

Comprehensive Advanced Planning Initiative
**Adoption of General Plan and
Zoning Amendments for
Bollinger Canyon Study Area**

Moraga Planning Commission

April 11, 2023



Comprehensive Advanced Planning Initiative

- 2023-2031 Housing Element (required by State law)
- Rezoning of key parcels
- Focused General Plan Update
 - ✓ Phase 1: Internal consistency with Housing Element, State Safety Element and Circulation Element mandates
 - ✓ Phase 2: Update remainder of General Plan
- Objective Standards for Rheem Center
- Bollinger Canyon Study Area GPA and Rezoning
- Program-level EIR covering actions listed above

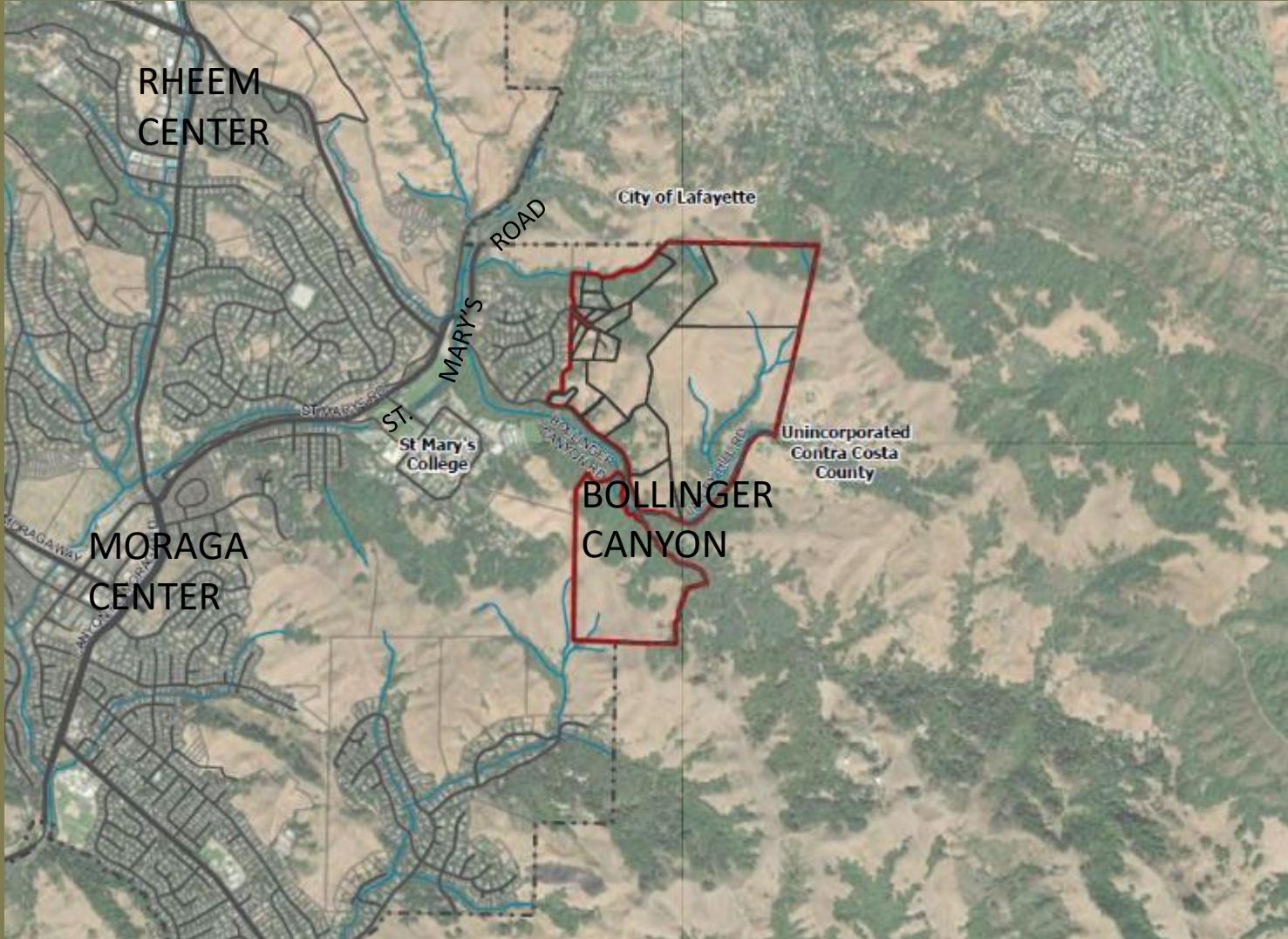
Actions to be Considered this Evening

Adoption of 3 Resolutions, each recommending Council action:

