Town of Moraga Hillsides and Ridgelines Project

Stakeholder Interview Summaries

On April 10, 2014 Town staff and consultants interviewed four stakeholder groups for the Hillsides and Ridgelines Project. The purpose of these interviews was to obtain candid input early in the process that reflects a diversity of opinions. Interviews were conducted in four groups:

- Economic Development Leaders (11:00 – 12:00)
- Major Property Owners and Developers (1:00 – 2:00)
- Architects and Engineers (2:30 – 3:30)
- Open Space Advocates (4:00 – 5:00)

Group 1: Economic Development Leaders

Participants: Edy Schwartz, Leslie Ward, Ben Olsen

Participants expressed the following general ideas during the meeting:

- **Unmet Community Needs.** There are a lot of amenities we don't have in Moraga. Development could help provide additional needed sports fields and recreational facilities.
- **Need for Information.** There are divergent opinions on development in the community. People are interested in the issue but lack knowledge. We need to provide additional information about this topic to residents.
- **Hillside Development Regulations.** We should make the rules very clear at the beginning. Getting permits is hard in Moraga. It is easier to buy an existing house and rebuild it rather than start from scratch. Why is 20 percent slope the threshold?
- **Geologic Hazards.** There are a lot of landslide hazards in Moraga. The safety of the town should be top priority. Development could help reduce landslide hazards in Moraga and pay for hazard remediation.
- **Balance.** We need a balance between hillside preservation, keeping the town's semi-rural character, and getting things residents really want and need. It's important to foster and nurture residents. Consider all community values.
- **Visual Impacts.** Hillside development needs trees and landscaping to screen visual impacts.
- **Vineyards.** Vineyards should be encouraged in hillside areas. Helps with erosion. The climate here is good for a lot of grape varieties. There's the perception that it's hard to get approvals for vineyards in Moraga. Vineyards bring in more tax dollars for the Town than grazing. Vineyards add value, stop erosion, and are attractive.

- **Housing Characteristics.** Housing should be located close to downtown rather than on hillsides. It's better for Moraga if homes are not excessively large because the current neighborhoods, with modest homes, contribute to a sense of community. We need to think about the needs of an aging population – downsizing, single-level development. Consider allowing for "vineyard communities" with homes around a vineyard that is under common management.

- **Unintended Consequences.** Rules can have unintended consequences. For example, efforts to avoid a creek and minimize grading resulted in a narrow street with little street parking. People now have to park on other streets.

Group 2: Major Property Owners and Developers

Participants: Joan Bruzzone, Dick Loehke, Dave Bruzzone, Bob Pickett, Tim Farley, Kevin Ebrahimi, Denise Cunningham, Mitch Wolfe

Participants expressed the following general ideas during the meeting:

- **Hillsides and Ridgeline Project.** Concern about the purpose, process, and motivation of this project. Concern that the project will result in more regulations, stricter rules, and new areas subject to strict rules.

- **Larger Policy Context.** Must look at the context of the Town's General Plan as a whole and all major pieces of Town policy. Project outcomes must be integrated with entire General Plan. Think about how systems work together.

- **Economic Development.** Town needs to add population to increase sales tax revenue. Development is needed to provide services and facilities that residents desire. Streamlining of permits for businesses is important to economic development. The existing process is overly time consuming and hard to understand.

- **Need for High Quality Housing.** Moraga needs more high-quality housing. The value of housing and property taxes in Moraga is lower than Orinda and Lafayette due to limited new development and renovation of existing housing stock. New development will enhance the overall value of housing stock.

- **Permitting Process and Fees.** Moraga is one of the most difficult places to build housing. Opponents have multiple opportunities to block projects. Fees are very high.

- **Three-Step Planned Development (PD) Process**. The three step PD process is redundant, time consuming, and expensive. No other community has this. A high level of detail is needed for preliminary approvals. We are forced to redo approvals and repeat the process for even small changes. In most communities the tentative map process is sufficient to provide preliminary approvals.

- **Minor Project Changes.** Minor project changes should be approvable by Town staff. Applicants always need to go back to square one (approval by Council, Planning Commission, etc.). Small changes require new environmental analysis.

- **Staff Level Approvals.** More projects should be approved at staff level. If a project is consistent with standards, it should be approved at the counter and be allowed to move forward.
- **Third-Party Consultants.** The Town overanalyzes projects by requiring expensive third-party consultants, even for very standard reports and engineering recommendations.
- **Flexibility and Certainty.** It is important to have site-specific review of projects, not one-size-fits all. On other hand, we don't want to create new overarching regulations that add additional layers of process.
- **Ambiguity in Regulations.** Clean up ambiguity in regulations. The way regulations are applied now creates a lot of risk and uncertainty. We need certainty that rules don't change midway through the process.

