



California Environmental Quality Act (CEQA) Initial Study/Negative Declaration

Amendments to Town of Moraga General Plan and General Plan Land Use Diagram; Moraga Municipal Code and Zoning Map; Guidelines for Interpreting and Implementing the Moraga Open Space Initiative (MOSO Guidelines); and Town of Moraga Design Guidelines, Related to Regulation of Hillside and Ridgeline Development

Town of Moraga
September 12, 2016

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Amendments to Hillside and Ridgeline Regulations

Section 1: Proposed Project

Introduction

This proposed Initial Study/Negative Declaration has been prepared in accordance with CEQA, Public Resources Code Section 21000 et seq., and the State CEQA Guidelines, California Code of Regulations Section 15000 et seq. The document analyzes the potential environmental effects of a series of proposed amendments to a number of regulatory documents of the Town of Moraga that pertain to the regulation of development and conservation of hillside lands and designated ridgelines, including the Town of Moraga General Plan and General Plan Land Use Diagram, Moraga Municipal Code and Zoning Map, Guidelines for Interpreting and Implementing the Moraga Open Space Initiative (MOSO Guidelines), and Town of Moraga Design Guidelines. Revisions to these documents are referred to as the “Amendments to Hillside and Ridgeline Regulations” or “Amendments”, and are considered the proposed project evaluated within this document. The proposed amendments are the result of a process initiated by the Town of Moraga in 2013, to examine the Town’s hillside and ridgeline regulations, and update and clarify them as needed.

This Initial Study provides an analysis of the potential environmental impacts associated with the Amendments to the Hillside and Ridgeline Regulations, and focuses on the potential impacts that can be expected with the adoption of the regulations. This Initial Study is not a detailed environmental review of site specific development projects as the Town cannot reasonably anticipate project level impacts without site specific development proposals. As specific development projects are proposed, the Town will determine if the Hillside and Ridgeline Regulations would be applicable to the site and the appropriate environmental review document for any future projects.

This document is divided into the following sections:

- Section 1: Proposed Project. This section provides project background and a description of the proposed project and the project’s setting.
- Section 2: Environmental Evaluation. This section includes the environmental checklist form and discussion of potential environmental impacts.
- Section 3: References. This section identifies references used for this document.

Project Setting and Description:

Project Setting

The Town of Moraga is located in southwest Contra Costa County, in the San Francisco Bay Area. The town is bordered by the cities of Lafayette (to the north and northeast) and Orinda (to the northwest) and by unincorporated areas of the county, including the

community of Canyon. The town's topography is varied, including flatter valley areas that generally follow the alignments of Moraga's arterial roads, with hills and ridgelines rising above.

Moraga is a suburban and semi-rural community. It is one of the smallest cities in Contra Costa County, with a population of approximately 16,000 people and a land area of 9.4 square miles. Most of the land is comprised of low-density single-family neighborhoods, open space and undeveloped land, much of which is under private ownership. Civic and community facilities such as schools, parks and government buildings are found throughout the town, including Saint Mary's College, a private university which occupies a large area south of St. Mary's Road and Bollinger Canyon Road. There are two commercial areas in the center of town, both of which are designated for mixed-use development. The town has no industrial areas.

Project Background

The effort to update the Town of Moraga's regulations for hillside and ridgeline development was initiated by the Town in 2013, with the goal of updating and improving the Town's policies, standards and guidelines that apply to hillside and ridgeline areas in a coordinated manner. The updates were intended to address regulations that specifically relate to properties included in the Moraga Open Space Ordinance (MOSO land), as well as other regulations applicable to protection of hillsides and ridgelines more generally.

The Moraga Open Space Ordinance (MOSO, or MOSO Ordinance) was adopted in 1986 by voter initiative. The Ordinance designated a number of properties in Moraga as "MOSO lands", and established more stringent standards for their development, including limitations on the amount and location of new development based on factors such as presence of geologic risks (such as landslides and slope steepness), proximity to designated "major" and "minor" ridgelines, visual prominence, and sensitive natural resources. Subsequent to adoption of MOSO, in 1986 the Town adopted the "Guidelines for Interpreting and Implementing the Moraga Open Space Initiative" (MOSO Guidelines) which provided additional specificity and guidance for implementation of MOSO. The MOSO Guidelines have been amended three times since their initial adoption, in 1987, 1992 and 1999. In 1998, the Moraga Town Council adopted Resolution 42-98, which amended the General Plan diagram and Zoning Map to correct a number of inconsistencies between those maps and the MOSO Ordinance. A Negative Declaration was adopted at that time, which found that the map changes would not cause any significant environmental impacts.

