



City Council

Don Tatzin, Mayor
Cameron Burks, Vice Mayor
Mike Anderson, Council Member
Mark Mitchell, Council Member
Ivor Samson, Council Member

June 25, 2018

Senator Ben Allen
State Capitol Room 5072
Sacramento, CA 95814

RE: AB 2923 (Chiu) San Francisco Bay Area Rapid Transit: TOD Notice of Opposition

Dear Senator Allen:

Recently, a group of mayors and I met with Assembly Members David Chiu and Timothy Grayson concerning AB 2923. The meeting was productive and we realized that we share the same goals of finding solutions to the housing crisis in our state. However, we regret to say that we do not see this bill as a solution to the housing shortage. In our opinion, the transfer of the Constitutionally-granted local government function to regulate land use for housing to a transit agency is unnecessary and one that could set a worrisome precedent for communities around the state.

Through its General Plan, Downtown Specific Plan and the creation of a Priority Development Area, Lafayette has encouraged higher density multifamily developments in the downtown, particularly close to the BART station. Since 2006, over 300 multifamily and townhome units have been considered within one half mile of the station. Of these units, 125 have already been constructed, 77 units are under construction, 99 units have been entitled and 12 units are under consideration. Through our inclusionary housing requirements, 50 housing units are, or will be, available at below-market-rate rents and sales prices. We will continue to facilitate the construction of affordable, higher density housing in the downtown, consistent with our General Plan. Lafayette has not rejected a multi-family housing project located within one-half mile of our BART station.

We also struggle to see the need for this bill since BART already has the opportunity to work with cities and counties to bring projects to fruition. The City of Lafayette and BART have enjoyed a long, collaborative partnership and we are currently working together on a project to improve pedestrian, bicycle and handicapped access to the BART station. BART has not made a proposal for housing on BART owned land in Lafayette and has taken no position on the multi-family housing projects the City approved. BART should approach us in a collaborative manner regarding housing development before new legislation is enacted.

For the reasons stated above, AB 2923 is not a bill that the City of Lafayette can support. Let us work together to ensure that we not only find solutions to the housing crisis in our state, but also maintain the rights and responsibilities of local government. The City of Lafayette is committed to collaboratively working with you and others on finding ways to spur much needed housing, including affordable housing. We look forward to working with our lawmakers on legislation to boost housing production and economic development, both which are needed throughout the Bay Area.

If you have any questions, please do not hesitate to contact me at 925-284-1968.

Sincerely

A handwritten signature in black ink that reads "Don Tatzin". The signature is written in a cursive, flowing style.

Don Tatzin
Mayor, City of Lafayette

cc: Assembly Member David Chiu
Assembly Member Timothy Grayson
Senator Steve Glazer
Assembly Member Catharine Baker
Director Debora Allen, BART
Samantha Caygill, League of California Cities