- Approval of Findings and Statement of Overriding Considerations for Bollinger Canyon actions
- Adoption of General Plan text and map amendments for Bollinger Canyon
- Adoption of Municipal Code (zoning) text and map amendments for Bollinger Canyon [will be considered via ordinance by Council]

Council action is tentatively scheduled for April 26, 2023

Context: Location



- 423 acres
- 20 parcels
- 13 owners

Study Area Characteristics

- Steep slopes
- Sensitive natural resources
- Outstanding visual and aesthetic value
- High fire hazard levels
- Access and infrastructure constraints
- Potential connectivity to regional trails/ open spaces

Context: History

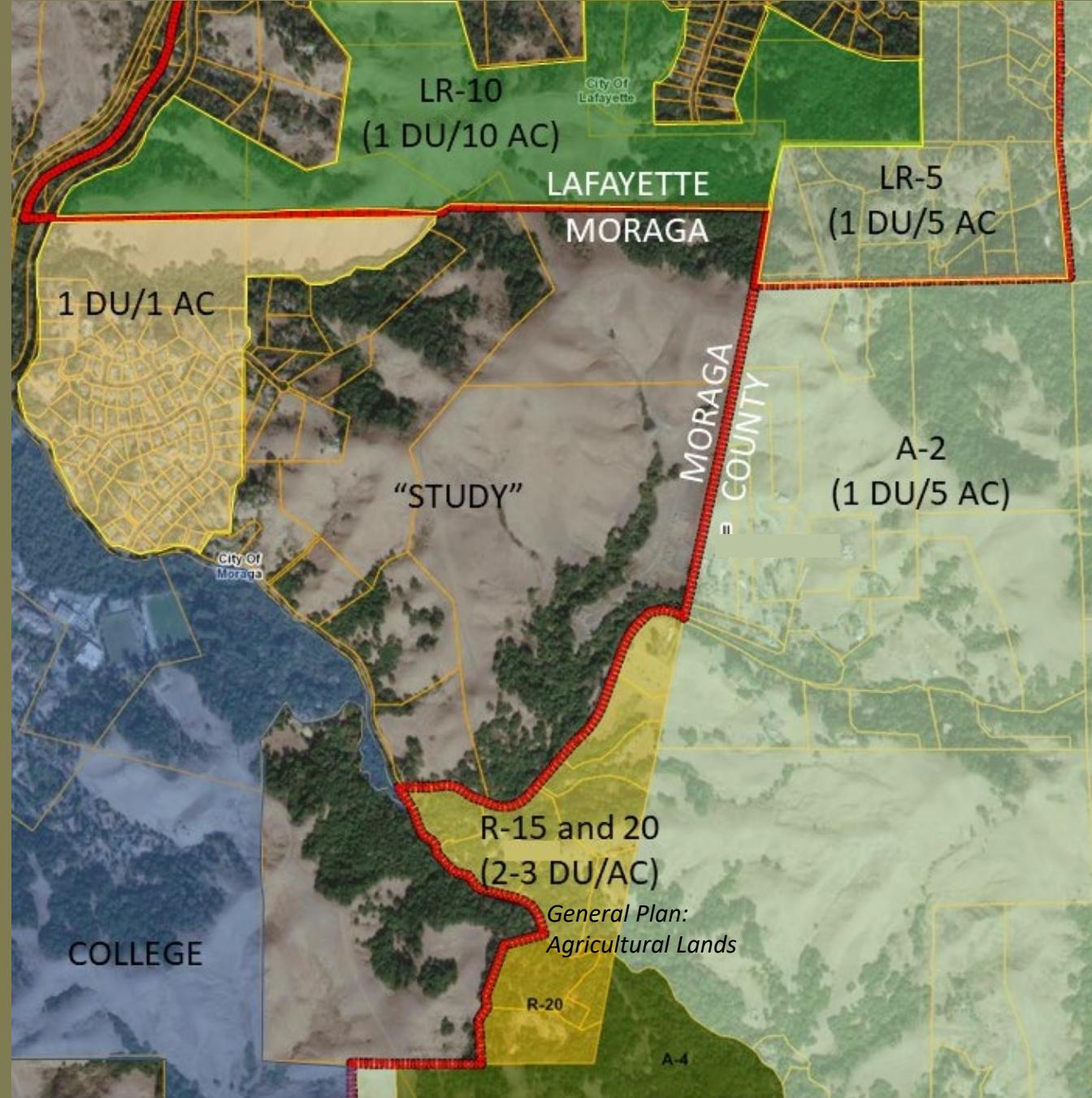
- Prior to incorporation (1974), County R-15 and R-20 zoning (2-3 DU/AC)
- Moraga's first General Plan (1979) designated the area as "Study"
- Area zoned "Study" in 1980
- Portion was rezoned Non-MOSO Open Space but rezoned back to "Study" in 2018
- General Plan guidance was for owners to do a study to evaluate opportunities and constraints, develop a conservation and development plan consistent with General Plan goals and policies
- Prior request for GPA and rezoning of 186 acres (44% of area) by property owner found inconsistent with General Plan goals and policies by Town Council in 2018
- Rezoning has been annual Council goal since 2019