MOSO is also implemented through other Town documents including the General Plan and Zoning Ordinance, and Design Guidelines reflective of the requirements of the voter-approved Ordinance. The General Plan, Zoning Ordinance and Design Guidelines also provide regulations and guidelines that control development on other (non-MOSO) hillsides and ridgelines, as well as within Scenic Corridors that are defined, among other aspects, by views of prominent landforms such as hillsides and ridgelines.

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A consultant team was retained to provide technical assistance with the project. Additionally, the Town Council appointed a Steering Committee which included representatives of the Town Council, Planning Commission, Design Review Board and Park and Recreation Commission. The process to consider the updates used similar steps at each phase, including work with the Steering Committee to develop and make recommendations, public workshop(s) to receive community feedback, and consideration and recommendations from the Planning Commission and Town Council at key decision points.

The process first identified points of disagreement and differences of interpretation and application of the Town's existing regulations, and identified various options to address those issues. The Steering Committee, Planning Commission and Town Council then provided feedback on preferred options to address those issues, which formed the basis of the amended regulations.

The project does not include any proposed amendment to the text of the MOSO Ordinance itself, since doing so would require a vote of the people. Therefore, in considering amendments to any of the regulations that implement MOSO, the Town is required to ensure that any such change would be consistent both with the letter, and intent, of the voter-approved Ordinance.

Project Description

The proposed project consists of a series of proposed amendments to the Town's regulations pertaining to hillside and ridgeline development, including regulations that implement the MOSO Ordinance, as well as those that regulate development on hillsides and ridgelines, and within Scenic Corridors, more generally.

The full text of the proposed amendments are included in Attachment A, and the proposed General Plan Land Use and Zoning Maps for MOSO zoned and designated lands are included as Attachment B. In summary, the amendments include the following major components:

2002 Moraga General Plan

The proposed amendments to the Moraga General Plan include:

- Addition of new policies LU1.6 and LU1.7 of the Land Use Element, clarifying the allowed development densities and grading permitted within Moraga Open Space Ordinance (MOSO) lands.
- In the Community Design Element, definition and mapping of two new categories of protected ridgelines: "Significant Non-MOSO Ridgelines" and "Other Non-MOSO Ridgelines" which are in addition to the two types of MOSO ridgelines identified in the MOSO Ordinance.
- Addition of a new Goal CD-8 and related policies in the Community Design Element, to further articulate policies protective of hillside lands and ridgelines.
- Modification of Open Space and Conservation Element policy OS1.2, and

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Addition of new policies OS1.7 and OS1.8 regarding ridgelines and the regulation of development on and adjacent to various types of protected ridgelines, including clarification of the policy as to which limited types of development may be allowed on protected MOSO ridgelines.

- Amendment of various definitions in General Plan Appendix D for “Development”, “Hillside Lands” and “Ridgelines” to clarify these definitions as they are applied in the above-referenced policies.

MOSO Guidelines

The proposed amendments include a number of changes to clarify the procedures by which MOSO is implemented, in conformance with the voter-approved MOSO Initiative:

- Clarification of various definitions used in the MOSO Guidelines to clarify and conform them to related amendments in other documents.
- Amendments to: (1) revise the existing methodology of calculating average slope of a development “cell” to a more strictly defined “development envelope”; (2) determine how “high risk” areas, which are areas subject to geologic hazards, are defined; and, (3) provide more strict limitations on the extent to which the density of such areas may be increased.
- Clarification of the types of development permitted on MOSO ridgelines.
- Clarification of methodology for determining development constraints of a site and most suitable areas for development.

