- Contra Costa County Flood Control and Water Conservation District (FC District) (Responsible Agency) – The FC District will review Project design plans for compliance with County C.3 requirements and National Pollutant Discharge Elimination System (NPDES) and Stormwater Pollution Prevention Program (SWPPP) permits to ensure the Project does not result increase the potential for flooding, sedimentation, and degradation of surface water quality.
- Cities of Orinda and Lafayette (Responsible Agencies) – The MCSP will add traffic to unsignalized intersections and road segments located in Orinda and Lafayette that may not operate at acceptable levels of service. The Cities may implement traffic signal installation to mitigate increased traffic associated with the MCSP development, and if so, would have discretionary approval over the intersection installation.

Record Of Proceedings

Various documents and other materials constitute the record of proceedings upon which the Moraga Town Council bases its findings and decisions contained herein. The record of proceedings is located at the Town of Moraga City Offices, 329 Rheem Boulevard, and 2100 Donald Drive, Moraga, CA 94556 (925) 888-7050. Electronic copies of the record of proceedings are available online at www.moraga.ca.us. The custodian for the record of proceedings is the Town of Moraga Planning Department. This information is provided in compliance with California Public Resources Code (PRC) Sec. 21081.6(a)(2) and 14 CCR Sec. 15091(e). For purposes of CEQA and these findings, the record before the City includes, without limitation, the following:

A. The Initial Study;

B. The DEIR and appendices to the DEIR;

C. The FEIR and appendices to the FEIR;

D. Notices required by CEQA, staff reports, and presentation materials related to the Project;

E. Studies conducted for the Project and contained in, or referenced by, staff reports, the DEIR, or the FEIR;

F. Public reports and documents related to the Project prepared for the Town of Moraga and other agencies;

G. Documentary and oral evidence received and reviewed at public hearings and workshops and transcripts and minutes of those hearings related to the Project and the FEIR which were forwarded to the City Council.

H. Additional items not included above, if required by law.

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~~1.41.6~~ GENERAL FINDINGS

Terminology Of Findings

CEQA Guidelines §15091 requires that, for significant environmental effects identified in an EIR, the approving agency must issue a written finding reaching one or more of three allowable conclusions. The three allowable conclusions are:

Evidentiary Basis For Findings

These findings are based upon substantial evidence in the entire record before the Town of Moraga as described in Section 4. The references to the DEIR and to the FEIR set forth in the findings are for ease of reference and are not to provide an exhaustive list of the evidence relied upon for these findings.

Findings Regarding Mitigation Measures

Except as otherwise noted, the Mitigation Measures herein referenced are those identified in the FEIR. Except as otherwise stated in these findings, in accordance with CEQA Guidelines Sec. 15091 - 15093, the Town of Moraga finds that the environmental effects of the Project:

- Will not be significant; or
- Will be mitigated to less than significant by the Mitigation Measures adopted by the Town of Moraga; or
- Can and should be mitigated to less than significant by the Mitigation Measures within the jurisdiction of another public agency; or
- Will remain significant after mitigation, but specific economic, legal, social technological, or other considerations outweigh the unavoidable adverse environmental effects.

The Town of Moraga finds that the Mitigation Measures incorporated into and imposed upon the Project are feasible and fully capable of implementation.

Findings Regarding Monitoring/Reporting Of CEQA Mitigation Measures

As required in PRC §21081.6 the Town of Moraga adopts a Mitigation Monitoring and Reporting Plan (MMRP) regarding changes in the Project or Mitigation Measures imposed to mitigate or avoid significant effects on the environment. The MMRP, in the form presented to the Town of Moraga as Chapter 8 of the FEIR, is adopted because it effectively fulfills the CEQA mitigation monitoring and reporting requirement.

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1.51.7 PUBLIC AND AGENCY INVOLVEMENT

The Town of Moraga held Community Design Workshops on April 1, 2003 and March 15, 2006. An estimated 150 and 200 participants were at each event, respectively. The workshops were held at the SMC Soda Center and included briefings of the MCSP process, presentations of work accomplished to-date and initial findings, and individual group discussions. Comments and key points were summarized and included in MCSP subsection 7.

On July 30, 2007, the Town of Moraga issued a Notice of Preparation (NOP) for the Proposed Project. The NOP was noticed in the Town and sent to the State Clearinghouse. Public scoping meetings were held on August 6, 2007 and September 4, 2007 at the Joaquin Moraga Intermediate School Auditorium. Comments were recorded at these meetings and were accepted in written and electronic formats through the close of business September 4, 2007.

amenities that promote the use of alternative transportation modes.

i) *Transit.* Provide a comfortable and attractive central transit stop with park and ride facilities, passenger amenities, and pedestrian/bicycle connections to residential areas.

Implementing Programs:
IP-K1 Moraga Center / Rheem Park Area Specific Plans

LU3.3 Residential Densities in the Specific Plan Areas. Utilize the Specific Plan process to establish and map two new residential land use designations and provide adequate housing sites to meet the Town's Regional Housing Need. The two new residential designations shall be 'Residential – 10 DUA' (with a maximum of 12.5 units per acre through application of the 25-percent density bonus program) and 'Residential – 20~~16~~ DUA' (with a maximum of 30~~20~~ residential dwelling units per acre for senior housing and with up to 27 units per acre through application of the ~~25-percent~~ density bonus program).

Implementing Programs:
IP-K1 Moraga Center / Rheem Park Area Specific Plans

LU4 Institutional Uses

GOAL: Promotion and preservation of public and private institutional uses that serve the public interest and enhance the quality of life in Moraga, including Saint Mary's College, churches, and public and private schools.

LU4.1 Institutional Building Heights. Apply building height standards in areas designated "Community Facilities" on the General Plan Diagram in accordance with approved master plans, Specific Plans, or the zoning district within which the structure is located.

Implementing Programs:
IP-B1 Zoning and Subdivision Ordinances
IP-C1 Development Review
IP-K1 Moraga Center / Rheem Park Area Specific Plans

LU4.2 Off-Street Parking and Circulation. Require adequate off-street parking and circulation for all institutional facilities.

Implementing Programs:
IP-B1 Zoning and Subdivision Ordinances
IP-C1 Development Review

B. Prior to the issuance of any permit, all required fees and/or deposits shall be paid.

8.34.060 Development Standards.

A. All development shall meet or exceed the **minimum** requirements identified in the table below:

	Development Standard	Minimum Requirement
1.	Site Area	3 acres except that projects subject to Ministerial Review may be a minimum of 2 acres provided that at least 50 dwelling units are proposed for development.
2.	Number of Residential Dwelling Units	60
3.	Square Feet Per Residential Dwelling Unit	300
4	Square Feet Per Dependant Senior Residential Dwelling Unit	100
5.	Average Site Width	200 feet
6.	Average Site Depth	200 feet
7.	Site Building Setback	20 feet from all Site boundaries to any architectural projection on a building.
8.	Creek Building Setback	50 feet from top of bank or 50 feet from the edge of riparian vegetation that is protected by a state or federal agency, whichever is greater except that projects subject to Discretionary Review shall at a minimum comply with the setbacks required by any state or federal agency.
9.	Pervious surface area (including natural or landscaped area)	30% of site area
10.	Natural area or area landscaped area with living plants	20% of site area
11.	Private outdoor area for each Residential Dwelling Unit	20 square feet attached or immediately adjacent to each Residential Dwelling Unit with a minimum dimension of 4 feet.
12.	Number of required parking spaces	1 space per studio or 1-bedroom Residential Dwelling Unit, 2 spaces per 2- or 3-bedroom Residential Dwelling Unit, 2.5 spaces per 4 or more