



Moraga 2002 General Plan

ADOPTED June 4, 2002

Note to the Reader

The *Moraga 2002 General Plan* culminates nearly three years of planning analysis and community discussion regarding Moraga's past, present and future, including more than a year of review and discussion in joint study sessions and public hearings with Moraga's Planning Commission and Town Council.

The *Moraga 2002 General Plan* revises and updates the Town's 1990 General Plan, establishing a framework for development decision making for the next ten to twenty years. Major changes in the Plan as compared to the previous plan include:

- *New Sections*
 - New introductory material describing the Plan's purpose, planning area, and background (Chapter 1).
 - Summary of the Plan's 'Values and Guiding Principles' (Chapter 2).
 - New Community Design Element (Chapter 4).
 - An integrated 'Action Plan' to consolidate implementing programs, identify near-term priorities, and provide a tool for facilitating the annual General Plan review process (Chapter 11 and Appendix F).
- *Land Use Changes*
 - Reductions in maximum potential densities in environmentally sensitive outlying areas of the Town, resulting in an overall reduction of approximately 20 percent in remaining build-out capacity.
 - A revised General Plan Diagram to help implement the Plan's goals and policies (Appendix A).
 - Addition of a table summarizing the Town's 'Residential Development Potential' (Appendix C).
- *New Policies and Action Programs*
 - Identification of two Specific Plan areas on the General Plan Diagram and implementing actions to undertake the specific planning process in both areas in the immediate future.
 - A stronger emphasis on open space preservation, with new programs to strengthen and implement the Town's 'Transfer of Development Rights' policies and to develop a comprehensive Open Space Preservation Program.
 - A renewed emphasis on providing housing to meet a variety of needs, including seniors, 'empty-nesters' and people who work in the Town, by allowing residential development at higher densities in centrally located areas, sited and designed in accordance with Town standards and guidelines.

- *Format and Style Changes*
 - Presentation of the Plan in a standard size format.
 - Consolidation of the Plan's goals to eliminate redundancy.
 - Consistent numbering and titling of all policies.
 - Identification of the implementing programs for each policy.
 - Consolidation of the Plan's implementing action programs.

In addition there have been many minor changes to clarify policy language, eliminate inconsistencies, reduce redundancy, meet regulatory requirements, and respond to recent changes in the Town.

Town Manager's Office
Town of Moraga
PO Box 188 / 2100 Donald Drive
Moraga, CA 94556

925-376-2590
manager@moraga.ca.us

Acknowledgements

Town Council, 2001-2002

Michael Majchrzak, Mayor
Lori Landis, Vice Mayor
Dennis Cunnane
William Vaughn
Dale Walwark

Planning Commission, 2001-2002

Michael Metcalf, Chairman
Ben Burch, Vice Chairman
Richard Brown
John Carey
Lisa Edwards Fitzinger
Matthew Rei
Steve Woehleke

Town Council, 2000-2001

William Vaughn, Mayor
Michael Majchrzak, Vice Mayor
Dennis Cunnane
Lori Landis
Dale Walwark

Planning Commission, 2000-2001

Michael Metcalf, Acting Chair
Lee VanDeKerchove
Ben Burch
John Carey
Matthew Rei
Eugene Tomine
Steve Woehleke

Town Council, 1999-2000

Dennis Cunnane, Mayor
William Vaughn, Vice Mayor
John Connors
Ron Enzweiler
Michael Majchrzak

Planning Commission, 1999-2000

Lee VanDeKerchove, Chair
Michael Metcalf, Vice-Chair
Ben Burch
John Carey
Matthew Rei
Eugene Tomine
Steve Woehleke

General Plan Steering Committee, 1999-2000

Dennis Cunnane, *Mayor*
John Connors, *Councilmember*
Eugene Tomine, *Planning Commission*
Michael Metcalf, *Planning Commission*
Laszlo Bonnyay, *Parks and Recreation Commission*
Jim Stroupe, *Design Review Board*
Dexter Louie, *Moraga School Board*
Gordon Nathan, *Moraga-Orinda Fire District*
Michael Ferrigno, *Saint Mary's College*

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1 INTRODUCTION

Purpose of the General Plan

A Statement of Community Values and a Shared Vision

The Moraga 2002 General Plan is a statement of community values and priorities. It describes the type of community we want to be in the future and sets forth goals, policies and action programs across a range of issue areas to help us achieve our aims. It also describes how the General Plan should be managed over time and identifies near-term priorities for putting the General Plan into action.