Moraga Municipal Code

The majority of the proposed amendments would be made within Title 8: Planning and Zoning, of the Moraga Municipal Code (MMC). They include the following revisions:

- Chapter 8.04: Definitions: Revisions to conform with proposed revised definitions in the General Plan and MOSO Guidelines for “Average Slope”, “Development”, “Hillside Area/Hillside Land,” and “Ridgeline.”
- Chapter 8.52: MOSO Open Space Density. Clarify that density in high risk areas may not be increased to more than one unit per 20 acres, and to align the description of exceptions to development prohibited on MOSO ridgelines with those included in the General Plan and Design Guidelines documents.
- Chapter 8.72: Design Review. Amend a reference to the “Slope Density” chapter.
- Chapter 8.128: Ridgeline Protection. Provide a series of more expansive and detailed requirements intended to protect the visual quality of ridgelines and adjacent hillsides.
- Chapter 8.132: Scenic Corridors. Explicitly reference protection of views of ridgelines from designated Scenic Corridors.
- Chapter 8.136: Slope Density. Retitle the chapter to “Hillside Development” and modify requirements pertaining to hillside development, including additional findings for hillside development permits (HDP). Additionally, revise procedures intended to avoid duplicative permitting requirements for development on hillside

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lands by not requiring a separate HDP where a discretionary permit is already required, provided certain additional findings can be made.

- Title 14. Delete a reference to the requirement for a Hillside Development Permit, pursuant to the revisions to Chapter 8.136, above.

General Plan Land Use Map and Zoning Diagram

Amendments are proposed to both the General Plan Land Use Map, and to the Zoning Diagram, for the mapping of MOSO land use and zoning districts. The proposed Zoning and General Plan land use maps are included in Appendix B .The amendments would be intended to bring the General Plan Land Use Map and Zoning Map into conformance with each other. With regard to the Zoning Map, proposed changes would be made in conformance with a series of zoning map amendments that were adopted by the Town Council in 1998 (Resolution 15-98), and the General Plan land use map adopted by the Town in 2002. These changes, while recorded in the text of the Resolution and reflected in the General Plan land use map, were not subsequently incorporated into the official zoning map.

In addition, the General Plan Land Use Map and Zoning Map do not reflect the actual property boundaries of some of the subdivisions in Moraga that interface with MOSO lands, such that some lots developed or permitted to be developed with residential uses are shown as having MOSO zoning or General Plan designations, while property subject to conservation easements or otherwise reserved as common open space areas for subdivisions are designated for residential use. The mapping changes include a number of “clean up” revisions to these boundaries that would better align the zoning and land use boundaries with the actual land uses in place, in a manner consistent with MOSO. Particular examples of such areas include portions of the Moraga Country Club and Sanders Ranch subdivisions. Finally, minor adjustments have been made, based on the more accurate digital GIS mapping now available, to better align land use and zoning areas to property lines in certain instances, when the intent to align to these boundaries was apparent in the prior non-GIS-based mapping.

Design Guidelines

Section 4 “Protect Ridgeline and Hillside Areas” of the Town of Moraga Design Guidelines would be substantially revised to include a new series of design guidelines and standards. These standards and guidelines are intended to provide more detailed and protective parameters for the design of development in hillside and ridgeline areas, including guidelines for new residences and residential subdivisions in hillside areas, and would apply to all types of development, including residential additions. The revisions to the Design Guidelines would address and expand upon many areas already incorporated in the Design Guidelines, including appropriate site design, building massing and materials, design variation, building placement, grading sensitive to the natural topography, stepped building and foundation design, and landscaping.

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Appendix D, Floor Area Ratio guidelines would be modified to identify maximum Floor Area limits for properties over 20,000 square feet in size, in addition to the existing limits for smaller properties.

Section 2: Environmental Evaluation

Project Summary

1) Project Title: Amendments to Town of Moraga General Plan and General Plan Land Use Diagram; Moraga Municipal Code and Zoning Map; Guidelines for Interpreting and Implementing the Moraga Open Space Initiative (MOSO Guidelines); and Town of Moraga Design Guidelines related to Regulation of Hillside and Ridgeline Development

2) Project Location: All lands within the town limits of the Town of Moraga, Contra Costa County

3) Project Sponsor's Name and Address: Town of Moraga, 329 Rheem Boulevard, Moraga, CA 94556

4) Contact Person: Ellen Clark, Planning Director,
Town of Moraga
329 Rheem Boulevard, Moraga, CA 94556
(925) 888-7041
eclark@moraga.ca.us

5) General Plan Designations: All Town of Moraga General Plan designations

6) Zoning: All Town of Moraga zoning districts

7) Description of Project: The Town of Moraga proposes amendments to the Town of Moraga General Plan and General Plan Land Use Diagram, Moraga Municipal Code and Zoning Map, Guidelines for Interpreting and Implementing the Moraga Open Space Initiative (MOSO Guidelines), and Town of Moraga Design Guidelines. The intent of the text and map amendments is to update and clarify the various existing regulations of the Town related to hillside development, generally defined as development on land with slopes steeper than 20 percent, and preservation of the scenic and open space qualities of hillsides and ridgelines throughout Moraga. Please see Section 1 of this document for a more detailed project description. Proposed amendments to the documents are shown in Appendix A and B.

