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**Nov. 8 Election Coverage**

**Lamorindans Speak Out About the Legalization of Pot in California**

By Nick Marnell

With California claiming it loses hundreds of millions of dollars in revenue each year to the marijuana black market, the state placed Proposition 64 on the November ballot. The proposition, known as the Adult Use of Marijuana Act, will legalize the recreational use of the drug for adults 21 and over and impose a tax on cultivation and retail sales. Though pot would be legal in California, the sale or possession of marijuana remains a federal offense.

Two things this article promises: You will read no worn-out double entendres about inhalation, vegetation or elevation; nor will you hear pontification from candidates, public officials or law enforcement. Presented are the opinions of real-life, everyday Lamorindans, captured candidly around town in September and October, giving their take on the legalization of marijuana.

"I'm having long talks with my children about this," said Carol McDonald of Lafayette. She wasn't quite ready to give the bill two thumbs up because she was concerned about one particular aspect of the marijuana business. "I'm not sure I want to see a dis-

pensary in my neighborhood," she said. Not all municipalities will permit legal dispensaries but as a tradeoff, they will not share in the state revenue. Lafayette, Moraga and Orinda all ban marijuana dispensaries.

Lafayette's Alma Heidary and Kim Shaw of Orinda are all for the regulation and taxation of the drug. "It will create more jobs, maybe lower crime," Shaw said, seconding the state's expectation that if marijuana is decriminalized, criminals will go out of business.

"Certainly," said Joe Viola, a proponent from Orinda. "But there should be a limit on how much you are allowed to have." Viola needn't worry too much, as the statute will limit possession to 28.5 grams.

Orinda mom Lisa Lyon voiced a strong yes. "It's easier for kids to get grass than it is liquor. They'll need an ID, the control will be better and the purity can be regulated," Lyon said. To that end the Department of Consumer Affairs will license and oversee marijuana retailers and distributors, and the Department of Food and Agriculture will license and oversee marijuana cultivation, ensuring its environmental safety.

"Regulating pot is a good thing," said Lafayette soccer official John Topping, who ultimately favors legalization with one caveat. "My qualms are the education of the youth, and the impact the drug would have on their brains," he said. Per the statute, revenue from marijuana sales will provide funding to invest in public health programs that educate youth in order to prevent and treat serious substance abuse. Also, the law will ban dispensaries from within 600 feet of schools.

Aneesh Seth, whose wife attends Saint Mary's College, thinks pot is no big deal. "And it's a waste of our resources to police it," he said. Speaking of the college, a surprising feature of this survey was that younger adults were not gung-ho to pass the measure. SMC student Matt Harris had no opinion, as he does not use the drug. Moraga's Kelly Jacobs, 21, said she hopes the proposition does not pass. "It's too dangerous to drive while on pot," she said. The law will disallow using marijuana while driving, and the current laws prohibiting driving under its influence will be enforced.

Lily Shaw, 22, of Orinda argued that

passage will get rid of the mystique and the stigma that pot makes people lazy and unproductive. "People think it's worse than it really is," she said.

Most journalists are not big on anonymous sources, but many of those in favor of Prop 64 offered solid reasons for not being quoted. A Lafayette man said that his clients would not appreciate hearing what he had to say about the measure. Similarly, people feared backlash from their neighbors if their position appeared in print.

One Moraga respondent not in favor of legalizing the drug understandably wished to remain anonymous. "Because I don't want to pay taxes on it. I have a great deal with my dealer!" said the young man.

Though you were promised no words from public officials, Lamorinda's next-door neighbor contributed an anti-comment that was very hard to pass up. "Marijuana plants are not pretty," said Loella Haskew, mayor of Walnut Creek, when she urged her city council to pass a resolution opposing Prop. 64, which requires a majority vote for passage. You just never know what can swing the undecideds.

**Moraga**

**Hillside Regulations**

The committee decided that the criteria would be visibility from any public place, including existing and future trails, and the scenic corridor. Some of these ridges are Sanders Ridge (above Saint Mary's College), Bollinger Ridge (undeveloped land West of the Bluffs), and part of the "painted rock" property off Rheem Blvd.

The seventh issue addresses protecting ridgelines and view sheds. The General Plan states that the town has to protect the view shed along Moraga's scenic corridors, but it does not explain what "protect" means. The committee proposed to establish new standards to ensure that an adequate visual separation is provided between the highest point of new development and the ridgelines, whether these ridges are in MOSO or not. It also recommended adding that view analysis consider all viewpoints along the scenic corridors, not just one.

The eighth issue talks about limiting development in MOSO land on steep slopes. The current rule prohibits development on site with an average slope greater than 20 percent, but does not define how to map the portion of land that will serve to calculate the average. The committee recommended that the portion of land, or cell, used to calculate the average slope not exceed the site of the proposed house and disturbed landscape (retaining walls, fills, etc.).

The ninth issue deals with the remediation of high risk areas. The original MOSO text does not make any reference to remediation of high risk areas and how this could affect the density of allowed development. The guidelines that were drafted afterwards allow for such practice and permit to change the housing density from one unit per 20 acres to one per 10 or one per 5 acres. The committee's recommendation was to allow remediation in high risk area, but not the change the development allowed density.

The 10th issue considers the size of buildings on large lots. The current regulation does not limit the size of homes on lots greater than 20,000 square feet. The committee proposed to limit the size of homes on lots up to one acre located on visible hillsides to a maximum of 5,500 square feet. It did not propose to limit home size on lots over one acre.

At the end of October the planning commission started a series of meetings to study these recommendations. The commissioners noted that no current member of the planning commission had been part of the steering committee. The work of the committee spanned over several years and the commissioners that were part of it timed out. They were not replaced for continuity reasons, but they stopped reporting to the planning commission.

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Commissioner Kimberleigh Korpus said that she was not sure that the committee had done enough work to reach a conclusion, that she did not have enough information to be sure, and therefore could not make an informed recommendation to the town council. Commissioner Christine Kuckuc said she would appreciate to hear what went on during the deliberation, to see that everything had been explored. The planning commission work is ongoing and will continue until the commissioners agree to a set of recommendations.

The conclusions of the committee are challenged by the Bruzzone family that owns a significant portion of remaining undeveloped land in Moraga. Joan Bruzzone and her son David repeatedly stated that the rules unfairly target their properties and are tantamount to a taking of their land.



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