Group 3: Architects and Engineers

Participants: Mary Jane Kabalin, Howard Martin, Stan Nielsen, Bob Rourke, Mitch Wolf

Participants expressed the following general ideas during the meeting:

- **Calculation of Slope.** This needs to be better explained in the regulations. The existing formula is complicated.
- **Maximum Slope Standard.** Rules specifying a maximum cut slope of 3:1 don't make sense. Stability is based on characteristics of soil, which vary in different circumstances, and steeper slopes can be stable and reduce grading. 2:1 and 3:1 slopes don't have a very different appearance. The existing standard slows down development and complicates the process. Steeper slopes reduce site disturbance. Consider a more logical approach.
- **Professional Judgment**. Professionals need to be allowed to apply their judgment and make recommendations as to the best approach for the site. The UBC, for example, allows for exceptions when supported by a geotechnical recommendation. Maximum grade needs to be studied during design of project. Hard and fast rules create problems—for example, terracing is something necessary for erosion control.
- **Neighboring Community Regulations**. Lafayette and Orinda have tables that show maximum density on a sliding scale as slope increases. They identify that anything above a certain slope cannot be built on. Lafayette has a good system for hillside development based on a Hillside Overlay; although it's broadly applied, properties can demonstrate that they aren't subject based on site specific conditions.
- **Amount of Grading**. Existing requirements can result in more grading than might otherwise be desirable on a site.
- **Hillside Development Permits**. Shouldn't need a Hillside Development Permit to build a small retaining wall on a developed single-family lot.

- **Permit Process**. Existing regulations require a lot of information that is duplicative of the tentative map process (e.g., HDP and Tentative Map information is basically identical). The three-step PD process should be streamlined.
- **Applicability of Rules.** It is hard to know where rules apply and what requirements apply to a particular property.
- **Staff Level Approvals**. Staff should be able to approve certain projects over the counter if design conforms to all applicable standards. Expedited review would help design professionals.

Group 4: Open Space Advocates

Participants: Suzanne Sperry, Jan Blumer, Dick Immel, Suzanne Jones, Amelia Wilson, Malcom Sproul, Bill Vaughn

Participants expressed the following general ideas during the meeting:

- **Project Goals.** Reducing conflict may not be possible, but increasing clarity may be. We don't want to reopen decided policies in hope of avoiding conflict.
- **Development Moratorium.** Applications coming in now may be affected by changes to regulations. Would be unfair for Town to process those projects before regulations are updated. The Town should consider a development moratorium.
- **Definitions - General.** We have a serious problem with definitions. A lot of projects turn on interpretations of terms. We've had lots of fights over this over past few years. There has been manipulation of the meaning of key terms. The definition of ridgelines is particularly problematic, and deviates from the intent of MOSO as approved by the voters.
- **Protecting Ridgelines.** General Plan Policy CD-1.5 (protect ridgelines from development) needs to be clarified. Consider original intent of MOSO initiative and what was meant by the term "protect". It should mean that they aren't developed at all. This policy should apply to all ridgelines in MOSO and non-MOSO lands, not just a narrowly defined set.
- **MOSO Guidelines.** The MOSO Guidelines misinterpret the original intent of the MOSO initiative. Examples: definition of development, mitigation of hazards, maintaining natural conditions. MOSO is being applied and interpreted incorrectly.
- **Remediation of Hazards.** Remediation of and development on high risk areas should not be allowed, as was the intent of MOSO. Concept of high risk land has become meaningless because the Town has allowed for reclassification of remediated areas and for developers to "grade away" the problem. Limit density to 1 unit per 20 acres in high risk areas. Town shouldn't rely on new development to remediate landslide hazards that may put the general public at risk. Remediation should be allowed only for public health and safety, not to create development potential.
- **Calculating Slope/Cells.** To calculate slope, MOSO Guidelines allow for a large cell that can include flat areas and produce a low average slope. Development can then occur on the high slope portion

of site. This should not be allowed. Development should be prohibited on slopes 20 percent or greater.

- **Sports Field.** The desire for more sports fields is reasonable. But they should be in the right location – in flat areas. Sports fields on hillsides are not appropriate; sports fields and golf courses should not be considered “open space”.

- **Small Projects in Hillside Areas.** Need to be reasonable about requiring a hillside development permit for small projects on hillside lots with existing single family homes. For some projects a hillside development permit may be unnecessary. But others may impact neighbors, who should be notified and have opportunity to comment.