8) Land Uses and Setting: As noted above, the Amendments to the Hillside and Ridgeline Regulations would apply to all land within the Town of Moraga. A variety of land uses are located within the Town, with the most prominent uses including residential, open space, and commercial. The Amendments would apply to all land uses within the Town of Moraga, but in particular would apply to properties containing hillside lands and ridgelines, and as prescribed in the various regulations subject to amendment.

9) Other agencies whose approval is required: None

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

| | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Haz. Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

Determination

On the basis of this initial evaluation:

| | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. |
| <input type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. |
| <input type="checkbox"/> | I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. |
| <input type="checkbox"/> | I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed |
| <input type="checkbox"/> | I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required |

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Signature

Date

Ellen Clark, Planning Director

Environmental Checklist and Discussion

I. Aesthetics

| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a), b), c), Less than Significant Impact

There are no State scenic highways in Moraga; however, the Town of Moraga General Plan does identify local scenic corridors within the town, and portions of Moraga are visible from Highway 24, which is an officially designated State Scenic Highway.

The proposed amendments would require potential future development within the Town of Moraga to adhere to additional protective standards intended to preserve the quality of scenic hillsides, ridgelines, and Scenic Corridors, which are an important component of numerous scenic vistas and the overall scenic qualities of the Town of Moraga. The Amendments to the Hillside and Ridgeline Regulations identify additional standard/regulations for potential development and do not grant entitlements for new projects, include site-specific proposals, or directly result in new development within the Town that could create aesthetic impacts... Any future development proposed within Moraga

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would be required to go through the Town’s project review process, adhere to ridgeline and hillside protection measures, as well as undergo separate environmental review.

The amended regulations include components which would further protect visual resources within the Town, and include the designation of additional ridgelines as significant and the designation of additional ridgelines for protection. The amendments establish new policies, design standards and guidelines for ridgeline and hillside protection, including measures intended to reduce the visual prominence of new development, and ensure that new development does not interrupt ridgeline silhouettes and blends effectively with the natural landscape. The amendments also include enhanced design guidelines intended to govern new development so as to minimize its impact on scenic hillside areas.

The Amendments would have a less than significant impact on visual resources and would further protect aesthetics and aesthetic resources in and around the Town of Moraga.

d) No Impact

The project does not propose new construction or development that could introduce new sources of light and glare; therefore there would be no impact in this regard.

Mitigation Measures

None required.

II. Agricultural and Forest Resources

| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non- agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| c) Conflict with existing zoning for, or cause rezoning of, forest land or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a), c), No Impact

The Town of Moraga does not include land subject to Williamson Act Contracts or land identified as prime farmland, unique farmland, or forest land. Therefore, the Amendments would have no impact on these resources.

b), d) Less than Significant Impact

None of the proposed amendments would change the ability for MOSO and Non-MOSO open space to be used for agricultural purposes, which is allowed as a permitted use within these zoning districts and most other zoning districts in Moraga.

While the proposed mapping changes would result in some adjustments to the boundaries of MOSO open space lands upon which agricultural uses are permitted, these changes are consistent with the previously adopted amendments to the General Plan and Zoning Map approved in Town Council Resolution 15-98, which were determined on the basis of an Initial Study/Negative Declaration completed in conjunction with that project, to have no impact on agricultural resources. Other changes to the zoning map would bring the zoning into conformance with the 2002 General Plan land use map for MOSO and other land, or would align the boundaries of MOSO lands to legal property boundaries. None of these changes would result in any substantial reduction to the overall amount of land available for agricultural use in Moraga, since all residential and open space zones permit agriculture use. Therefore, the impacts would be less than significant.

III. Air Quality

| Would the project... | Potentially Significant Impact | Potentially Significant Unless | Less than Significant Impact | No Impact |
|----------------------|--------------------------------|--------------------------------|------------------------------|-----------|
|----------------------|--------------------------------|--------------------------------|------------------------------|-----------|

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| | Mitigation Incorporated | | | |
|---|------------------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? e | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a), b), c), d), e) Less than Significant Impact

In Moraga, a predominantly residential community, the majority of air quality impacts are associated with air emissions from increased traffic and from activities such as construction. The proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga. As a result, the proposed Amendments would not increase traffic levels such that there would be a resultant substantial increase in air quality pollutants, contribution to air quality violations, or additional sources of odors. Furthermore, any future development within Moraga would be required to undergo a separate environmental review, including analysis of construction-period and operational-period air quality impacts. As such, the amendments would have a less than significant impact on air quality.

