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Rancho Laguna II Subject of Moratorium Debate

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View of Rancho Laguna II Photo Andy Scheck

In 1986, when the first Moraga Open Space Ordinance (MOSO) was placed on the ballot, the Town Council put a moratorium on all development projects until the election was held and the Town had adopted proper regulations regarding the implementation of MOSO. Now Rancho Laguna II, a 35 lot subdivision project, is on its way to have its conceptual Development Plan and Conditional Use Permit approved. And some residents who attended a recent meeting of the Planning Commission are wondering if it is not time to put the brakes on until voters decide how they want to see open space managed in Moraga. The project is located on a 180-acre property on the East side of Rheem Boulevard, between Woodminster drive and Fernwood drive. The 35 lots that are proposed produce a development ratio of a little less than 1 unit for 5 acres. The 2 proposed land use initiatives on the November ballot, measure J and K, would both classify this property as open space, but with different rules. Measure J would restrict it to 1 dwelling for 5 acres (MOSO 86 rule) with which it already complies, while measure K would restrict the area to 1 unit per 20 acres, with additional restriction on construction on ridgelines. At the September 2nd Planning Commission meeting, Jon Leuteneker, a supporter of Measure K (MOSO 2008), reminded the Commissioners that more than 2000 residents petitioned to place that measure on the ballot. He asked that the study of the Rancho Laguna project be stopped until residents have voted. "Is the project suddenly on the fast track?" asked Leuteneker. Bill Vaughn, a former Council member and Mayor of Moraga, asked for a moratorium on the project because of the uncertainty created by the pending vote. One of the Planning Commissioners, Margaret Goglia, asked the Town's attorney about this moratorium. It was answered that the Town Council is the body that can make such a decision. In order to pursue the matter, Bill Vaughn sent a letter to the Council to request that such a measure be taken. He wrote, "...it seems very unwise, to me, to continue the approval process on this project at this time. The harms created by continuing the process would range from a potentially large waste of time and money on behalf of both the Town and the developer to opening the Town up to litigation by the developer, asserting certain rights vesting to him just before any election results." The question of whether or not the developer could get the project approved before the election was raised. It doesn't seem likely that the final map could be approved before November. Vaughn believes that the further along the project is moved, the murkier the situation will be. "Why are we even doing this?" asked Commissioner Bruce Whitley. The Town's lawyer answered that the town has a legal obligation to respond to any application. The Planning Commission is expected on September 15th to certify the Final EIR of the Ranch Laguna II project, to approve the conditional use of the property for single-family development, and to approve

a conceptual development plan for the property. The question of the memorandum was not put on the agenda of the Town Council meeting.



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[back](#)

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