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Hillside and Ridgeline Regulation Debate Continues

By Sophie Braccini



The Bellavista development is under construction off Rheem Blvd. Photo Andy Scheck

The hills of Moraga were front and center last month at a special Moraga Town Council meeting.

The council has been working to clarify inconsistent terms and regulations about hillsides and ridgelines noted in the General Plan and the Moraga Open Space Ordinance (MOSO), as well as in the grading ordinance, design guidelines and the zoning code as part of the hillside and ridgeline regulation revision process that began two years ago. Public workshops have been conducted, a steering committee was appointed, and 10 amendment topics have been identified.

Whether to protect the face of hills and ridgelines from development stirred the most controversy at the March 10 meeting.

"The General Plan calls for protecting the view shed along the scenic corridors, but what does protect mean?" asked consultant Ben Noble, who showed different options such as horizontal or vertical setbacks from the ridge, or a "cone of vision."

Council Member Teresa Onoda said that when she thinks of a hill in Moraga, she does not think about houses. "I want to see the hill," she said. "Just seeing the ridgeline is not enough."

Vice Mayor Dave Trotter added that the General Plan includes protection of view sheds that necessarily include some of the hillsides. But others, such as Mayor Mike Metcalf, were concerned that prohibiting too much development could open the door to lawsuits by property owners.

The council and consultant had difficulty finding quantifiable standards, such as a certain percentage of the hillside that could be fixed to protect the character of Moraga. The consultant said he would work on language to create a visual separation between new development and ridgelines.

The council members did agree with the recommendations by Noble and the steering committee to create a single consistent MOSO map incorporating property lines and existing developments; include the totality of Indian Ridge in the MOSO ridge line map; define the term "development" as displacement of material, grading, change in density, or construction of a structure; and design a new high-risk map using the latest information and technology.

Council members Onoda and Roger Wykle voiced concerns that removing the requirement for a hillside development permit could create a loophole. They asked the consultant to check what would happen for developments on a slope greater than 20 percent, with more than 50 yards of soil removal.

Current text says that no development on MOSO land is allowed on slopes greater than 20 percent. It was decided that the area used to calculate the average slope includes the home and its landscaped area, called the building envelope, and that average slopes must be below 20 percent.

Some argued that if a developer remediates the high-risk nature of his land, then the density should be increased, noting that since remediation can be a benefit to the community and is very costly, some compensation should be included. The majority of the council disagreed, stating that when high-risk areas are fully remediated, the density allowed at that location should not change.

There was also a discussion to decide whether or not the term "dominating the landscape" should be added to a definition of a non-MOSO ridgeline. The consultant suggested he return with different maps according to different definitions, so the council could make a decision.

The last topic discussed had less to do with hillsides and ridgelines, and more to do with the size of homes built along the town's scenic corridors. The majority decision was to cap these highly visible home sizes in Moraga to 5,500 square feet, with a sliding scale for property between 20,000 square feet and 1 acre.

Drafting and agreeing on the revised texts should continue through the end of the year. There will be additional opportunities for public input during that time. For more information about the hillside and ridgeline project, visit www.moraga.ca.us/hillsides.

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