



ORINDA

See public meetings schedule on this pages and check online for agendas, meeting notes and announcements
City of Orinda:
 www.cityoforinda.org
 Phone (925) 253-4200
Chamber of Commerce:
 www.orindachamber.org
The Orinda Association:
 www.orindaassociation.org

Sell your home, keep your privacy.

Contact me to sell your home as a Compass Private Exclusive.



Kim Siegel
 Realtor | Lamorinda Local
 DRE # 02085951
 925.297.9262
 kim@kimsiegel.com



Compass is a real estate broker licensed by the State of California and abides by Equal Housing Opportunity laws. License Number 01865771. All material presented herein is intended for informational purposes only and is compiled from sources deemed reliable but has not been verified. Changes in price, condition, sale or withdrawal may be made without notice. No statement is made as to accuracy of any description. All measurements and square footage are approximate.



Sold Off Market | \$1,800,000 | Represented the seller
 3276 Sweet Drive, Lafayette
 5 BD 3BA 3,371± SQ 0.24± AC

Orinda City Council won't be hurried to adopt proposed fire code

By Sora O'Doherty

Although public speakers and correspondence seem to overwhelmingly support adopting the revised fire code proposed by Moraga-Orinda Fire District Chief Dave Winnacker, the Orinda City Council still has questions, and won't move forward on the new code yet. Winnacker appeared for a second time at the March 3 council meeting to answer questions. The largest stumbling block appears to be the necessity – or lack of it – for a specific declaration that Orinda is a Wildfire Urban Interface area and the coordination between different agencies doing work in Orinda aimed at reducing a wildfire threat.

Council members, including Nick Kosla, Inga Miller, and Vice Mayor Amy Worth expressed concern that the new fire code might constitute a declaration by the city that Orinda is a WUI, while the fire chief was adamant that Orinda has been a WUI for 20 years. There was a lot of back and forth about the specific language, to the point where members of the public

shouted at the council to “just let it go.”

In a later interview, Worth emphasized that the council does want to adopt a new fire code, recognizing that the city needs to update. However, she explained, there are some of the details that the council needs to understand.

“We need more clarity on the issue of how the fire zone affects the building code,” Worth explained. “We still have to clarify exactly what needs to be done as to how you implement it.” She acknowledged that it is wise to update the building code, as was done for Wilder. Worth is interested in the idea of a two-pronged code, one part of the construction code for new buildings and another for existing structures. She also wants to pursue the ability and resources that the fire district can put in to ensure voluntary compliance with the fire code.

During the council meeting, Council Member Dennis Fay said a letter from the California insurance commissioner noted that the WUI designation “does not play into insurers’ decision-making or rating plans.” Winnacker agreed that the administrative designation of the WUI for the purpose of the building code for new construction is to simplify and clarify the requirements that must be met by any applicant for a building permit. He repeatedly stressed, “We are not making a finding of fact, we are not saying that we need to expand the area of WUI and, as the insurance commissioner seems to agree, we don't think that

there is a negative implication from doing this.” This largely applies exclusively to new or major renovation, Winnacker noted.

Tom Huggett, Principal Structural Engineer for Contra Costa Building Inspection explained that while WUI came into effect in 2007, the preliminary maps were inaccurate, so building departments did not jump in to enforce. City Attorney Osa Woolf said she would research who made the findings of WUI that would result in the correct code sections being enforced, and report back to the council.

The discussion continued to range over questions about the nature of the landscaping requirements, structural changes that MOFD would like to see implemented, how the fire code can be enforced and what can be done to get property owners to voluntarily improve the fire safety of their property.

During public comment, a letter signed by 600 Orinda residents supporting the proposed fire code was submitted to the council. David Shaffer, who has an insurance agency in Walnut Creek, said that California has experienced 300,000 non-renewals of fire insurance thus far and predicted more in future. In addition, there have been premium increases from 10 to 20% up to 100%. If canceled, a new policy could be up to 300% higher. When asked why he believed people were having such different experiences with insurance, he said that every insurance company has a different concentration of policies and reinsurance

companies are putting pressure on insurance companies.