Recent Work on Bollinger Canyon

- January 2022: “White Paper” provided planning context and zoning options
- January 25, 2022: Neighborhood Meeting
- February 9, 2022: Town Council Study Session
- Feb-May: Ongoing coordination with property owners, Police Dept., Fire District
- March-April: Drafting of new zoning designations/ map and conforming General Plan amendments
- May 17, 2022: Planning Commission Study Session
- May 25, 2022: Town Council Study Session
- Summer 2022: Refinement of Initial Proposal to include Council edits

This item addresses General Plan and zoning designations only—
there is no development application or “project” under consideration

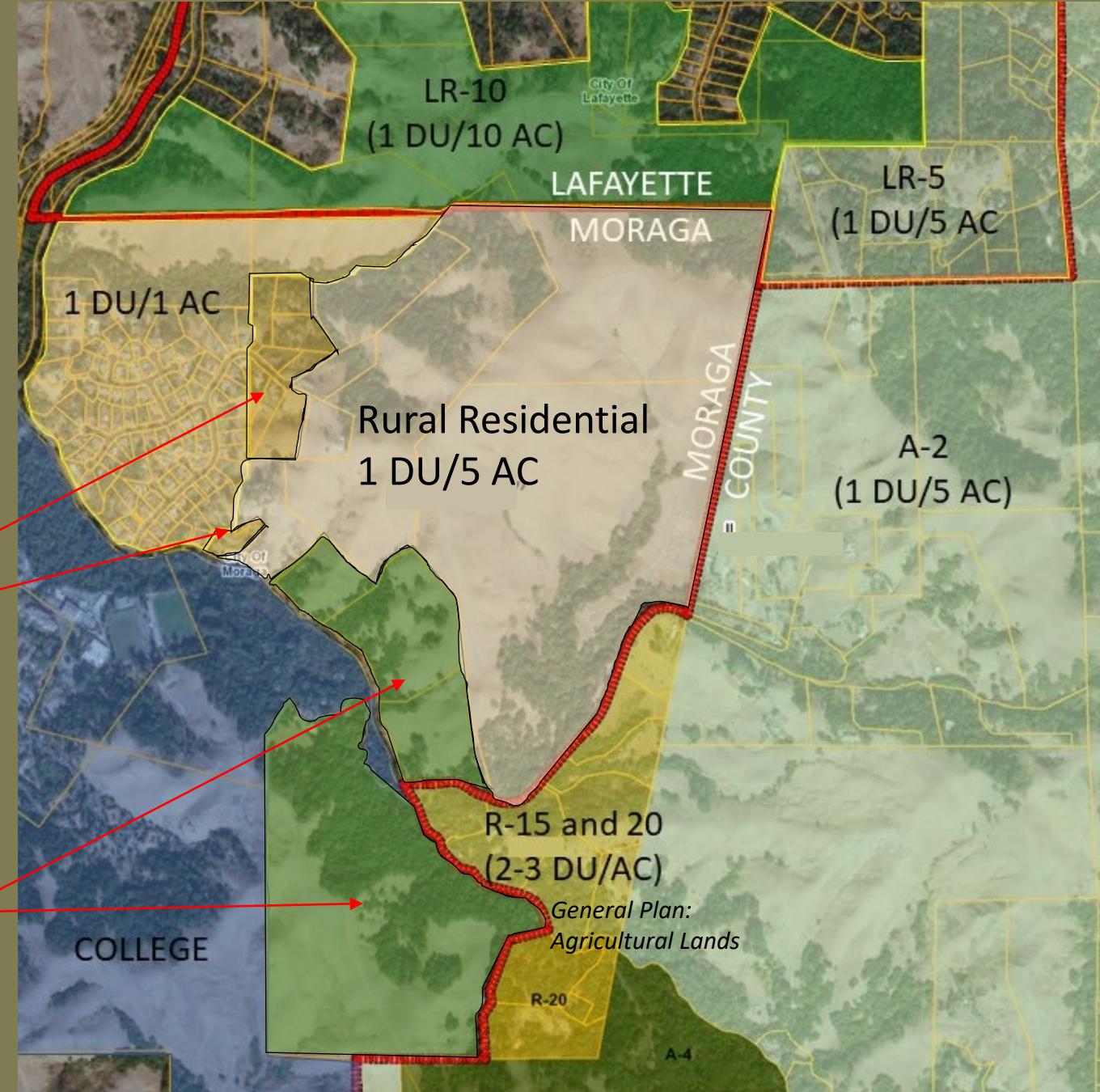
Current Zoning



Proposed Zoning

1 DU/AC

Non-MOSO Open Space



Resolution 1: CEQA

This resolution:

- Confirms that the Town has complied with CEQA and references the previously certified EIR and MMRP
- Recommends that the Town Council adopt findings and a statement of overriding considerations for the Bollinger Canyon GPA and Rezoning

The Planning Initiative EIR is a “Program Level” EIR—future projects will still be subject to environmental review

Statement of Overriding Considerations

- EIR found that General Plan Amendments and rezoning of Bollinger Canyon could have significant unavoidable impacts related to **air quality, biological resources, greenhouse gas emissions, transportation, utilities, and wildfire**
- The potential for such impacts exists even after mitigation measures are implemented
- Town must find that benefits of project outweigh adverse impacts.
These benefits include:
 - *Providing housing opportunities where none exist today*
 - *Providing designations that respond to parcelization patterns and site conditions, including topography, access, safety, natural resources and visual resources*
 - *Providing a buffer between agricultural areas to the north and east and suburban areas to the west*

Resolution 2: Adoption of General Plan Amendments

This resolution recommends that the Town Council approve GPAs that:

- Create a Rural Residential designation
- Eliminate the Study Area designation
- Replace the Goal/Policy for Bollinger Canyon with a simplified policy
- Eliminate the Implementation Program for a Bollinger “Study”
- Amend the General Plan Map to show the proposed new designations

The amendments also add definitions of land use categories to Appendix A

Resolution 3: Adoption of Zoning Amendments

This resolution recommends that the Town Council approve an Ordinance amending the Moraga Municipal Code to:

- Create a Rural Residential designation
- Eliminate the Study Area designation
