City of Lafayette