



**TOWN OF MORAGA  
REGULAR MEETING AGENDA  
PLANNING COMMISSION**

**TUESDAY, SEPTEMBER 20, 2022**

**6:30 p.m.**

**TELECONFERENCED MEETING LOCATION ONLY**

**\* COVID-19 NOTICE \***

THIS MEETING WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF GOVERNMENT CODE SECTION 54953 (AS AMENDED BY AB 361) WHICH AUTHORIZES TELECONFERENCED MEETINGS UNDER THE BROWN ACT DURING CERTAIN PROCLAIMED STATES OF EMERGENCY. THE GOVERNOR OF CALIFORNIA PROCLAIMED A STATE OF EMERGENCY RELATED TO COVID-19 ON MARCH 4, 2020. THIS TELECONFERENCED MEETING IS NECESSARY SO THAT THE TOWN CAN CONDUCT ESSENTIAL BUSINESS AND IS PERMITTED UNDER GOVERNMENT CODE 54953 IN ORDER TO PROTECT PUBLIC HEALTH AND SAFETY OF ATTENDEES

Online meetings (i.e. teleconferencing meetings) are encouraged, where practical, as these meetings present the lowest risk of transmission of SARS CoV-2, the virus that causes COVID 19. This is particularly important when community prevalence rates are high. Our current trends as of April 15, 2022 in Covid-19 case rate and Covid-19 hospitalizations have plateaued at this time, but wastewater surveillance data and COVID-19 test positivity has been increasing. In addition to this, the predominant variant of Covid-19 being identified continues to be the Omicron variant, the impact of which on the spread of Covid-19 has shown to dramatically increase COVID-19 transmission.”

**Participate in the Meeting by Providing Public Comment:**

- **During the Meeting:** Members of the public may participate by providing public comment during the meeting by joining the Zoom webinar at <https://us06web.zoom.us/j/86294760621> or telephone: Dial US: +1 669 900 6833 and enter Webinar ID: 862 9476 0621 Live verbal public comments may be made by members of the public joining the meeting via Zoom. Zoom access information is provided above. Use the “raise hand” feature (for those joining by phone, press \*9 to “raise hand”) during the public comment period for the agenda item you wish to address. The Chair will call on people to speak by name provided or last 4 digits of phone number for dial-in attendees. *(Please note that due to the remote nature of the meeting, the Town of Moraga cannot guarantee that the network or its site will not experience technical interruptions. To ensure that the Planning Commission receives your comments, we encourage you to submit your comments in writing in advance of the meeting.)*

**Before the Meeting:** Members of the public may also provide public comment by sending comments to the Planning Department via email at [planning@moraga.ca.us](mailto:planning@moraga.ca.us). Comments received before 4:30 p.m. on the day of the meeting will be provided in their entirety to the Commission prior to the meeting and will be a part of the record but will not be read verbally at the meeting. They will also be posted on the meeting agenda for this date on the Town’s website in the Agendas and Minutes section under 2 - Planning Commission, Town of Moraga.

- **For more information, visit [moraga.ca.us/Public-Participation](https://moraga.ca.us/Public-Participation) on the Town’s website.**

Any member of the public who needs accommodations should email the Planning Department at [planning@moraga.ca.us](mailto:planning@moraga.ca.us) or call 925-888-7040. Town staff will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the Town's procedure for resolving reasonable accommodation requests.

Note: The format of this meeting may be altered, or the meeting may be cancelled if needed. You may check on the status of the meeting by visiting the Town's website at [www.moraga.ca.us](http://www.moraga.ca.us) for any updates.

**1. CALL TO ORDER AND ROLL CALL**

- A. Chairperson Hillis, Vice Chairperson Luster, Bode, Davis, Helber, Thiel, Polsky
- B. Conflict of Interest (if any)
- C. Contact with Applicants

**2. PLEDGE OF ALLEGIANCE**

- 3. PUBLIC COMMENTS** - *Time reserved for those in the audience who wish to address the Planning Commission on items not listed on the agenda. The audience should be aware that the Commission may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on a future agenda.*

**4. ADOPTION OF CONSENT AGENDA**

- A. [September 6, 2022, Planning Commission Meeting Minutes](#)

**5. ADOPTION OF MEETING AGENDA**

**6. PUBLIC HEARINGS**

- A. [301 Constance Place Exterior Side Yard Fence - APN \(257-420-026\)](#)

Proposed to be Built to a Maximum Height of 8 Feet) Adoption of Planning Commission Resolution \_\_\_ - 2022 for Design Review (DRB-04-22) and Variance (VAR-01-22) for a Fence Exceeding Three (3) Feet in Height in the Exterior Side Yard Setback Adjacent to Canyon Road, Built to a Maximum Height of Eight (8) Feet within the Canyon Road Scenic Corridor.

- B. [State Density Bonus of Title 8 Planning and Zoning](#)

Adoption of Resolution \_\_\_-2022 Recommending the Town Council Adopt an Ordinance Amending Section 8.04.020 Definition of Chapter 8.04 – General Provisions and Definitions, and Chapter 8.172 – Density Bonus, of Title 8, Planning and Zoning, of the Town of Moraga Municipal Code to bring the local ordinance into conformance with State Density Bonus law. (CEQA Determination: Exempt Pursuant to CEQA Guidelines Section 15061[b][3] - General Rule Exemption)

**7. ROUTINE AND OTHER MATTERS**

**8. REPORTS**

- A. Planning Commission
- B. Staff

**9. ADJOURNMENT**

Notices of Planning Commission Meetings are posted at 2100 Donald Drive, The Moraga Commons, 329 Rheem Blvd and the Moraga Library. Copies of the Agenda packets can be viewed prior to the meeting at the Town Offices, 329 Rheem Boulevard. **NOTICE:** If you challenge a Town's zoning, planning, or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Town Council at, or prior to, the public hearing. Judging review of any Town administrative decision may be had only if petition is filed with the court not later than the 90<sup>th</sup> day following the date upon which the decision becomes final. Judicial review of environmental determination may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision. The Town of Moraga will provide special assistance for disabled citizens upon at least 72 hours advance notice to the Town Manager's office (925-888-7022). If you need sign assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.