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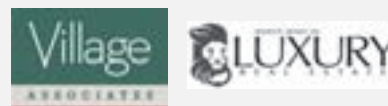
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Orinda council responds to resident concerns, amends urgency ordinance on short-term rentals

By Sora O'Doherty

The urgency ordinance banning non-hosted short-term rentals in Orinda was adopted by the city council on Nov. 19, but with some changes in response to issues raised by the public. The ordinance is effective immediately. One significant change in the ordinance imposes a two-night minimum rental requirement for short-term rentals.

After the Nov. 5 decision by the council to ban non-hosted short-term rentals provided by agencies such as Airbnb, the council received considerable email communications, and about a dozen residents attended the Nov. 19 meeting to voice their views. City attorney Osa Wolff was present and amended the wording of the ordinance on the spot in accordance with the wishes of the council.

In response to a mass shooting during a party at a non-hosted Airbnb in Orinda on Halloween that resulted in five deaths, the city council chose to ban non-hosted short-term rentals, defined as rentals of less than 30 days,

but to allow hosted short-term rentals to continue. There was some confusion and disagreement, however, in what is required to qualify as a "hosted" STR. Staff presented two alternative drafts of the ordinance, with one that would have required STRs to be more like the European bed and breakfast model when the host lives in the home and rents out rooms. That draft did not find favor with speakers or with the council.

Instead the final urgency ordinance bans all short-term rentals, with an exception carved out if the STR meets the following criteria: STR registration requirements have been met; the property is owned by the host and contains the host's primary residence, although that residence may be in a separate structure from the STR; the host is physically present to greet guests and to monitor and regulate activities on the property, although the host need not be on the property continuously; that the host sleep at the property and any listings for the STR must specify that the host will be present. In addition, any listing or advertisements

for the property must allow the city to identify the property.

A number of speakers objected to a requirement that the host remain in the same structure as the guests, and there was confusion about the host being required to prepare and share meals with the guests. Wolff explained that the meal requirement was only that the host prepare and eat meals on the property, and was just to show that the host lived on the property. The requirement was dropped.

Public comments ranged from fully supporting Airbnb to supporting a total ban on short-term rentals. In support of a total ban, Bob Weiss said, "Airbnb can't protect us. We can't protect ourselves." Sarah Funk found both drafts over-reaching and unfair. Christine Chalmers urged the council to take action without fear of legal repercussions. "How much of Airbnb's business comes from illegal rentals?" she wondered.

Planning Director Drummond Buckley stated that regulation cannot prevent illegal activities, and that additional code enforcement activity would be required.

At least one speaker, Pam Whitman, opposed regulating STRs, but wondered why there was no discussion of regulating guns. Several speakers questioned the mutual aid agreement that resulted in Orinda police officers not being present at the time of the shootings on Halloween, and some called for greater police presence on high risk nights, such as Halloween, New Year's Eve, and prom night. Latika Malkani spoke about objectional discriminatory views in the wake of the shooting incident, and urged further community hearings before adopting the ordinance. She also suggested gun control.

A number of speakers referred to wonderful experiences with short-term rentals, while some neighbors complained about conditions living close to STRs.

The urgency ordinance went into effect immediately upon adoption and lasts for 45 days. The council has the option of extending the ordinance for a period of up to two years. A replacement ordinance would be required to go through the usual adoption procedures.

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Orinda accepts final ConnectOrinda plan

By Sora O'Doherty

The Orinda City Council unanimously welcomed the final ConnectOrinda plan Nov. 19. Mayor Inga Miller praised the plan as "very Orinda," calling it "a special, special document that allows us to dream about how we can make these things happen." Acceptance of the plan had

been continued from the previous Nov. 5 city council meeting due to the emergency consideration of an urgency ordinance addressing short-term rentals after the Halloween mass shooting at an Airbnb on Lucille Lane.

At the conclusion of the year-long project, the plan was submitted by contractor Eisen | Letunic in consultation with Fehr & Peers Trans-

portation Engineering, WRT Landscape Design, BKF Civil Engineering and Steven Grover & Associates Architecture & Engineering. Entitled "ConnectOrinda: Bringing Together Downtown Orinda," the 133-page plan includes recommendations, design guidelines, and a comprehensive transportation study and will be a chapter in the forthcoming Downtown Orinda Precise Plan.

The project's goals focused on projects that connect the two sides of downtown, support future pedestrian access along San Pablo Creek, preserve Orinda's unique sense of place and beautify the downtown, and produce grant-eligible projects. For the Village District, the plan recommends connecting the Village to BART by transforming walkways with gateway treatments, plantings, art and safety improvements and re-opening the second BART entrance (\$1-1.5 million); highlight creek access points and enhance creek-viewing and experiencing opportunities (\$100,000-\$150,000); and enhance and activate the library terraces on Orinda Way (\$5,000-\$400,000).

For the Theatre District, the plan recommends beautifying and enhancing the safety of existing pathways and pedestrian bridges between the Theatre District and BART (\$375,000-\$600,000); creating a part-time pedestrian alley at Vashell Way (\$100,000-\$250,000); and constructing a living-landscape berm on Bryant way to block freeway noise (\$200,000 to \$400,000). The recommended streetscape design guidelines include incorporating green infrastructure, broadening Orinda's public art collection, improving sidewalks, crosswalks, lighting and bike/scooter parking, and establishing a maintenance program for public property. It was also suggested that the city should consider curb extensions and parklets.

The plan also included some long-term projects of various viability. A stay-high pathway to join the pedestrian bridges over the BART driveways and over the westbound freeway ramps with an elevated walkway was deemed potentially effective and viable. Other projects were deemed potentially feasible, but with significant chal-

lenges, including a new pedestrian/bicycle bridge, a new eastbound Highway 24 onramp accessible from Camino Pablo and a two-way protected bikeway in the existing roadway. Projects considered to be unlikely to be viable included an aerial gondola over BART and Highway 24, and protected bikeways created by tunneling behind or by moving existing bridge supports, and roundabouts.

The plan was introduced by Senior Planner Adam Foster, and Planning Director Drummond Buckley said, "By the city doing some of these projects, we hope to spur private development. Council Member Nick Kosla said he was very impressed, and hopes that the plan will lead to connecting business with each other, as happened in Truckee. Council member Amy Worth emphasized the real opportunity for bike and pedestrian paths, as opposed to the existing paths that are limited to pedestrians, and council member Dennis Fay agreed that the plan sets the stage for downtown development.

The plan may be viewed at <https://cityoforinda.app.box.com/v/ConnectOrindaDraft>

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Lamorinda teams assist in county-wide emergency drill

By Sora O'Doherty

On Saturday, Nov. 16, as the Bay Area was rocked by a 7.0 earthquake, a gas station in Moraga fell into a sinkhole. Well, not really, but Lamorindans with active imaginations reported this and other casualties as part of a county-wide emergency drill. Members of Lamorinda CERT (Community Emergency Response Team) joined many other CERT organizations throughout Contra

Costa County and partnered with the California Office of Emergency Services, the Contra Costa Sheriff's office and the County's Community Warning System to conduct an emergency communications exercise - Light Up The San Francisco Bay.

Early in the morning, volunteers were told that there had been an earthquake along the North Hayward Fault with the epicenter in the San Pablo Bay. Field CERT teams were directed to gather, conduct

windshield surveys and/or fill out their local rapid needs assessment forms, and communicate simulated messages to their CERT division incident commands or directly to their EOCs to provide rapid situational awareness to city and county officials prioritizing mass threats to life and major infrastructure failures. A windshield survey is a quick drive through an area, to identify immediately visible damage. ... continued on Page A9