

## New MOSO Campaign Begins

By Sophie Braccini



**"D**o you have a minute to protect Moraga open space?" Chances are, you will be asked this question somewhere in Moraga over the coming months as The Friends of Moraga Open Space (FMOS) seek support for a new Moraga Open Space Ordinance (MOSO 2008). FMOS feels that as interest in development increases, the original Ordinance needs to be revised accordingly.

The new proposed initiative plans to expand the reach of the original open space preservation measure, which was approved in 1986, and further reduce the number of

houses permitted on a lot. Where the original MOSO restricted development to 1 house per 5 acres, the 2008 version calls for 1 every 20 acres or every 10 acres under limited circumstances. The new measure demands that no development be authorized on or less than 500 feet from major ridgelines, or within 150 feet of any minor ridgeline rising above 700 feet. Areas that are 700 feet or above and are not ridgelines would not be affected by the measure. The new rules would apply to all lands currently protected by MOSO, plus Bollinger Canyon (an area East of Saint Mary's Road, North of Saint Mary's campus), Indian Valley (located along the South-West city limit of Moraga) and the Rheem Ridge (located along the North side of Rheem Boulevard between Moraga Road and Saint Mary's Road). The measure would allow for commercial outdoor recreation facilities, providing they are low-intensity and do not cause material environmental harm.

The procedure for placing an initiative on the ballot is complex, but now that the Town's attorney has given the initiative a title, "Moraga Open Space Ordinance 2008 Initiative Amending Moraga's General Plan," and prepared the 500 word summary which would appear on a ballot, FMOS' next step is to gather the required (roughly 1000 ) signatures (10% of registered voters) and submit them to the Town for verification.

The Town Council will then have an opportunity to discuss the initiative before it is placed on the ballot. Mayor Mike Metcalf said he hopes that the Council will welcome the chance to have an open and thorough discussion. Concerns about the legality of the initiative have already been raised, particularly as to whether it would infringe on the rights of property owners to dispose of what's theirs.

FMOS' Renata Sos, an attorney and former member of the Moraga Planning Commission, offers assurance: "The ordinance is carefully crafted to avoid taking away rights that are already vested. It is a balancing act between protecting the rights of property owners, on the one hand, and the public preference for preserving open space and scenic beauty, on the other." Sos says that the group conducted a statistically significant survey in the spring of 2006 in Moraga that clearly demonstrates the public's preference for preservation over development; however, we have been unable to obtain this survey.

FMOS' Jon Leuteneker believes that Moraga's unique character is threatened: "Moraga can only absorb a limited amount of extra development," says Leuteneker, "our roads are congested and several additional housing projects have already been approved."

Suzanne Jones, a Bollinger Canyon resident, explains, "Bollinger Canyon is one of the last rural areas of Moraga. People still raise cattle, chickens and horses here. A big housing development would totally compromise the character of the place." Jones continues to describe how she thinks building houses in Bollinger Canyon would affect all Moraga residents, "The proposed building area includes a prominent ridge up above Bollinger Bluffs, overlooking Saint Mary's College. Driving east on St. Mary's road people would see a row of houses on that ridgeline and the scenic beauty would be lost."



Indian Valley (located along the South-West city limit of Moraga)

Photo Andy Scheck

The measure, which would severely restrict future development in Moraga, could have a big impact on the plans of Bruzzone family which owns, among other properties, land both in Bollinger Canyon and Indian Valley. "We understand how special and beautiful a place Moraga truly is," says David Bruzzone. "Our family has been an active part of this community since the early 1960's and we will always be sensitive to its ridges and beautiful landscapes."

The Rheem Ridge area, which is slated for development, is owned by River West Investment in Sacramento. Brian Vail, the company's owner, didn't have any specific comment regarding MOSO 2008, saying simply, "we will continue to work with the Town of Moraga and the community, as we have done for the past 5 years, as it relates to our proposed project."



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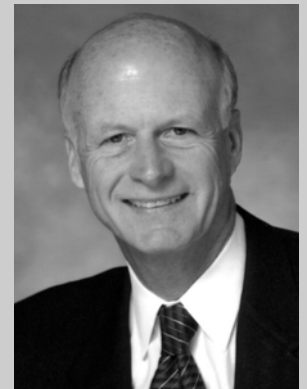
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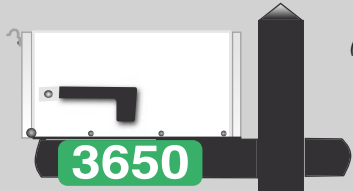
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