Mitigation Measures

None required.

IV. Biological Resources

| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or the US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| hydrological interruption, or other means? | | | | |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a), b), c), d) Less than Significant

The Town of Moraga has substantial areas of undeveloped open space, much of which is also hillside land. This undeveloped area provides habitat for wildlife species and may also contain sensitive resources, such as wetlands and riparian zones. While such areas could be affected by future development projects on these lands, the Amendments do not grant entitlements for new projects or include site-specific proposals; any future development would be required to undergo a site specific environmental review.

The proposed Amendments would generally be more protective of hillsides, ridgelines, and open space lands in Moraga by providing additional regulations for development in hillside/ridgeline areas and expanding the area that are considered sensitive hillsides or ridgelines... The Amendments clarify requirements for interpretation and implementation of MOSO, including more stringent interpretations on limitations on densities, particularly in high risk areas, as well as better defined criteria for determining areas containing sensitive resources to be avoided through appropriate site planning. The Amendments would not alter existing land use regulations such that there would be an increase in density, nor would they otherwise permit development in areas where it would previously have been prohibited or limited. As a result, the Amendments would have no impact on sensitive species or habitats,

would not adversely affect riparian habitats or wetlands, or interfere with wildlife movement.

e), f) No Impact

There are no adopted local, regional or State Habitat Conservation plans in place in Moraga, and the proposed amendments would be consistent with the broader scope of goals and policies of the Town concerning protection of biological resources, tree preservation, and sensitive natural areas and habitats. Thus there would be no impact in these areas.

Mitigation Measures

None required.

V. Cultural Resources

| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in Sec 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Sec 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a), b), c), d), e), f) Less than Significant Impact

The proposed Amendments would not alter existing land use regulations such that there would be an increase in density or otherwise permit development in areas where it would

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previously have been prohibited.

As has been noted above, the Amendments do not grant entitlements for new projects or include site-specific proposals. Future development projects could result in impacts to known and previously undiscovered or unidentified cultural resources, including historical, archaeological, and paleontological resources, as well as human remains. These development projects would be required to undergo separate environmental review, including analysis of impacts to the cultural resources. The Amendments would have a less than significant impact on historic, archaeological or paleontological resources.

Mitigation Measures

None required.

VI. Geology and Soils

Would the project...

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii. Strong seismic ground shaking | | | | |
| iii. Seismic-related ground failure, including liquefaction? | | | | |
| iv. Landslides? | | | | |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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Would the project...

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------------|--|-------------------------------------|--------------------------|
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a), b), c), d), e) Less than Significant Impact

The proposed Amendments would clarify and strengthen the Town of Moraga General Plan and Municipal Code's existing regulations that aim to encourage development outside of areas of high geologic hazard, such as areas prone to landslides. For example, within MOSO zoned lands, the updated regulations would make it more explicit that the maximum permitted density within any "high risk" area is one unit per twenty acres, and may not be increased under any circumstances. Otherwise, the proposed Amendments would not alter any existing land use regulation such that it would allow for increased density or otherwise permit development in areas where it previously would have been prohibited. Moreover, the project does not involve physical construction or changes in land uses which would cause or expose population to geologic hazards, and any future development projects would be subject to further environmental review. As a result, the Amendments would have a less than significant impact with regard to geology and soils.

Mitigation Measures

None required.

VII. Greenhouse Gas Emissions

Would the project...

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy, or regulation of any agency adopted for the purpose of reducing the emission of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a), b) Less than Significant Impact

The proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga, so as to add traffic or increase construction-related emissions of GHG's. As a result, the proposed Amendments are not anticipated to result in a significant greenhouse gas impact. Furthermore, any future development within Moraga would be required to undergo a separate environmental review, including analysis of construction-period and operational-period greenhouse gas impacts. Moreover, the project does not involve physical construction or changes in land uses which would cause increases in GHG. As such, the Amendments would have a less than significant impact on greenhouse gas emissions.

Mitigation Measures

None required.