A Strategic, Pro-Active Planning Tool

The Moraga 2002 General Plan is a strategic tool for guiding the Town's physical development. It is based on a comprehensive understanding of the issues that we face and a clear sense of what we hope to accomplish. It has been developed with the extensive involvement of community members who have helped identify key planning issues; evaluate alternative planning strategies; and define the key policy directions to guide the Town successfully into the new millennium.

A Guide for Land Use and Development Decisions

The General Plan guides the Town's long-term development by establishing the overall policy framework for development decision-making. As the Town faces tough development decisions, the Moraga 2002 General Plan will serve as a guide to ensure that each decision is made in the best interest of the Town's long-term future. It provides guidance for the preparation of specific plans, implementing ordinances, development policy statements, and ongoing planning activities.

The General Plan should be followed as closely as reason and justice make practical and possible. If a project is proposed that is considered inconsistent with the General Plan, then the project must be either modified or denied, or the General Plan must be amended.

A Balanced Approach

The goals, policies and action programs contained in the General Plan establish clear community priorities and development policies to ensure the protection of public health, safety and welfare and to further community goals while respecting the needs of individual property owners and businesses in the Town. The Plan does not take any land for public purposes or place a cloud on the title to any property or require that any property be sold or dedicated to the public.

Leo Rosi, *Moraga Chamber of Commerce*
David Bruzzone, *major landowner*
Allen Sayles, *citizen at large*
Dan Dahlen, *citizen at large*
Lori Landis, *citizen at large*
Geoffrey White, *citizen at large*

Alternates

Dale Walwark, *Park and Recreation Commission*
Phyllis Kofman, *Design Review Board*
Chief Jim Johnston, *Moraga-Orinda Fire District*
Ed Torres, *Moraga Chamber of Commerce*

Town Staff

Karen Stein, Town Manager
Carol Lau, Assistant to the Town Manager
Lori Salamack, Planning Director
Pat Wallis, Senior Planner
Richard Chamberlain, Associate Planner
Karen Alley, Assistant to the Planning Director
Michelle Kenyon, Town Attorney
Nancy Richardson, Recreation Director
Dan Bernie, Parks/Public Works Superintendent
Brad Kearns, Chief of Police

Former Town Staff

Ross Hubbard, Town Manager
Jay Tashiro, Planning Director
Tom Sullivan, AICP; Planning Director
Chip Griffin, AICP; Senior Planner
Barry Kalar, Police Chief
Selena Aguilar, Planning Intern
Sara Melena, Planning Intern

Consultants

Baird+Driskell Community Planning, *planning and community participation*
Parsons Harland Bartholomew Associates, *planning and environmental analysis*
Fehr and Peers Associates, Inc., *traffic and circulation*
Gast-Hilmer Urban Design, *community design*
Strategic Economics, *fiscal analysis*
Farallon Geographics, Inc., *geographic information systems*
David Driskell, AICP; Planning Manager
Rob Brueck; EIR Manager

The General Plan also recognizes that many factors beyond the Town's control will have significant influence over future development activities. These include market forces that drive private development decisions, as well as the land use and transportation decisions taken by other jurisdictions. The General Plan acknowledges and responds to these factors in its policies and action programs.

A Living Document and Action Plan

The Moraga 2002 General Plan has been written and designed to provide a user-friendly resource for Town staff and officials, property owners, developers, and residents. To ensure the Plan's usefulness and relevance over time, the Plan includes policies and programs regarding its ongoing management and coordination. Also, to ensure a close link between the long-term perspective of the Plan and near-term actions, the General Plan defines action programs across the full range of issue areas in a consolidated 'Action Plan' (Chapter 11) and identifies implementation priorities to respond to pressing issues and special planning needs (Appendix F). It is expected that the Action Plan and implementation priorities will be reviewed on an annual basis to monitor achievements and identify new implementation priorities.

