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Orinda city council wonders how to translate Safety Element into real safety

By Sora O'Doherty

The Orinda City Council heard a report on July 5 from the Safety Element project team on the draft Safety Element update, which will be submitted to the state of California along with the 6th cycle Housing Element. Both elements are required by state law. The project team includes Planning Director Drummond Buckley and Associate Planner Winnie Mui, along with contractor Placeworks. Eli Krispi of Placeworks gave a presentation to the council.

The safety element is a mandatory part of the city's general plan and identifies hazards, such as fire and smoke concerns, evacuations, seismic hazards, landslides, flood and other topics of concern. Orinda's current safety element is 35 years old, and needs to be updated to include new standards and to integrate the local hazard mitigation plan, the Contra Costa Countywide Community Wildfire Protection plan and other planning efforts, as well as the efforts of the Moraga-Orinda Fire District to update and build a unified strategy for addressing wildfire hazards and risks.

There have been some significant legislative developments, such as SB 1241, which increased requirements for flood and wildfire protection, SB 379, which requires a safety element to address climate change and resilience, and SB 99/AB 747, which require the safety element to show and assess evacuation routes and evacuation-constrained areas.

Climate change in Orinda is predicted to result in more frequent and intense wildfires, and more extreme heat events as well as increases in severe weather, including intense rainfall events, and increases in drought conditions. The report to the council noted that households in poverty and low-resourced people of color are the most vulnerable populations to drought, while extreme heat will also affect outdoor workers, seniors, and people with chronic illness and/or disabilities. Human health hazards will affect major employers, such as the Orinda Union School District, while landslides pose risk to electrical transmission infrastructure, residential structures, major roads and highways, and natural gas pipelines, as well as schools and parks.

Although evacuation analyses will be required in 2023, Orinda is addressing the requirement in advance in response to community feedback and known issues. A study will identify potential evacuation routes based on past work by the city and MOFD, including Highway 24, major roadways and local roadways of critical importance. The study will evaluate the capacity of evacuation routes as compared to the number of households they serve, and whether evacuation routes are likely to be affected by natural hazards or other emergencies. It will also consider shelter locations, which are safe locations, either within or outside Orinda, where people can safety shelter. Two communities slated to be considered as communities of refuge are Wilder and J&J Ranch.

The city has been seeking public input on the draft safety plan. The work group plans to incorporate comments from the public, the city council and the planning commission, and aims to have the draft plan adopted in late 2022 or early 2023, along with the housing element.

Vice Mayor Inga Miller complimented the team on a good job of presenting this enormous universe.

Referring to questions from public submitted in writing, she asked about concerns over accessory dwelling units and development allowed under SB 9 in high fire severity neighborhoods. City Manager David Biggs responded that this is not necessarily something that would be addressed in the safety element because SB 9 units cannot be prohibited in very high fire districts. Buckley added that he thinks Orinda can think of the safety element separately from whether the city wants to place more restrictions on ADUs.

City Attorney Osa Wolff agreed with Buckley and Biggs, but explained that ADUs and SB 9 units can be prohibited under exceptions that have to come from pre-established criteria for health and safety. She suggested that the safety element might be a first step in establishing such criteria.

Council Member Amy Worth wants to maximize evacuation capacity for the community, reduce fuel, limit parking on roadways, and expand capacity of roadways by how they are managed. Biggs said that relatively new tools are now available to cities.

Worth noted that during public safety power shutoffs, city resources at the community center or library parking lot have been super helpful to the community, particularly to vulnerable persons who have to charge medical devices. She mentioned ongoing work with Recycle Smart and Central Sanitation on hazardous waste and, as far as communications go, she wished Orinda had an opt-out system for more routine emergency communications. "It would be so great to have that as a goal," she said, "But it needs money and potentially even legislation." She is particularly concerned about vulnerable seniors living alone. When asked whether a discrepancy between the city's evacuation zones and those used by Zonehaven will be resolved, Krispi said that the discrepancy would not necessarily create a problem or barrier, because people access Zonehaven by address not by evaluation zones, but it might be possible to bring them into alignment. And Biggs agreed, "We'll look at that."

Miller asked if there is anything that can be done about undergrounding power lines, and the city manager replied that they have recently reached out to PG&E and are awaiting a response from them. The city did get some funds under Rule 20A and has a plan to underground the line from Camino Sobrante to El Toyonal. In public comments Matt Fogarty spoke about the potential benefit of Orinda joining Marin Clean Energy and Lynn Trowbridge spoke on behalf of Wilder about its designation as a shelter in place community. She also said that Wilder has offered to do an evacuation drill, but nobody has taken the idea up. Worth said that that idea should be taken up.

Council Member Darlene Gee's greatest concern is how the city can utilize the safety element. "I'm having a hard time seeing how this is coming together to something other than sitting on the shelf," she said, "It seemed to her that the document was an exercise in stating the obvious, but she said she was "having a hard time seeing how this can become actionable." Mayor Dennis Fay added, "I think that our residents expect more out of this safety element because of where we are in the world now. Residents want to see something a little more concrete."

City Manager Biggs noted, "our goal is to take something that is a state mandate and produce something that is helpful," adding, "We are making a lot of progress: Orinda is in top 5% on cities making provisions for fire." But he appreciated the comments and promised to come back with something more robust.

Members of the public are invited to comment on the draft safety element at www.planorinda.com/safety-element

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