

The Orinda Way



Downtown Planning and Housing

By Emmanuel Ursu, Planning Director

Orinda's General Plan embodies the community's long-term vision for the future. In 1987, two years after the City of Orinda incorporated, the City adopted its first General Plan.

A generation later, in 2010 the City embarked on the process of updating its General Plan with a focus on the downtown. Public input is the cornerstone upon which a successful General Plan is built. To that end, in 2010 and 2011, the City held a series of public workshops and solicited input through a survey to which almost 1,000 residents responded. Overwhelmingly, the message we heard from our residents is that while improvements to the quality and range of services and retail stores in both the Village and Crossroads sides of downtown are desired, residents wish to preserve and enhance Orinda's unique small town character. As we proceed through the process of updating and reaffirming the community's vision for the future, we will continue to solicit public input each step of the way. No decisions will be made about the plans for the future development of the downtown without public meetings.

As a part of the process of updating our General Plan, the City will also continue to evaluate the options available to accommodate the changing housing needs of our aging population and to meet the needs of young families and households without children.

As the City engages the public in the process of updating the General Plan, we have heard several frequently asked questions primarily pertaining to housing issues. Eleven frequently asked questions and answers follow. Answers to other frequently asked questions are posted on the City website at www.cityoforinda.org.

1. What is a General Plan? Every city and county in California is required by State law to have a General Plan. The General Plan embodies a community's vision of the future and is long-range, comprehensive and general in nature. The General Plan coordinates all major components of the community's physical development and has been referred to as the "constitution for development" with which zoning and subdivision ordinances and specific plans must be in conformance. State planning law calls for seven General Plan elements:

Land Use, Open Space, Circulation, Noise, Housing, Conservation and Safety.

- 2. When was the Orinda General Plan adopted?** The Orinda General Plan was adopted on May 20, 1987.
- 3. When was the last time the Orinda General Plan was comprehensively updated?** Although the General Plan has periodically been amended, there has not been a comprehensive update of the General Plan since it was adopted in 1987. As required by state law, the Housing Element has been updated three times and a fourth update is near completion.
- 4. The Orinda General Plan is dated 1987 - 2007. Is it still valid?** Yes, it is still valid and applicable. It does not have a sunset date.
- 5. What is a Housing Element?** The Housing Element is one of the seven mandated elements of the General Plan. Housing Element law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. State law requires Housing Elements be updated every five to eight years (referred to as Housing Cycles).
We are currently working on revisions to the draft Housing Element for the 4th Housing Element cycle (2007 - 2014). Work on the 5th Housing Element cycle (2014 - 2022) will likely begin in about a year.
- 6. What is the role of the following agencies as it pertains to Housing Elements?**
 - a. State Department of Housing and Community Development (HCD)** – HCD prepares regional population growth projections and reviews local housing elements for compliance with Housing Element law.
 - b. Association of Bay Area Governments (ABAG)** – ABAG is the regional planning agency for the Bay Area and it establishes the methodology for allocating HCD's regional growth projections among the cities and counties in the region.

- c. **Metropolitan Transportation Commission (MTC)** – the MTC is the transportation planning, coordinating and financing agency for the Bay Area and it screens requests from local agencies for state and federal grants for transportation projects. Recently, the MTC added HCD certification of a jurisdiction's Housing Element as a prerequisite to qualify for road maintenance funds.
- d. **Contra Costa Transportation Authority (CCTA)** – The CCTA was formed to manage the funds generated by the half-cent transportation sales tax enacted by voters in 1988 with passage of Measure C and extended through Measure J. The City of Orinda receives approximately 1/3 of its annual pavement management budget from Measure J. A prerequisite for eligibility of Measure J funds is compliance with state Housing Element law.
7. **Is the City of Orinda Housing Element Certified by HCD to be in compliance with State law?** No. Since incorporation, the City of Orinda has never received HCD certification of its Housing Element. Despite HCD's position, the City believes its Housing Element complies with the requirements of state law under the provisions of GC 65585(f)(2).
8. **What is Orinda's allocation of the regional housing need and what is Orinda's plan to accommodate the allocation?** The allocation for the current Housing Element cycle (2007 - 2014) is 218 units of which 173 are to be affordable to households in the very low-, low- and moderate-income categories. The City is currently revising its draft plan in response to HCD comments and, subject to City Council direction, the City plans to meet the affordable housing requirements through the development of Eden Senior housing, Orinda Grove, in-law and au pair units, Santa Maria Church vacant land site and vacant single-family sites throughout Orinda.
9. **What are the consequences for not having a Certified Housing Element?** Possible consequences include the loss of transportation funding and local land use authority.
10. **Is the City required to develop affordable housing or any other type of housing?** No, the City is not required to enter the land development business. The City's role is limited to adopting a Housing Element and land use regulations that reflect Orindans' vision for the future and which are in compliance with state law.
11. **Can ABAG require the City to zone land for high density housing?** No, ABAG is not a legislative body and therefore it cannot compel any jurisdiction to take any action. See question 6.b for a description of ABAG's role.
12. **What are Priority Development Areas (PDAs) and are areas of Orinda in a PDA?**
- As part of the process of developing the Sustainable Communities Strategy to meet the requirements of state law (SB 375), ABAG and MTC identified areas