A State Law Requirement

All local government jurisdictions in California are required to have a General Plan, and to keep it up to date. The previous Town of Moraga General Plan was adopted in 1990. The current update brings the Plan into conformance with changes in State law and other legal requirements; reflects changes in local issues and conditions over the past ten years; incorporates the most recent projections and assumptions regarding future growth; and responds to the issues, challenges and opportunities created by recent trends and developments.

Area Covered by the Plan

The Moraga 2002 General Plan provides a comprehensive, integrated and internally consistent statement of Moraga's development policies. It covers all lands located within the Town limits as well as the Town's Sphere of Influence area.

The Sphere of Influence is 'the probable ultimate physical boundaries and service area of a city or district as approved by the Local Agency Formation Commission of the County' (Government Code Section 56076). The Town Limits and Sphere of Influence area are illustrated in the General Plan Diagram (Appendix A).

The General Plan Diagram also identifies the Contra Costa County Urban Limit Line (ULL) in relation to the Town Boundary. County voters adopted the ULL in 1990 to preserve agricultural and open space uses in the County. The ULL was established based on a 65/35 Land Preservation Plan, which seeks to preserve at least 65 percent of all land in the County as agriculture, open space, wetlands, parks and other non-urban uses. Large-scale development is prohibited on lands outside the ULL under the County's General Plan. However, public facilities such as educational institutions (including Saint Mary's College, which is located outside the ULL boundary) are exempt from the ULL restrictions.

Because of Moraga’s geographic location and limited roadway access, the Moraga General Plan is also concerned with issues that extend beyond its boundaries and Sphere of Influence. This larger area of interest is generally defined as including those lands that (a) can be seen from Moraga; (b) provide access to Moraga; (c) have their primary source of access through Moraga; (d) may contain uses that significantly affect the air, water or other environmental quality of Moraga; and/or (e) could create demands for public service from Moraga. While the Town does not have planning authority in the area beyond the Town boundaries, it shall seek to proactively participate in the planning process for these lands through coordination with other jurisdictions and agencies, including the cities of Orinda and Lafayette, Contra Costa County, East Bay Municipal Utilities District, and the East Bay Regional Park District.

Organization of the General Plan

The Moraga 2002 General Plan is written and designed for use by all members of the Moraga community: residents, businesses, property owners, developers, Town staff, and elected and appointed officials.

Following is a brief overview of the Plan’s key structural components to help you understand how the Plan is organized.

Values and Guiding Principles (Chapter 2)

These community values and guiding principles—developed through the public participation process—serve as overarching goals for the Moraga 2002 General Plan and provide the basic foundation for its goals, policies and implementing programs.

Goals, Policies, and Implementing Programs (Chapters 3 – 10)

The main body of the General Plan consists of eight ‘elements’:

<i>Chapter 3</i>	Land Use
<i>Chapter 4</i>	Community Design
<i>Chapter 5</i>	Housing
<i>Chapter 6</i>	Circulation
<i>Chapter 7</i>	Open Space and Conservation
<i>Chapter 8</i>	Public Safety
<i>Chapter 9</i>	Community Facilities and Services
<i>Chapter 10</i>	Growth Management

The specific issues addressed in each element are listed in the Table of Contents. A list of how the Plan’s elements relate to the State’s mandated and optional element is provided in **Figure 1** (page 1-6).

Each ‘element’ presents goals, policies, and implementing programs that state the Plan’s intent across a range of planning and development issues.

- A **Goal** is a general statement of values or aspirations held by the community in relation to each issue area. It is the end towards which the Town will direct its efforts.
- A **Policy** is a more precise expression regarding the community's position on a particular issue, or how a particular goal will be interpreted or implemented. Policies may include guidelines, standards, objectives, maps, diagrams, or a combination of these components.
- An **Implementing Program** is something that is done by the Town to put the goals and policies into practice. This might include ongoing programs sponsored by the Town (e.g., road maintenance); discrete, time-specific actions (e.g., adopt an ordinance); or further planning actions (e.g., develop a specific plan).

Action Plan (Chapter 11)

To provide an integrated approach to the Plan's implementation, the Moraga 2002 General Plan presents a consolidated 'Action Plan,' summarizing all of the implementing programs in the Plan, organized by type.