- Make conforming amendments to other Code sections (eliminating references to “Study” and adding references to “RR”)
- Amend the Zoning Map to show the proposed new designations

New Rural Residential Zone will apply to 270 acres

- Intent: “To promote a rural character by providing for very low density single-family residential uses, agricultural uses, and preservation of the natural environment consistent with the General Plan”
- Seven parcels
- Maximum buildout with current parcel configuration is about 50 units*

Uses and Standards

- Permitted uses include single family homes, agriculture, dog care/ training, other uses allowed in all residential districts under state law
- 5-acre min lot size (smaller lots allowed through clustering and Planned Developments, provided overall density is maintained)
- Basic standards:
 - 25' setbacks
 - 100' street frontage
 - 140' lot depth/width
- Site and development analysis required for PD or subdivision

Other Conforming Zoning Amendments

- Deletion of references to “S” district throughout Code
- Addition of references to “RR” district throughout Code
- Allowances for animal keeping (provisions are similar to MOSO Open Space and Non-MOSO Open Space)

Feedback Incorporated from 2022 Process

- Commission:
 - Ensure that definition of “agriculture” (which was initially not proposed to be changed) does not adversely constrain existing uses
- Council:
 - Adjust minimum lot size where clustering is used
 - Reduce potential visibility of clustered housing for nearby properties
 - Require site-specific studies for future planned development or subdivision
- Public
 - Move 2 properties at end of Joseph Drive from 1 DU/AC to Rural Residential

Overview of Public Comment

- Largest landowner (186 acres) has requested 1 DU/ac designation
- Ongoing concerns from neighbors on Valley Hill and Bluffs area:
 - Traffic/ road conditions
 - Safety (wildfire, landslides, etc.)
 - Evacuation capacity
 - Neighborhood character/ aesthetics

Tools to Manage Future Development Proposals

- General Plan and Zoning do not “approve” projects – they merely set the rules and standards future projects must follow
- Future projects must meet the following:
 - Hillside and Ridgeline Ordinance
 - Fire access, safety and building requirements
 - Emergency vehicle access requirements
 - Grading requirements (to address slopes and landslides)
 - Traffic, circulation and safety requirements
 - Utility requirements by regional providers (EBMUD, PG&E)
 - All mitigation measures identified by project-specific environmental review

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Amendments for Bollinger Canyon Study Area

Thank You!

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