near existing and planned transit stations that could potentially accommodate housing and job growth and sought local input on the "Place Type" assigned to those areas. MTC's Station Area Planning Manual - (October 2007) establishes seven "Place Types" based on land use mix, housing and transit mode characteristics). The areas near transit were identified by ABAG and MTC as Priority Development Areas (PDAs). PDAs that are not zoned to accommodate the development characteristics of the PDA designation are considered "*potential* PDAs." Orinda's downtown is a "*potential* PDA" and the decision whether or not the City chooses to adopt land use policies that are consistent with those of the PDA "Place Type" assigned to Orinda is left to local decision makers.

Answers to additional questions are posted on the City of Orinda website at www.cityoforinda.org under Planning and Housing FAQ's.

SAVE THE DATES!

Orinda Farmers' Market is currently celebrating 16 years of service in Orinda. The local Farmer's Market features a variety of fresh organic produce and is held every Saturday beginning May 4, 2013 through November 23, 2013 from 9:00am to 1:00pm Orinda Village, Orinda Way

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July 4th Celebration

Presented by The Orinda Association
Join Orinda's fabulous celebration!

July 3 Volunteers' Decoration Party
4:00–6:00 pm, Orinda Community Center Plaza and Park

July 4 Festivities

7:30-10:00am Pancake Breakfast
7:55am Flag Ceremony
8:00am Fun Runs
10:00am Parade Begins
11:30am–1:30pm Park Activities
Information and parade applications available at www.orindaassociation.org and Orinda Association Volunteer Center:
26 Orinda Way,
(925) 254-0800

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Contra Costa County Library's 100th Birthday Celebration on July 21, 2013 from 12:00noon - 5:00pm at Pleasant Hill Park
147 Gregory Lane in Pleasant Hill

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Enjoy a tasty tour of Orinda's restaurants. **The Orinda Restaurant Tour** will be held on September 24, 2013 from 5:30pm to 8:30pm. Contact the Orinda Chamber of Commerce at 925-254-3909 for more information.

Reserve tables for your summer picnic today!

Did you know that there are two parks in Orinda where you can reserve picnic tables for a family or group event? Picnic tables are available for reservation in three-hour time blocks at Orinda Oaks Park and Orinda Wilder Park. Prices are based upon number of attendees and residency status and range from \$51/use to \$100/use. The picnic area at Oaks Park is suitable for a party up to 50 and provides a scenic, natural environment for your event. The tables are shaded with majestic oak trees and are situated adjacent to a large grassy area suitable for picnic games such as relay races and volleyball.

The picnic area at Orinda Wilder Park is the newest addition to the City's park system. The group picnic area is situated between two multiuse sport fields and is adjacent to the children's playground. The area has ample parking and is suitable for groups up to 100.

To reserve your spot please contact the City of Orinda Parks and Recreation Department at 925-254-2445.



Who's Knocking on Your Door?

By Scott Haggard, Police Chief

With the beginning of springtime in Orinda come flowers, sunny weather, allergies and the inevitable magazine solicitor. Door to door solicitors have, traditionally, been a recurring problem in Orinda. From merely being an annoyance to committing criminal acts, solicitors can have a serious negative impact on the safety and security of the neighborhood.

Often, groups of solicitors will use deceptive tactics to make the residents feel comfortable, and more willing to turn over cash, checks or credit card numbers. Typical techniques used by unscrupulous solicitors include portraying themselves as local residents or relatives of a neighbor; a local student trying to raise money to study abroad; or a local athlete trying to raise money for his team. Invariably, these "local" solicitors turn out to be from outside of California, many with criminal backgrounds ranging from misdemeanor disorderly conduct to felony armed robbery.

Although the Police Department cannot prevent solicitors from going door to door for profit, charitable contributions or for purposes of expressing their First Amendment rights of free speech and religion, the City does have the right to regulate those businesses which solicit for profit in the residential neighborhoods.

With few exceptions, soliciting for profit in the City is prohibited without a permit. Permits are obtained by registering through the Police Department after a background check and a fee.

The Orinda Municipal Code outlines the restrictions on solicitors operating within the city limits:

OMC 5.32.020 - It is unlawful for any person to engage in the business of peddler or solicitor within the city, or to go from door to door or house to house or street to street within the city, for the purpose, direct or indirect, and whether or not the same is the sole purpose, of peddling or soliciting, without first registering pursuant to Section 5.32.050 of this chapter. Each person engaged in such business or activity shall be required to register, regardless of whether other employees or agents of the same person have registered.