Appendixes

The General Plan appendixes include:

- **General Plan Diagram**—a map illustrating the land use designations for all areas within the Town and its Sphere of Influence.
- **Residential Development Potential**—a summary of the Plan's potential 'build out' for residential units.
- **Definitions**—a glossary of key terms.
- **Action Plan Summary**—identifying the schedule for implementation of each program (including near-term priorities), responsibilities and quantified objectives.

Mandated and Optional Elements

Under California law, cities are required to address seven issue areas or 'elements' in their general plans: land use, transportation, housing, safety, open space, conservation, and noise. The State allows considerable flexibility in how these elements are organized, and encourages the inclusion of additional elements to ensure that plans are truly comprehensive and effective in addressing local issues.

The Moraga 2002 General Plan includes the seven State-mandated elements as well as several optional elements (Community Design, Community Facilities and Services, and Growth Management), although it organizes them in a modified format. Figure 1 lists both the State-mandated and optional elements, indicating where they are covered in the General Plan document.

Figure 1

State Mandated Elements and Optional Elements in the Moraga 2002 General Plan

State-Mandated Elements	Moraga 2002 General Plan
Land Use Element	3: Land Use
Transportation Element	6: Circulation
Housing Element	5: Housing
Open Space Element	7: Open Space and Conservation
Conservation Element	7: Open Space and Conservation
Safety Element	8: Public Safety
Noise Element	7: Open Space and Conservation
'Optional' Elements	
Community Design Element	4: Community Design
Community Facilities and Services Element	9: Community Facilities and Services
Growth Management Element	10: Growth Management

How the Plan Was Developed

The Moraga 2002 General Plan is the product of a three-year planning effort involving community residents, staff, and elected and appointed officials in a series of meetings and workshops to identify key issues; review current plan policies; review data on current conditions and trends; define values and guiding principles, explore alternative planning strategies, and establish key policy directions.

The update process was overseen by a General Plan Steering Committee (GPSC) to ensure broad community representation in the update process and to provide the community with a direct voice in the Plan's development. The 15-member GPSC included representatives from the Town Council, Planning Commission, Parks and Recreation Commission, Design Review Board, Moraga-Orinda Fire District, Moraga School District, Saint Mary's College, and Chamber of Commerce as well as a representative from the Town's major landowner and four citizens at large. A complete list of GPSC members and alternates is provided in the acknowledgements at the beginning of this document. The planning process began with the GPSC's first meeting in July 1999 and culminated with adoption of the Plan in June 2002.

GPSC members and Town staff also played key roles in supporting community outreach and involvement activities, which involved more than 1500 Moraga residents in the update process. These activities included:

- **Three Special Issues of the *Town Crier Newsletter*** sent to every Moraga household and business address at three points in the update process, providing a summary of key information, an overview of the update activities, and an invitation for community participation.

- **Community Questionnaire** included in the first special issue of the *Town Crier* to get community input on key planning issues, alternative planning strategies, and community priorities. More than 650 Moraga households responded to the questionnaire.
- **Moraga 2000 Displays and Activities at the Town Festival** in October 1999, celebrating Moraga's 25th Anniversary, provided an opportunity to disseminate information on the update and the existing conditions analysis, and to foster community discussion on key planning issues. More than 500 people visited the Moraga 2000 festival area.
- **Nineteen (19) Community Workshops** in February and March 2000 led by GPSC members and Town staff to facilitate community discussion and input on the planning alternatives. The community workshops involved more than 300 Moraga residents and business owners in the alternatives analysis process.
- **Town Meeting** on March 29, 2000 to culminate the alternatives analysis process and begin to outline a preferred alternative for the Draft Plan. The meeting was attended by nearly 60 Moraga residents, business owners, and other interested parties.

Members of the public were also invited to attend all of the GPSC meetings (nine meetings were held between July 1999 and April 2000) as well as a special 'Preferred Alternative Workshop' with the Town Council and Planning Commission on April 20, 2000. Subsequent 'study sessions' and public hearings were held in joint meetings with the Town Council and Planning Commission. These meetings were also noticed and open to the public.

The public was kept informed on the project's progress through the Town newsletter, coverage in the local media, and the Town's website, where all of the project documents have been posted (www.ci.moraga.ca.us).

