

## Notice of Determination

**To:**

■ Office of Planning and Research  
U.S Mail: P.O. Box 3044  
Sacramento, CA 95812-3044

Street Address: 1400 Tenth St., Rm 113  
Sacramento, CA 95814

■ County Clerk  
County of: Contra Costa  
Address: 555 Escobar Street  
Martinez, California 94553

**From:**

Public Agency: City of Orinda (LEAD AGENCY)  
Address: 22 Orinda Way  
Orinda, California 95463

Contact: Darin Hughes  
Phone: (925) 253-4269

Lead Agency (if different fr

Address: \_\_\_\_\_

Contact: \_\_\_\_\_

Phone: \_\_\_\_\_


2025-00078

**FILED**

**March 20, 2025**

KRISTIN B. CONNELLY  
CLERK-RECORDER

By \_\_\_\_\_

  
J. Cano  
Deputy Clerk

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2022010392

Project Title: Plan Orinda

Project Applicant: City of Orinda, 22 Orinda Way, Orinda, CA 94563

Project Location (include county): Orinda citywide (Contra Costa County)

**Project Description:**

Plan Orinda is a long-range planning effort that includes updates to the Housing Element, the Land Use Element, and the Safety Element section of the Orinda General Plan. In addition, the project includes the Downtown Precise Plan (DPP), which includes new development standards for the area.

On January 31, 2023, the City Council certified the Plan Orinda EIR, adopted a Statement of Overriding Considerations, adopted Findings under CEQA, and approved the 2023-2031 (6th Cycle) Housing Element Update, Safety Element Update, and DPP components of Plan Orinda. On March 3, 2023, a group called Orindans for Safe Emergency Evacuation or "OSEE" filed a lawsuit in the Contra Costa Superior Court (Case No. N23-0579) challenging the City's actions under CEQA. On August 22, 2024, the Contra Costa Superior Court issued a writ of mandate ("Writ") ordering the City to set aside the certification of the Plan Orinda EIR, the adoption of the Statement of Overriding Considerations, and approval of the DPP. The Writ did not require the City to rescind the City's approval of the 2023-2031 (6th Cycle) Housing Element Update or the Safety Element Update. On October 9, 2024, the City Council adopted Resolution No. 47-24, which timely complied with this portion of the Writ. In further compliance with the Writ, on October 23, 2024, the City circulated revised portions of EIR Section 4.14, addressing wildfire evacuation impacts, and Section 6, concerning evacuation impacts in the alternatives analysis. These revisions did not identify new or more severe impacts, but provided clarifications required by the court.

To further comply with the Writ, on March 18, 2025, the Orinda City Council:

- Certified the Revised Final EIR for Plan Orinda, which includes the Draft EIR (2022) and Response to Comments on the Draft EIR (2023), an Addendum dated March 21, 2023, the Partially Revised EIR (2024), and Response to Comments on the Partially Revised EIR (2025).
- Considered whether to pursue revisions to the 2023-2031 (6th Cycle) Housing Element Update or Safety Element Update components of Plan Orinda, as approved in 2023, and opted not to do so.

- Considered whether to pursue revisions to the DPP, which was adopted by Council Resolution No. 08-23 and later rescinded by Council Resolution No. 47-24. The Council opted to pursue potential revisions prior to any readoption of the DPP. Council directed staff to ensure any DPP revisions comply with state housing laws, reflect any changes to local, regional, and state policies, and also reflect wildfire evacuation concerns. The Council took no action at the meeting to readopt the DPP. Neither the DPP nor Resolution No. 08-23 has any force, effect or operation at this time.

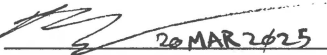
The City originally approved the project on January 31, 2023.

This is to advise that the City of Orinda has taken actions on the project described above on  Lead Agency or  Responsible Agency) March 18, 2025 and has made the following determinations regarding the above described project.

1. The project  will  will not] have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.  
 An Addendum to the EIR was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures  were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan  was  was not] adopted for this project.
5. A statement of Overriding Considerations  was  was not] adopted for this project.
6. Findings  were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

Orinda Planning Department (22 Orinda Way, Orinda, CA 94563)

Signature (Public Agency):  20 MAR 2025 Title: ASSOCIATE PLANNER

Date: March 19, 2025 Date Received for filing at OPR: 20 MAR 2025