



Lawsuit Settled in Moraga

By Sophie Braccini

The Moraga Town Council formally adopted revisions to its Design Guidelines on January 9. The revisions are the result of a negotiated settlement with the Bruzzone family that was approved by the Council behind closed doors in December. Town Manager Philip Vince said, "Settling the lawsuit saved the Town thousands of dollars in legal fees."

The Bruzzone's lawsuit had challenged the way the "Build-It-Green" guidelines were adopted by the Council, claiming they might eliminate all possibility of development, and was inconsistent with the Moraga 2002 General Plan. Among other elements, the new guidelines required development to incorporate elements of energy savings and sustainability.

The Council unanimously approved minor revisions to the Design Guidelines to con-

firm that the definitions in the General Plan pertain to the Guidelines and adding an Appendix to include the "Build-It-Green," Green Point Rated Program matrix that is referenced in the Guidelines. The approved minor revisions clarify the adopted Guidelines:

- 1.) A sentence has been added to the end of the first full paragraph on page 7 which reads, "The definitions in Appendix D to the Town of Moraga's General Plan are expressly incorporated herein and shall be used to interpret and implement these Design Guidelines."
- 2.) A sentence has been added to the end of ID13.13 on page 22 which reads, "The Build It Green requirements are attached herein as Appendix A."
- 3.) The Build It Green, Single-Family Green Point Rated Checklist has been added to the Design Guidelines as Appendix A on page 33.