Reviewing, Amending and Managing the Plan

To remain a viable and effective planning tool, the Moraga 2002 General Plan must be reviewed on an annual basis and modified over time in response to changing conditions, needs, and priorities. This section of the Plan establishes basic guidelines for reviewing the General Plan and considering potential amendments to its text and/or diagram.

Annual Review

The General Plan is the Town's most significant policy document and, therefore, must receive regular, annual appraisal to ensure that its policies are consistent with social and economic conditions, the needs and desires of Town residents, and the public welfare in general.

The Planning Commission shall report annually to the Town Council regarding the status of the General Plan and progress in implementing its action programs. As part of the annual review process, the Planning Commission shall hold at least one public hearing.

Amendments to the General Plan

Each year, the Town may consider amendments to the General Plan in response to findings of the annual review; changes in the planning context; or requests from property owners. In undertaking amendments to the General Plan, Town staff, Planning Commission, and Council shall follow the provisions set forth below:

Types of Amendments

Amendments to the General Plan may take the form of either text changes (revisions to the Plan's goals, policies, or actions) or map changes (revisions to the General Plan Diagram).

Consideration of Amendments

The Planning Commission shall hold at least one public hearing in October each year to consider any amendments to the Plan. An exception may be authorized by the Town Council or the Planning Commission when a finding is made in the public interest to expedite the processing of an amendment. However, in accordance with State planning law, General Plan amendments may be considered no more than three (3) times per year (i.e., in October and at most two other times per year in response to authorized exceptions).

Application Deadline

Applications for annual General Plan amendments (for October review) shall be filed no later than the first week in August each year on appropriate forms provided by the Town.

Fees

Fees shall be as prescribed by resolution of the Town Council. The Town Council may waive the prescribed fees if an application is accompanied by a petition of not less than fifty (50) affected registered voters of the Town.

Environmental Review

Each application shall be accompanied by statements and data justifying the application, including an appropriate environmental assessment. Upon receipt of the application by the Planning Commission, the application shall be reviewed by staff and the Planning Commission, as necessary, to assure compliance with the Town's environmental review guidelines and the California Environmental Quality Act.

Evaluation Criteria

General Plan amendments affect the entire Town and General Plan area and any evaluation must give primary concern to the community as a whole. Therefore, a fundamental question must be asked in each case: *Will this amendment, if adopted, generally improve the quality of the environment socially, economically and physically consistent with the life-style of the community in general?*

Additionally, in reviewing General Plan amendments the Town shall consider the relationship of the proposal to the status quo, the additional costs to the community that might be anticipated

(social, economic or environmental), and if and how levels of public and private service might be affected. In each case, in order to take affirmative action regarding the application, it must be found that:

- The General Plan amendment will maintain a balanced and logical land use pattern;
- The General Plan amendment will generally improve the quality of the environment socially, economically and physically, and is consistent with the lifestyle of the community;
- The Town and other affected governmental agencies will be able to maintain levels of service consistent with the ability of the governmental agencies to provide a reasonable level of service.

California Environmental Quality Act

All development proposals are subject to the California Environmental Quality Act (CEQA). The purpose of the CEQA process is to assure that major consideration is given to preventing environmental damage and that impacts are properly identified and can be mitigated to a level consistent with the Goals and Policies of the General Plan.

Ongoing Public Participation in the Planning Process

The Town shall continue to promote citizen participation in the development, review and implementation of the General Plan and its goals, policies and programs. This shall include residents of the community as well as those regularly employed or conducting business in the community. To support meaningful and effective citizen participation, the Town shall also strive to provide timely, accurate and adequate information on conditions in the Town and planning issues, constraints, resources, opportunities, and strategy options.

Relation to Other Documents

There are a number of other planning regulations adopted by the Town and planning activities that are undertaken on a regular basis that will help implement the General Plan. The General Plan is the guiding document for all these regulations and activities. Following adoption of the General Plan, any regulations that are not consistent with the Plan will be amended to ensure consistency.

Zoning Ordinance

Government Code Section 65860 requires that the Town's Zoning Ordinance be consistent with its General Plan. Consistency means that the land uses authorized by the Zoning Ordinance, and the distribution of these permitted land uses, must serve to implement the goals and policies of the General Plan. The Zoning Ordinance and Zoning Map are parcel-specific regulations pertaining to how land may be used, and the specific conditions of use that the Town will impose, consistent with the overall policy framework of the General Plan and General Plan Diagram.

