

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

Moraga Town Council

April 26, 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

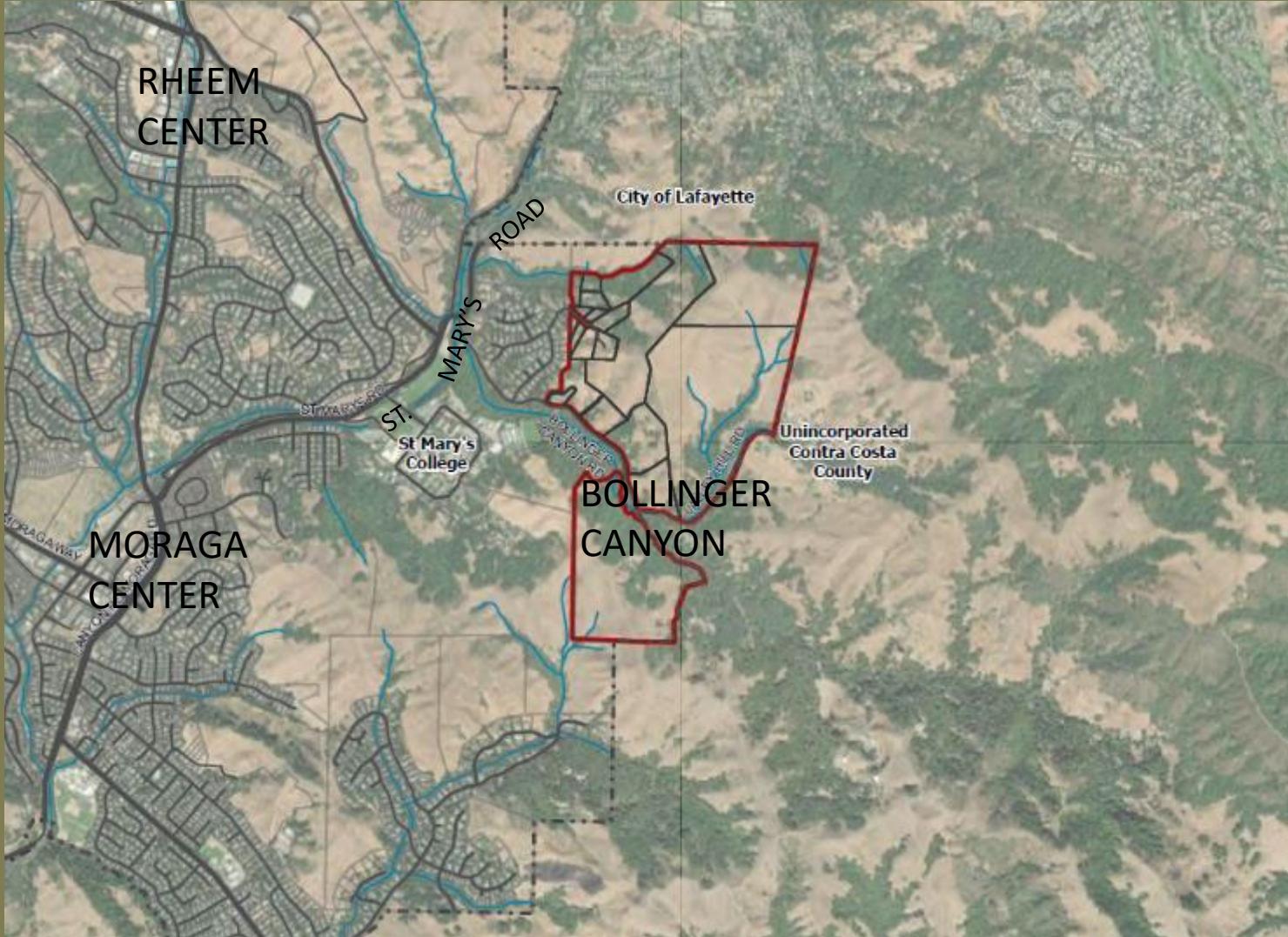
Adoption of Two Resolutions:

- Approval of Findings and Statement of Overriding Considerations for Bollinger Canyon actions
- General Plan text and map amendments for Bollinger Canyon

Adoption of Ordinance:

- Municipal Code (zoning) text and map amendments for Bollinger Canyon

Context: Location



- 423 acres
- 20 parcels
- 13 owners

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

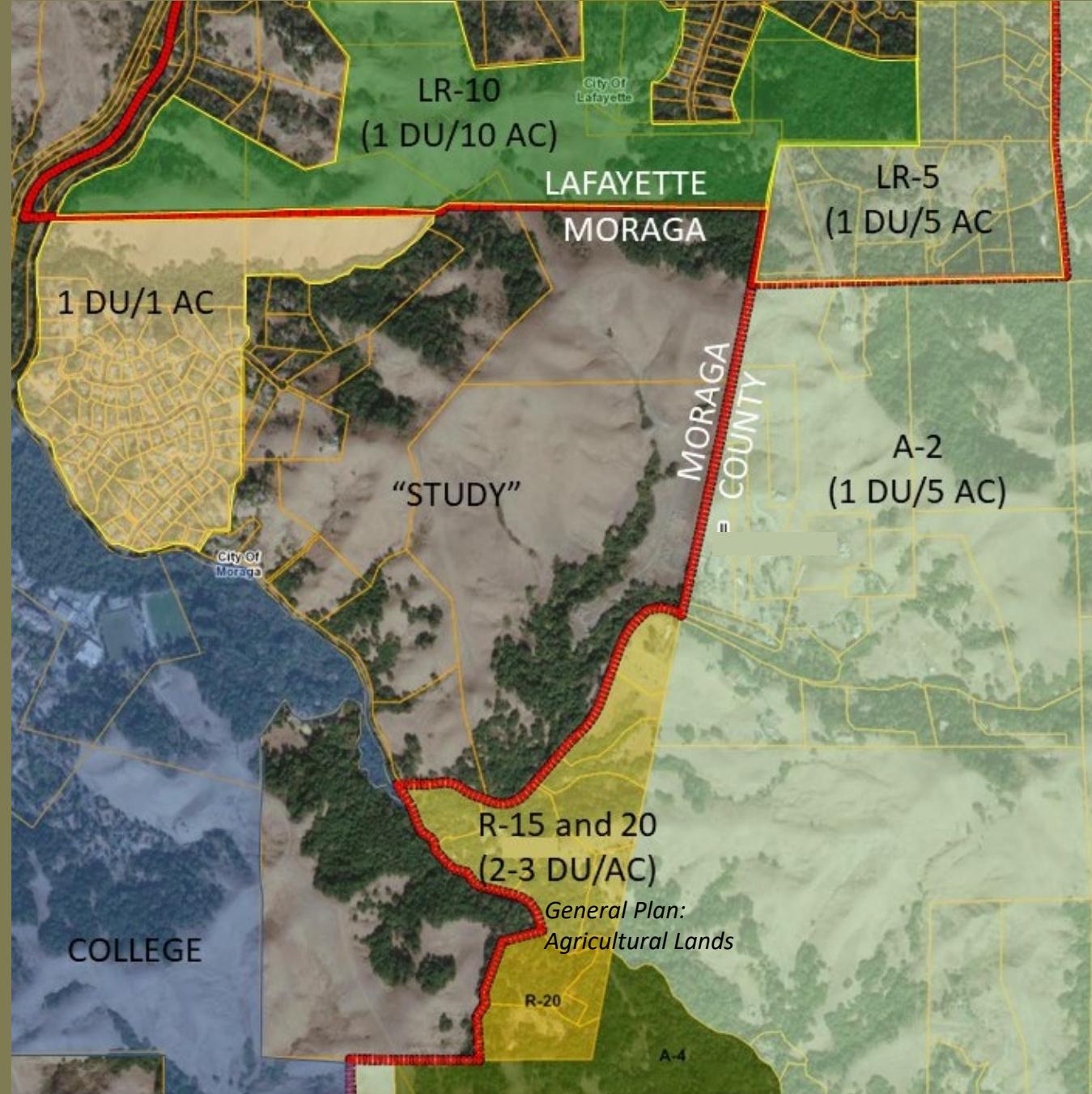
Bollinger Canyon White Paper

- Describes physical context
- Describes planning and zoning history
- Identifies potentially applicable zoning districts
- Provides general zoning principles
- Defines three “parcel groups” and presents zoning options