The only public speaker who was slightly cautious about the new code was Michael Bowen from Friends of Orinda Creeks, who exhorted the council to recognize that nuance should be the watchword. “The risk seems low in some places relative to the damage that can be done,” he said, urging the council to “seek balance.”

When the matter came back to the council for discussion, Miller asked about how those with code violations are notified before issuance of a citation. Winnacker said absentee landlords are immediately given a violation, while there is a discussion with residents who are there and may not know about a violation. “Writing violations is administratively burdensome on us and if we can get to the end result without writing a violation, we do everything we can to stay in that space,” he said.

In the spring everyone gets a postcard that will prioritize just three or four primary items that need to be addressed in simple to understand language. “People who aren't clear on what we are asking are reticent to invest that effort until you know for sure what's required,” Winnacker said.

Those who say they just won't do the work will get a violation notice. If they indicate they are willing to do the work, they get a 30-day notice, and this year residents can self-report their compliance by sending a picture, he said. ... continued on Page A8

- ◆ HARDWOODS
- ◆ CARPETS
- ◆ RUGS
- ◆ LINOLEUM
- ◆ TILE
- ◆ LAMINATE

FAMILY -OWNED
30 YEARS !

3344 Mt Diablo Blvd
in Lafayette
925-284-4440
lamorinda floors.com

LAMORINDA FLOORS
Karamian GALLERY

LIVING TRUST

\$895 COMPLETE
Valid until April 29, 2020

Plan Includes:

- Trust Agreement
- Pour Over Will
- Guardianship of Minor Children
- Power of Attorney for Finance
- Transfer of Real Property
- Advanced Health Care Directive

FREE INITIAL CONSULTATION

Notary Services Included!

(925) 257-4277
www.smykowskilaw.com
laurensmy@gmail.com
Office Located in Walnut Creek

Law Offices of
Lauren Smykowski

ANTIGUA DOORS
MAKE A STATEMENT

3946

www.ANTIGUADOORS.com
925-283-8933
sales@ANTIGUADOORS.com

City reacts to state law changes regarding accessory dwelling units

By Sora O'Doherty

New state regulations allow accessory dwelling units to rise to a height of 16 feet and as close as 4 feet from a lot line, and there are also new state rules about “junior” ADUs that do not exceed 500 square feet and are to be handled according to a streamlined, ministerial approval process. The Orinda City Council is now considering codifying its urgency ordinance that was put in place last December in response to the state rules.

At the March 3 council meeting, Planning Director Drummond Buckley discussed amendments to the Orinda municipal code proposed in response to the state law changes. According to the staff report, the state legislature has continued to pursue even greater production of ADUs. “Much like the 2017 and 2018 versions, these laws are convoluted and difficult to interpret, but indicate a clear intent to limit local control even further,” the staff report notes. The state rules, which were adopted in 2019 and went into effect Jan. 1, cover a broad range of issues including minimum setbacks, maximum size, and the num-



LW archive

ber of ADUs allowed per lot.

The urgency ordinance allows four types of “streamlined” ADUs that are not subject to the city's non-discretionary standards: ADUs within existing single family homes or accessory structures; new, detached ADUs on lots with single family dwellings; ADUs within existing, non-living space within a multifamily dwelling; and up to two new detached ADUs on lots with multifamily dwellings. The urgency ordinance specified that no short-term rentals are allowed in any streamlined ADU.

The ordinance also allows standard ADUs that are sub-

ject to the city's standard non-discretionary standards, such as floor area ratio regulations, height limits, parking requirements or environmental protection overlays, with some state-mandated modifications. Side and rear yard setback requirements are limited to four feet for new construction, and are eliminated for conversions or replacement structures. The maximum size for these ADUs is 850 square feet for a one-bedroom unit and 1,000 square feet for a unit of more than one bedroom. This replaces the 1,200 square foot maximum in the existing code.

... continued on Page A9