Subdivision Ordinance

Government Code Section 66410 et seq. requires that local jurisdictions regulate and control subdivision activity through adoption and use of a Subdivision Ordinance. The Town may not approve a proposed subdivision map unless the subdivision, including its design and proposed land uses, is consistent with the General Plan. Similar to the consistency requirements of the Zoning Ordinance, the proposed subdivision must be consistent with the goals, policies, and implementing actions included in the General Plan. This requirement applies to subdivisions for which parcel maps (minor subdivisions) are filed, as well as tentative and final maps.

Capital Improvement Programs

Government Code 65401 requires the Town Council to obtain from Town officials and staff, and from special districts operating within the Town limits, lists of all public works projects recommended for study, design, or construction during each ensuing year. In Moraga, the Town's capital improvement programs are set forth in the annual Town budget. The Town must ensure that the budget and its components are consistent with the General Plan.

Environmental Impact Review

The California Environmental Quality Act (CEQA) (California Administrative Code Section 14100 et seq.) establishes the relationship between environmental review as prescribed by CEQA and the General Plan. Section 15080 requires that the environmental review process be "combined with the existing planning, review, and project approval process" used by the Town. Section 15125(b) requires environmental review to discuss any inconsistencies between a proposed project and the General Plan. Projects should be found to have a "significant adverse effect on the environment" if they conflict with "adopted environmental plans and goals of the community..." (including the General Plan). Future public and private projects, even if they are consistent with the General Plan, are still subject to environmental review requirements under CEQA.

Building Codes and Standards

State Housing Law (Health and Safety Code Sections 17910 et seq.) requires the Town to adopt regulations imposing substantially the same standards as those contained in the various uniform industry codes. State law also imposes special standards, which may be more stringent than the uniform industry codes (e.g., the Uniform Building Code), designed to protect against certain types of hazards (fire, noise, earthquakes, unstable soils) and to achieve certain resource management goals (such as energy conservation). The Town of Moraga may adopt regulations and standards that vary from those mandated by State law, if justified by local conditions. If such variance is appropriate, the General Plan can serve as the vehicle for documenting local conditions and specifying the necessary regulatory response.

General Plan Background Report and EIR

The Moraga 2002 General Plan is a policy document designed for ease of use and readability. To achieve this goal, the Plan's technical documentation and environmental analysis have been compiled separately in companion documents to the General Plan.

General Plan Background Report

In the process of preparing the Moraga 2002 General Plan, various technical data were collected, analyzed, and summarized. Much of this information was presented in two key reports prepared during the planning process: the *Existing Conditions and Trends Report* (November 1999) and the *Alternatives Analysis Technical Report* (April 2000). Additional information was compiled and presented as needed to support the discussions of the General Plan Steering Committee.

The *General Plan Background Report* is a compilation of this technical information. It also provides documentation of the project's various outreach activities and input received from the public through those activities. The information it contains serves as the technical appendix of the General Plan as well as supplemental baseline data for the Draft EIR.

Environmental Impact Report

State law requires preparation of an Environmental Impact Report (EIR) if "any aspect of the general plan element or amendment, either individually or cumulatively, leads to a significant effect on the environment, regardless of whether or not its total effect is adverse or beneficial..." (Title 14, California Administrative Code, Section 15080).

The Moraga 2002 General Plan is accompanied by a EIR, under separate cover, analyzing and documenting the updated General Plan's potential environmental impacts and, where applicable, associated mitigation measures (i.e., actions that can be taken to reduce or eliminate adverse impacts). It also addresses other State-mandated components of a Draft EIR for a General Plan. Following circulation of the Draft Moraga 2002 General Plan and Draft EIR, responses were prepared for the comments received. The Final EIR was certified prior to adoption of the final Moraga 2002 General Plan.



2 VALUES and GUIDING PRINCIPLES

The Moraga 2002 planning process focused on the core values that define Moraga as a community and, based on those values, defined a set of principles that guided the update effort. These community values and guiding principles are summarized below, and serve as overarching goals for the Moraga 2002 General Plan.