VIII. Hazards and Hazardous Materials

| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) If within an airport land use plan—or, where such a plan has not been adopted, within two miles of a public airport or public use airport—would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) If within the vicinity of a private airstrip, result in a safety hazard | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

d), h) Less than Significant Impact

Many of Moraga’s hillside areas and undeveloped open space lands are considered subject to wildland fire hazards; development of these lands could expose new population to this hazard, or to a known or unknown hazardous materials site. However, the Amendments would generally require future development to adhere to the stricter regulations that limit development in areas with known hazards, such as areas prone to wildland fire.

The proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga; as such there would be no increase in additional population’s exposure to hazards or hazardous materials. Moreover, the project does not involve physical construction or changes in land uses which would cause increases in exposure to hazards, including wildland fire. Finally, future proposed development would be required to undergo separate environmental review, including analysis of increased risks to human health or safety. Impacts in these categories would be less than significant.

a), b), c), e), f), g) No Impact

The Amendments would principally concern residential land uses on hillside properties, which, by their nature are not generally associated with routine transportation or the emission of hazardous materials. Such uses are required, during project review, to show conformance with adopted emergency plans and to incorporate planning for emergency access, such as fire protection. There are also no private or public airports or air strips in Moraga or the vicinity. In consideration of these facts, there would be no impact with regard to hazardous materials, emergency plans, or airport safety.

Mitigation Measures

None required.

IX. Hydrology and Water Quality

| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere by a net deficit in aquifer volume or a lowering of the local groundwater table level | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Create or contribute runoff water which would exceed the including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a),b), c), d), e),f),g),h),i),J) Less than Significant Impact

Future development of hillside and ridgeline land has the potential to affect drainage and hydrologic patterns on any site on which it is located. However, the proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga that would increase generation of pollutants or stormwater runoff, alter drainage patterns, or expose population to flooding hazards or similar risks. As has been noted above, the Amendments do not grant entitlements for new projects or include site-specific proposals; any future development would be required to undergo a site specific environmental review of the impacts noted above. As such, the Amendments would have a less than significant impact on hydrology and water quality.

Mitigation Measures

None required.

X. Land Use and Planning

| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

b) Less than Significant Impact

The proposed Amendments would introduce new policies and zoning regulations in conformance with the General Plan and Municipal Code, and with the voter-approved MOSO Ordinance. The Amendment would also serve to amplify and clarify policies and regulations intended to protect the scenic and open space qualities of hillsides and ridgelines, as reflected in numerous existing goals and policies of the Town of Moraga, and consistent with such existing policies. The changes to the General Plan Land Use Map and Zoning Map would bring these maps into conformance with amendments previously adopted by the Town, and provide more logical boundaries for MOSO open space districts that conform to property lines and the boundaries of existing approved subdivisions, encouraging the orderly development of such properties and reducing potential conflict and ambiguity between these documents. All of the proposed Amendments would be in conformance with, and are intended to implement, the voter-approved MOSO Ordinance, and would reflect both the intent and the letter of these regulations. Therefore, the Amendments would have a less than significant impact.

a), c) - No Impact

The project does not involve physical construction or changes in land uses which would have

the potential to physically divide an existing community or conflict with a habitat conservation plan. Therefore, there would be no impact.

Mitigation Measures
 None required.

XI. Mineral Resources

| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a), b) No Impact

There are no known mineral resources of local, regional or statewide importance in Moraga or locally important mineral resources delineated on a local land use plan. The proposed Amendments would have no impact with regard to mineral resources.

Mitigation Measures
 None required.

XII. Noise

| Would the project... | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

ordinance, or applicable standards of other agencies?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Result in the exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) If within an airport land use plan—or, where such a plan has not been adopted, within two miles of a public airport or public use airport—expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) If within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a), b), c), d), Less than Significant Impact

The proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga, and would not generate additional noise or vibration sources or expose new population to noise impacts. As has been noted above, the Amendments do not grant entitlements for new projects or include site-specific proposals; any future development would be required to undergo a site specific environmental review of the impacts noted above. Therefore there would be a less than significant impact with regard to noise.

e), f) No Impact

There are no private or public airstrips located within two miles of any property within the Town of Moraga; therefore there would be no impact.

Mitigation Measures

None required.

XIII. Population and Housing

Would the project...