Violations of the Municipal Code are an infraction and are typically handled by issuing a citation to the solicitor. Penal Code Section 532d is a misdemeanor violation, prohibiting the solicitation of charitable contributions under false pretenses, and may result in the arrest of the solicitor. Each properly registered solicitor is issued a City of Orinda solicitor's permit which displays a photograph of the solicitor. The permit must be worn where it is visible to the public.

What you should do to discourage solicitors from coming to your door:

1. Post a "No Trespassing" or "No Soliciting" sign on your property.
2. Don't open the door.
3. Speak through the door or nearby window. Let the subject know that you are there.
4. Be cordial and politely decline their offer. If they are persistent, inform them that you are contacting the Police.
5. Call the Police. A good description of the solicitor, a vehicle description and license plate can be very helpful; however, do not put yourself at risk to obtain the information.
6. Contact your neighbors. Let them know that solicitors are in the area.

Measure L Passes!

By Chuck Swanson, Public Works Director

With the passage of Measure L, (the 1/2 cent sales tax) in November of 2012 the City has a new source of funds for repairing the City's streets. The tax is expected to raise at least \$600,000 per year for each of the next ten years. The Citizens' Infrastructure Oversight Commission (CIOC) was asked by the City Council to develop and recommend a plan for how these dollars should be spent. This winter the CIOC, as a part of their regularly scheduled meetings, considered how to spend these tax dollars in a way that would fairly benefit the residents of the City.

Under the current City plan of spending the Gas Tax and Measure J (Return to Source funds) on pavement repair, but only the arterial, collector and school route streets were being repaired. This program has significantly improved those streets, but residential streets, which make up 69% of the City's streets, continue to deteriorate. The City is proposing to use the new Measure L funds to improve residential streets. In April and May the City Council will be discussing the policy and criteria recommendations of the CIOC that will be used to select streets for repair. Once the criteria are approved the CIOC will recommend a list of streets to be repaired. It is planned that repair of the selected streets will start in the fall of 2013.

Photo of the Orinda Garden Club plaque commemorating the Mayor's Award for Excellence for the clearing of the Lake Cascade Shoreline in December 2012.



City of Orinda 2013 Commissioner Appointments

Art in Public Places Committee

Beata Engl
Richard Westin

Citizens' Infrastructure Oversight Commission

Marc Marchiel
Terry Murphy
Dennis Fay

Finance Advisory Committee

Bing Ryan
Susan Vandegrift
Sandra Breber

Historic Landmark Committee

Laurel Smith
Erik Andersen

Parks and Recreation Commission

Tara McGuiness
Jason Lurie

Planning Commission

Dave Hoppock
Rebecca Verity
Joe McGrath

Public Safety Committee

Deb Stephenson
Wayne Hilty
Collin Wong
Gloria Lee
Omar Rodriguez

Public Works Aesthetic Review Committee

Catherine Schmidt

Contra Costa Transportation Authority

Citizen Advisory Committee
Mark Roberts

PLAY BALL AND BRING THE REPELLENT



The change of seasons marks the return of sports and mosquitoes. For information on how to protect you and your family, go to:

www.ContraCostaMosquito.com

Reminder: Be a good neighbor. Observe



With summer in full swing, Orindans are spending much more time outdoors working and playing. To ensure that all can enjoy their properties in peace and quiet, the City established noise regulations that limit noise to 60 decibels with specific criteria and exceptions for: construction projects; yard work with power equipment; golf course maintenance and private clubs. The chart summarizes the days and times during which these activities are allowed to occur with the associated penalties for violating the code. To report a violation of the noise ordinance, please call the Police Dispatch at 925-284-5010.