Environmental Preservation

We value our beautiful natural setting, including its open spaces, environmental resources, and natural recreation opportunities.

Guiding Principle 1: Preserve the Town's natural setting and environmental resources, including its undeveloped ridgelines and significant open space areas.

Community Design and Character

We value our attractive community environment and our semi-rural setting, and we take pride in our well-maintained homes, abundant landscaping, and high design standards.

We value our sense of community and the opportunities we have to get together, formally and informally.

Guiding Principle 2: Protect and enhance the character and quality of residential neighborhoods, maintaining a predominantly single family, character in a semi-rural setting.

Guiding Principle 3: Ensure that the design and quality of new development contributes to a positive community aesthetic and enhancement of the Town's scenic corridors, in keeping with Moraga's natural setting and high standards for good design.

Guiding Principle 4: Create a community 'focal point' in the vicinity of the Moraga Center shopping area and Moraga Commons.

Mobility

We value being able to get to and from work in other communities with relative ease.

We value having convenient and free parking in our commercial areas.

We value being able to get around town easily and being able to bike and walk safely between our homes, schools, and other places we need to go.

We value the potential benefits offered by new communication technologies that may allow us to both live and work in Moraga, either in home offices or small office spaces within the Town.

Guiding Principle 5: Strive to maintain traffic levels of service within the Town and to improve the traffic conditions on Lamorinda roadways leading to Highway 24.

Guiding Principle 6: Facilitate bicycle and pedestrian circulation in the Town for transportation and recreational uses, and encourage alternatives to single-occupancy motor vehicles on roadways leading to Highway 24 and BART.

Guiding Principle 7: Encourage land uses, development patterns, and utilization of new communication and transportation technologies that may help reduce automobile trips and air pollution, ensuring that new wireless communication facilities are sited and designed to preserve the Town’s unique visual character.

Shopping and Services

We value our local business community and the convenient shopping and services they provide as well as their ongoing civic and community involvement.

Guiding Principle 8: Work closely with local businesses to ensure a positive business environment in keeping with local needs and priorities.

Housing

We value having a variety of quality housing options available in our community so that our children, seniors, and local work force can continue to call Moraga home.

Guiding Principle 9: Encourage a mix of housing types to help meet the needs of different households and different levels of affordability.

Community Facilities and Services

We value our excellent schools, beautiful parks, library, youth activities, senior services, community events, and recreational opportunities.

We value Saint Mary’s College as part of our community and are committed to maintaining a positive, collaborative relationship with its administration, faculty and students.

Guiding Principle 10: Provide high quality, cost-effective community facilities to meet the needs of all age groups and people of all abilities, within the means of the Town.

Guiding Principle 11: Work closely with the local school districts and Saint Mary’s College to ensure coordination on issues of mutual concern and enhance the quality of life in Moraga.

Public Safety

We value living in a safe environment.

Guiding Principle 12: Protect public health and safety, taking into consideration both natural and man-made hazards.

Community Decision-making

We value our tradition of citizen activism and volunteerism, where all citizens have a voice in decision-making.

We value having productive working relations with our neighbors to ensure effective solutions to local and regional issues.

Guiding Principle 13: Ensure ongoing, meaningful citizen participation in the Town’s decision-making processes.

Guiding Principle 14: Work closely with adjacent jurisdictions and other relevant agencies to ensure coordination on issues of mutual concern.



3 LAND USE

LU1 Residential

GOAL: A high quality residential environment consisting primarily of detached single-family homes.

LU1.1 Neighborhood Preservation. Protect existing residential neighborhoods from potential adverse impacts of new residential development and additions to existing structures.

Implementing Programs:

IP-A1 General Plan Diagram

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

IP-C3 Design Review

LU1.2 Residential Densities. Restrict residential densities to the maximum allowable indicated on the General Plan Diagram and in the table below. The densities indicated are not guaranteed and are contingent upon a review of environmental constraints, the availability of public services and acceptable service levels, proper site planning and the provision of suitable open space and recreational areas consistent with the applicable goals and policies of the General Plan.