Zoning Districts Considered

	1 DUA	Rural Residential	Non-MOSO Open Space
Density	1 unit/acre	1 unit/ 5 acres	1 unit/ 5, 10, or 20 acres (determined through discretionary process)
Intent	Suburban residential development	Very low-density residential development	Open space and agriculture
Residential Permitted By Right?	Yes	Yes	Use Permit only
Where mapped	Applies to Bluffs area to the west and other low density areas in Moraga	Applies adjacent to the site in Lafayette and on the east in the County.	Applies in areas with similar terrain and access elsewhere in Moraga

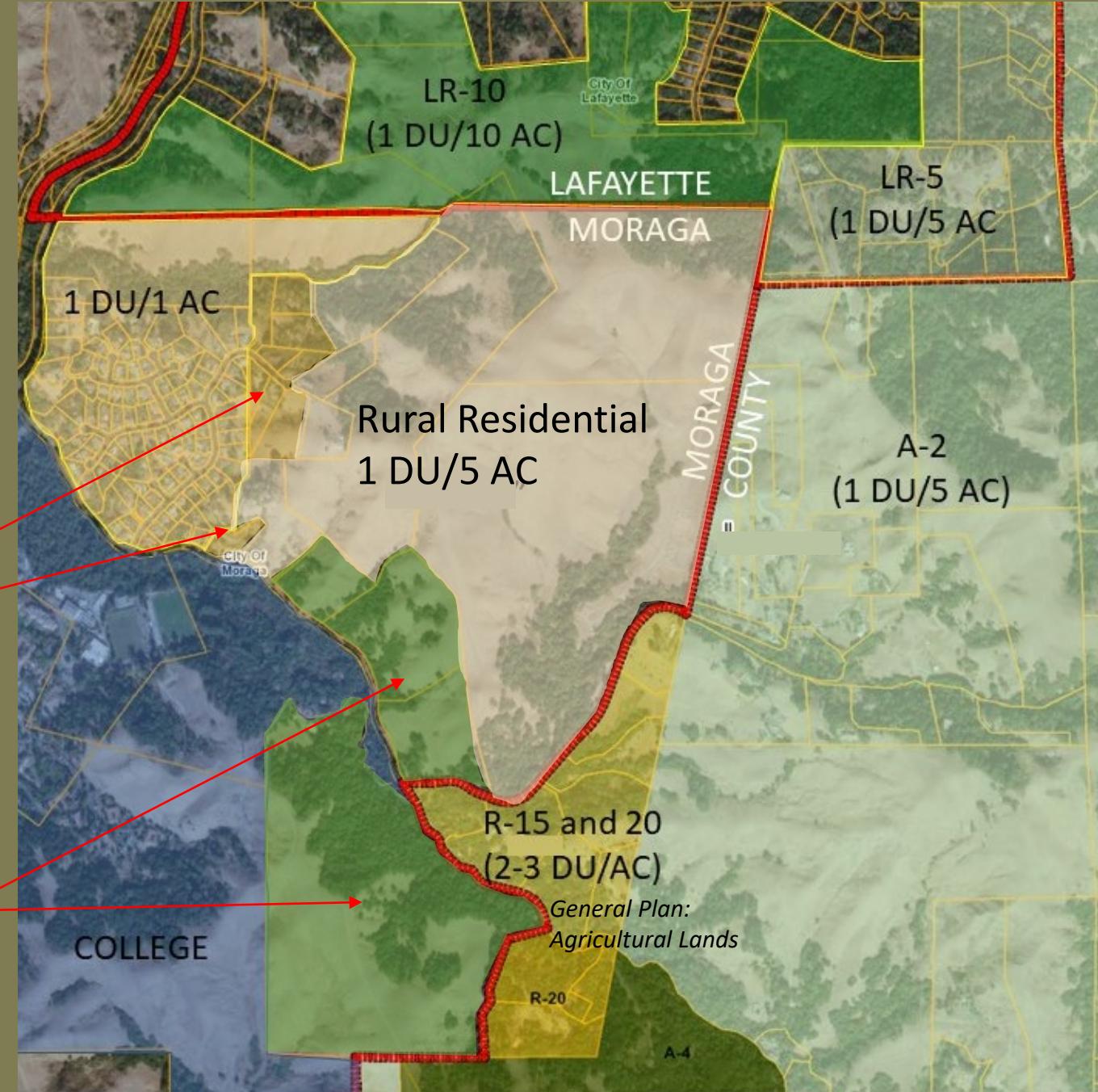
Current Zoning



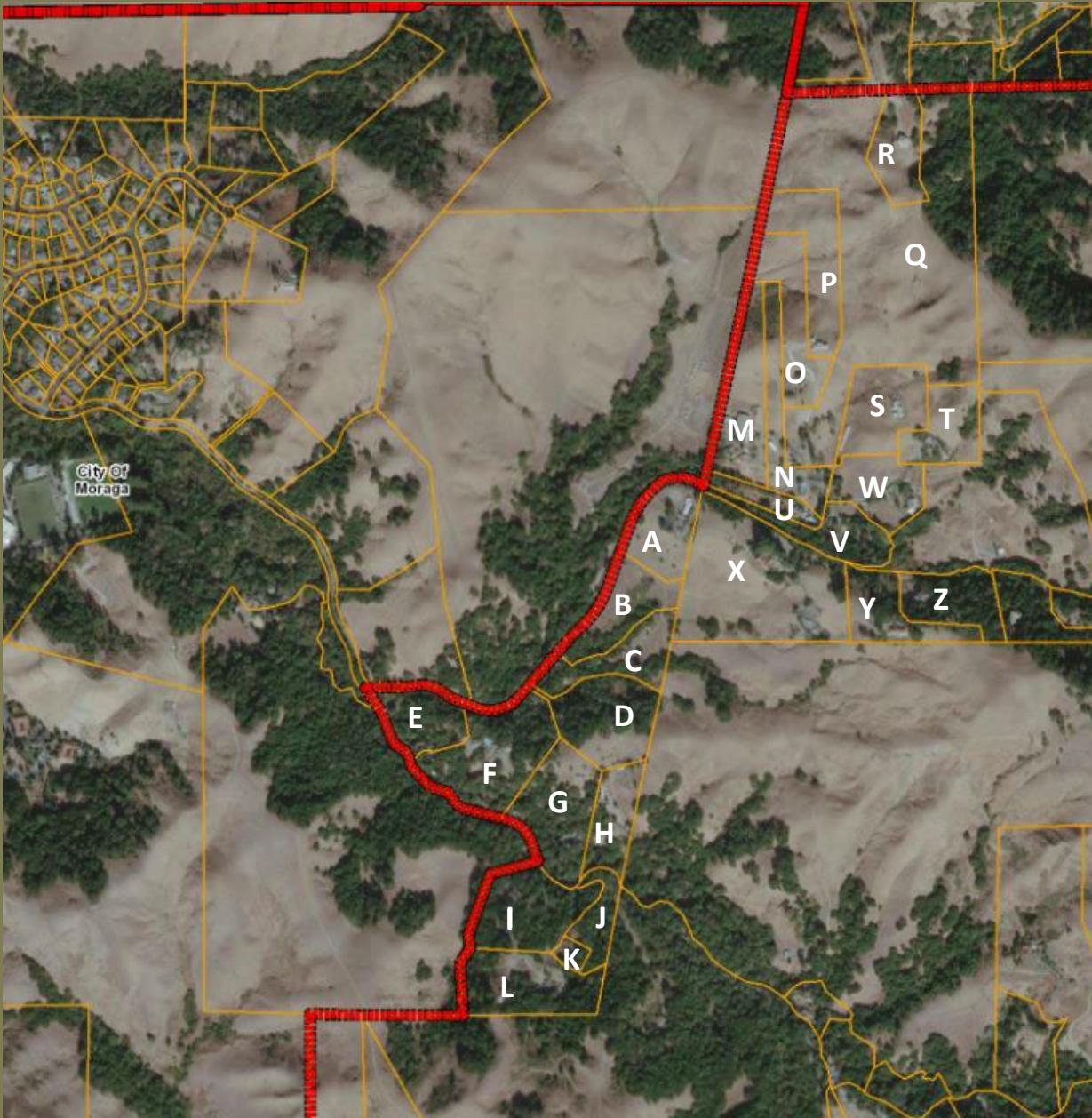
Proposed Zoning

1 DU/AC

Non-MOSO Open Space



Prevailing Lot Sizes in County (east of Study Area)



ID	Acres
M	6.8
N	5.29
O	6.74
P	7.52
Q	49.72
R	5.03
S	6.73
T	5.06

ID	Acres
U	2.5
V	5.14
W	5.56
X	19.06
Y	5.49
Z	5.51
Mean	9.7
Median	5.5

A-2 areas
Median:
5.5 acres

ID	Acres
A	5.69
B	5.65
C	5.76
D	7.80
E	5.11
F	10.51
G	8.50

ID	Acres
H	4.50
I	8.08
J	3.80
K	0.85
L	8.58
Mean	6.2
Median	5.7

R-15 and
R-20 areas
Median:
5.7 acres

Resolution 1: CEQA

This resolution:

- Confirms that the Town has complied with CEQA and references the previously certified EIR and MMRP
- Adopts 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 approves 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

Ordinance: Adoption of Zoning Amendments