Topic	Code Requirement		Penalty ¹	Code Section
General Decibel Limit	60 decibels maximum except for construction, yard maintenance and golf course maintenance.		\$100 every 60 minutes or less	17.39.2
Construction Hours	Monday – Friday	8 a.m. to 6 p.m.	\$100 every 60 minutes or less	17.39.3
	Saturday	10 a.m. to 5 p.m.		
	Sunday	10 a.m. to 5 p.m. by resident of property and one other person.		
	Holidays	Prohibited		
	Heavy Equipment	Prohibited without special permit on weekends		
	Hours Posted	Permitted construction hours must be posted on site		
Yard Maintenance with Power Equipment	Monday – Friday	8 a.m. to 6 p.m.	\$100 every 60 minutes or less	17.39.4
	Saturday	10 a.m. to 5 p.m.		
	Sunday	10 a.m. to 5 p.m. Except gas powered leaf blowers, wood chippers and chainsaws are prohibited Sunday.		
	Holidays	Prohibited		
Golf Course Maintenance	Lawn mowers	Daily 5:30 a.m. to 5 p.m.	\$100 every 60 minutes or less	17.39.5
	Leaf blowers	Monday – Saturday and Holidays 8 a.m. to 5 p.m. Prohibited Sunday		
	Men's and Women's Invitational Approx. 3 days each in June and July	Leaf blowers and lawn mowers 4 a.m. to 8 a.m. and 5 p.m. to 9 p.m.		
Amplified Sound at Private Clubs	Portable "boom boxes"	Prohibited	\$100 every 30 minutes or less	17.39.7
	DJ's	Prohibited except for club socials supervised by an adult club official	\$100 every 60 minutes or less	
	Amplified Sound	60 decibels maximum as follows:		
		May - August	10 a.m. to 9 p.m., except that extended hours of 8 a.m. to 10 p.m. shall be permitted for no more than 20 days	
		September - April	12 noon to 8 p.m., except that extended hours of noon to 10 p.m. shall be permitted for no more than 20 days	
Animal Noise	No person shall own, possess, harbor, control or keep on any premises, any dogs, fowl or other animals, that bark, bay, cry, howl or make any other noise so continuously or incessantly as to unreasonably disturb the peace or quiet of any two persons living in different households within three hundred (300) feet of the location of the disturbance.		\$100 every 60 minutes or less	17.39.8
Permanent Mechanical Equipment (pool and spa pumps, a/c, etc.)	Mechanical equipment that creates noise that exceeds 45 decibels at the nearest property line, as verified by the Planning Department, shall be screened or enclosed to attenuate the noise level to no more than 45 decibels at the property line within 60 days of receipt of notice from the City to screen or enclose.		\$25 every 60 minutes or less	17.39.9

1. Repeat Violation Multiplier: 2nd citation in 12 months is 2 times and 3rd and subsequent citations in 12 months is 5 times.

CITY COUNCIL

Amy R. Worth, *Mayor*
Sue Severson, *Vice Mayor*
Steve Glazer, *Council Member*
Dean Orr, *Council Member*
Victoria R. Smith, *Council Member*

ADMINISTRATIVE STAFF

CITY MANAGER

Janet S. Keeter

CITY ATTORNEY

Osa Wolff

CITY CLERK

Michele Olsen

FINANCE DIRECTOR

Susan Mahoney, Director

POLICE

Scott Haggard, Chief of Police

PARKS & RECREATION

Michelle Lacy, Director

PLANNING

Emmanuel Ursu, Director

PUBLIC WORKS & ENGINEERING SERVICES

Charles Swanson, Director

EDITOR OF THE ORINDA WAY

Tonya Gilmore

We would like to hear from you!
Send your comments or questions to
publicinfo@cityoforinda.org
or call 253-4291.

DIRECTORY

Administration **253-4220**

City Clerk **253-4221**

Parks & Recreation **254-2445**

Public Works &
Engineering **253-4231**

Planning **253-4210**

Police Offices **254-6820**

Police Dispatch **284-5010**

City Hall is open Monday thru Friday
8:00am to 12pm &
1:00pm to 5:00pm.

For information about City services
call 253-4200 during regular
business hours or visit
www.cityoforinda.org.

Summer Concerts in the Park - FREE!

Tuesday Nights, 6:30–8:30 pm
Orinda Community Park

Sponsored by the Orinda Community Center Auxiliary (OCCA). Supported by the Orinda Parks and Recreation Foundation, Orinda Community Foundation, and City of Orinda.

Food and beverages available from
Loard's Ice Cream and Rebel Dog.

June 11 - Brian Moran Jazz Trio *Classic Jazz*
(with vocalist Rebecca Faiola)

June 18 - Cal Alumni Big Band *Big Band Jazz*

June 25 - David Correa & CASCADA
Latin Guitar World Music

July 2 - Bay Bridge Beat
Funk, Rhythm & Blues

July 9 - Stone Soup *Classic Rock*

July 16 - Lamorinda Idol Singers *Variety*
Come early for Arts in Bloom...In the Park,
a community celebration of the visual
and performing arts.

July 23 - Pladdohg *Celtic Rock*

July 28 - Opera in the Park* *Opera*
(Sun) OpenOpera, 4:00–6:00 pm

August 6 - The Crisis *Blues & Rock*

August 13 - littledog2 *Pop & Rock*

**Sponsored by the Rotary Club of Orinda. Supported by the Orinda Parks and Recreation Foundation & Orinda Community Center Auxiliary.*



City of Orinda
22 Orinda Way
Orinda, CA 94563

PRESORTED STANDARD
U.S. POSTAGE

PAID

Orinda, CA
Permit # 129

ECRWSS

POSTAL CUSTOMER