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Hillside and ridgelines: Town council begins laying new law of the land

By Sophie Braccini



Moraga Road at Sky Hy Drive views of Palos Colorados Ridgelines Image provided

While revision of land development regulations is not a sexy topic, it is complex, and decisions that are made now will affect the future of Moraga for years to come.

After years of study sessions, public forums, task force work and countless staff hours, the Moraga Town Council on Nov. 15 began reviewing the final modifications that should clarify and amend the town's rules regarding development on hillside and ridgelines. The two original texts that regulate Moraga's land development practices are the General Plan and the Moraga Open Space Ordinance, plus different implementation ordinances that need harmonization.

wants to maximize the protection of ridgelines and viewsheds, regardless of the economic impact on property owners. A majority of the current council members were elected with the support of PLOS.

Broadly speaking, two groups sat in opposition during the council meeting: large property owners who believe the new rules will penalize them and create unintended consequences on downtown development; and the nonprofit group Protect Lamorinda Open Space that

MOSO restricts allowed development to one home per 20 acres in high-risk areas, as determined by a map of landslides and other hazards. MOSO implementation regulations allowed increasing that potential building envelope when the site was remediated. The new rules will limit to one unit per 20 acres in high-risk areas, whether remediation takes place or not. The planning commission was split on the issue, with some commissioners stating that giving a bonus of development would encourage remediation, which could be good for the town. The council members voted in favor of the maximum restriction.

Council Member Kymberleigh Korpus argued that if someone remediated a site out of necessity, and came back years later to build on their property, the new status of the land should be the baseline to determine the building allotment, not its former high-risk state. The Protect Lamorinda Open Space group demanded that the most restrictive rule be applied.

A few large property owners came to the meeting to defend their interests. The Bruzzone family was represented by their lawyer, a consultant, and two members of the family.

The group representing the Bruzzones argued that the proposed new rules for building height on hillside and new viewshed requirements would curtail downtown development. The proposed rule aims to ensure that at least 35 percent of major ridgelines can still be visible after new homes are built. PLOS asked that developers be required to present a simulation of someone traveling along their development to make sure that the viewshed was protected. Dave Bruzzone said that if such a rule was adopted, the development of the Moraga Center Specific Plan would be compromised. The council decided that the maximum building height should not be changed for now, but approved the PLOS proposal to mandate the protection of viewsheds along scenic corridors for developments built nearby.

The council finally discussed if exceptions and exemptions to the new rules should be granted to projects that have been in the works for years, such as the Bollinger Canyon project that has been 13 years in the making. The council members agreed that a project completely approved, such as the new homes in the country club would be exempt, but they decided that the Bollinger project needed more discussion before a decision could be made.

After four and a half hours of discussions, the council members decided to meet again in January during a special meeting to finish the study session and get closer to adopting final changes.

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[back](#)

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