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a), Less than Significant Impact

Modifications to the MOSO Guidelines would clarify regulations regarding maximum residential density in high risk areas and with regard to allowable density on MOSO land, in conformance with the existing voter-approved MOSO Ordinance. However, the proposed Amendments would not increase the amount of permitted residential development on any property or within any zoning district in the Town of Moraga, and would therefore not induce new population growth.

b) c) No Impact

The Amendments would modify existing regulations for future residential development on hillside lands, consistent with the voter-approved Moraga Open Space Ordinance. The project does not involve physical construction or changes in land uses that could displace existing housing or population. Therefore, no impacts related to housing or population displacement would result from the project.

Mitigation Measures

None required.

XIV. Public Services

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of these public services:

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|-----------------------------|--------------------------------|--|-------------------------------------|--------------------------|
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a), b), c), d), e) Less than Significant Impact

The proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga, and would therefore not generate new or increased demand for public services. Moreover, the project does not

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involve physical construction or changes in land uses which would have the potential to create additional demand for public services. Any future development would be required to undergo a site specific environmental review of the impacts noted above. A less than significant impact to public services would result from the project.

Mitigation Measures

None required.

XV. Recreation

| Would the project | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|--------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a), b) Less than Significant Impact

The proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga, nor does in propose any construction or change in land use. The project would therefore not generate new or increased demand for recreation facilities and there would be a less than significant impact to recreation facilities.

Transportation and Traffic

Would the project:

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|---------------------------------------|---|-------------------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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- f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

b), d), e), f) Less than Significant Impact

The proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga, and does not propose any construction or change in land use. The project would therefore not generate new or increased traffic, alter circulation patterns, or interfere with emergency access. Further, any future development would be required to undergo a site specific environmental review of the impacts noted above. A less than significant impact to the traffic or transportation thresholds listed above would result from the project.

a), c) No Impact

The Amendments would be related to the regulation of residential development on hillside and ridgeline properties in Moraga, and would not affect the implementation of circulation plans and policies, nor interfere with air traffic patterns since there are no public or private airports or airport land use protection areas within the Town. As such, there would be no impact in these areas.

Mitigation Measures

None required.

Utilities and Service Systems

Would the project:

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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Would the project:

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------------|--|-------------------------------------|--------------------------|
| c) Require or result in the construction of new storm water facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a), b), c), d), e), f), g) Less than Significant Impact

The proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga, and does not propose any construction or change in land use. The project would therefore not generate new or increased demand for water, wastewater, or generate additional solid waste. Further, any future development would be required to undergo a site specific environmental review of the impacts noted above. A less than significant impact to public services and utilities would result from the project.

Mitigation Measures

None required.

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Mandatory Findings of Significance

Would the project:

| | Potentially Significant Impact | Potentially Significant Unless Mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|--------------------------|
| a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have impacts that are individually limited but cumulatively ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a), b), c) Less than Significant Impact

The proposed Amendments would not increase the amount of permitted development on any property or within any zoning district in the Town of Moraga, and the project does not propose any construction or change in land use. Therefore the project does not have the potential to effect sensitive biological or cultural resources, would have no cumulatively considerable effects, and would not cause substantial adverse effects on people. The impacts would be less than significant.

Mitigation Measures

None required.

Section 3: References

Documents

Moraga Open Space Ordinance (MOSO), 1986

Town of Moraga General Plan, 2002

Town of Moraga General Plan Environmental Impact Report, August 2000

Town of Moraga Municipal Code

Town of Moraga Design Guidelines (As Amended January 27, 2010)

Initial Study for Amendments to the Moraga General Plan and Chapter 8-38 (Open Space Districts) of the Moraga Municipal Code

Resolution 45-92 An Approval of a Negative Declaration and the Town of Moraga Initiated Amendments to the General Plan Text, General Plan Diagram and Zoning Map

Understanding Moraga's Hillside Regulations, November 2015, PlaceWorks, for the Town of Moraga

Report Preparers

Ellen Clark, Planning Director, Town of Moraga
Ben Noble, BN Planning

Appendices:

A.) Draft Amendments to Hillside and Ridgeline Regulations, September 2016

1. Proposed Amendments to Town of Moraga General Plan
2. Proposed Amendments to Moraga Municipal Code
3. Proposed Amendments to Guidelines for Interpreting and Implementing the Moraga
4. Open Space Initiative (MOSO Guidelines);
5. Proposed Amendments to Town of Moraga Design Guidelines

B) Draft Amended General Plan Land Use Diagram, and Zoning Map, September 2016