The Ordinance amends 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”)
- Show the proposed new designations for the Bollinger Canyon Study Area on the Zoning Map

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

- Planning Commission:
 - Ensure that definition of “agriculture” (which was initially not proposed to be changed) does not constrain existing uses
- Council:
 - 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 density higher than 1 unit per 5 acres
- Ongoing concerns from neighbors on Valley Hill and Bluffs area:
 - Traffic/ road conditions
 - Safety (wildfire, landslides, etc.)
 - Evacuation capacity
 - Neighborhood character/ aesthetics

Planning Commission Feedback (4/11/23)

- Commission expressed general support for the proposal as drafted
- Questions/comments related:
 - Expected VMT impacts (consideration of electric vehicles)
 - Opportunities for density transfer
 - Expected access points for future development
 - Process for planned development (PD)
 - Opportunity for owner-initiated General Plan Amendment requests
 - Wildfire risk assessment requirements
- Commission approved 3 resolutions supporting Council action (6:0 vote)

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

Thank You!

Moraga Town Council

April 26, 2023



Supplemental slides (if needed)

SUMMARY of Non-MOSO, MOSO and Rural Residential

	Non-MOSO	MOSO	Rural Residential
Purpose	<ul style="list-style-type: none"> • Public ownership • Open space easement • Steep slopes, unstable soils, fault zones or high visibility 		Promote rural character with very low density residential uses, agricultural uses and preservation of natural environment
Designated Areas	N/A	<ul style="list-style-type: none"> • Major and minor ridgelines are defined and designated on General Plan and Zoning Map 	N/A
Determination	N/A	Measure A, voter approved initiative	N/A
Permitted	Only agriculture is permitted	Only agriculture and buildings accessory	SF home, agriculture, dog daycare
Conditional Use Permit	<ul style="list-style-type: none"> • Single Family • Parks and outdoor recreational facility 	<ul style="list-style-type: none"> • SF • Public or private park, nonprofit recreational facility, playground, trail and related facility • Public or private school • Accessory uses and structures • For profit recreational facilities 	<ul style="list-style-type: none"> • Animal keeping • Religious facility • Park and outdoor recreation • Animal boarding
Standards	Precise site standards for development of property at time of approval		Standards are provided in 8.22
Density	1 dwelling unit per 20, 10 or 5	1 dwelling unit per 20, 10 or 5	1 dwelling unit per 5 acres
Site Constraints	Consider: flooding, wildfire, natural hazards, adjacent land uses	High Risk Areas, major ridgelines	Site and development analysis is required