Designation	Density Range (units per acre)	Max. with Density Bonus¹
Residential – 1 DUA	up to 1	up to 1.25
Residential – 2 DUA	up to 2	up to 2.5
Residential – 3 DUA	up to 3	up to 3.75
Residential – 6 DUA	4 – 6	5 – 7.5
Residential – 10 DUA ²	7 – 10	8.75 – 12.5
Residential – 16 DUA ²	11– 16	13.75 – 20
Open Space (MOSO and non-MOSO) ³	0.05, 0.1 or 0.2 max.	To be determined ⁴

¹ In accordance with State mandated policy allowing 25% density bonus for senior housing projects and/or projects meeting specific affordability criteria.

² These residential designations will be used in the Moraga Center Area and Rheem Park Area Specific Plans. See Policy LU3.3.

³ ‘Open space’ may be developed at very low densities, subject to site-specific review and restrictions to protect ridgelines, steep slopes, and high risk areas. See LU1.5.

⁴ Density within Open Space areas is to be determined by the Town at the time of an application.

NOTE: 'DUA' = Dwelling Units per Acre

Implementing Programs:

IP-A1 General Plan Diagram

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

- LU1.3 Residential Building Height. Restrict residential building heights to limit visual impacts on adjacent properties and protect views. Residential buildings should not have more than one story or portion thereof directly over another story, inclusive of garages. Exceptions to this rule may be allowed in the specific plan areas.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

IP-C3 Design Review

- LU1.4 Housing Types. Allow only conventional detached single-family homes in those residential areas designated on the General Plan Diagram as 3 units per acre or less.

Implementing Programs:

IP-A1 General Plan Diagram

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

- LU1.5 Development Densities in Open Space Lands. Notwithstanding any other provision of the General Plan, any development on lands depicted on the General Plan Diagram or by the Moraga Open Space Ordinance as "Public Open Space-Study" or "Private Open Space" (now designated as MOSO Open Space in the General Plan Diagram) shall be limited to a maximum density of one (1) dwelling unit per twenty (20), ten (10), or five (5) acres, but in no case shall density on such lands exceed one (1) dwelling unit per five (5) acres. Areas identified as "high risk" areas, as defined by the Moraga Open Space Ordinance, shall be limited to a maximum density of one (1) dwelling per twenty (20) acres.⁵

Implementing Programs

⁵ Wording from Section 3.c of the Moraga Open Space Ordinance. MOSO Open Space is identified as Open Space Lands in the Moraga Open Space Ordinance.

IP-A1 General Plan Diagram

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

LU1.6 Minimum Lot Sizes and Percentage Mix for Single Family Developments. Use the following table to establish minimum lot sizes for single family developments. The permitted mix of lot sizes may differ from the percentages indicated, provided the aggregate number of lots proposed does not exceed 100 percent of Theoretical Residential Holding Capacity, as initially calculated. Developments in areas designated Residential – 6 DUA should refer to Policy LU1.7.

General Plan Designation	Minimum Lot Size	Lot Size Mix
MOSO Open Space	40,000 sq. ft.	Na
Non-MOSO Open Space	40,000 sq. ft.	Na
1 DUA	30,000 sq. ft.	45% min.
	20,000 sq. ft.	45% max.
	10,000 sq. ft.	10% max.
2 DUA	20,000 sq. ft.	45% min.
	15,000 sq. ft.	45% max.
	10,000 sq. ft.	10% max.
3 DUA	10,000 sq. ft.	Na

NOTE: 'DUA' = Dwelling Units per Acre

When applying the preceding table, apply following qualifications, if supported by environmental analysis:

- a) *Additional Lots for TDRs and Density Bonuses.* Allow additional lots of 10,000 square feet or larger (beyond the percentages listed) to accommodate Transfer of Development Rights or Density Bonus.
- b) *Variations in the Mix of Lot Sizes.* Allow, subject to approval of the Town Council, any percentage category listed in the Table to be increased by no more than 20 percent of the specific percentage listed *as long as the total allowable lots are not increased in the aggregate.* Allow the mix of lot sizes to vary by more than 20 percent for projects incorporating major outdoor recreational facilities, subject to the review and determination of the Planning Commission.
- c) *Clustering on Smaller Lot Sizes.* In 2 DUA and 3 DUA categories, allow units to be clustered on lots less than 10,000 square feet, subject to Planning Commission review and approval, so long as the clustered units

result in permanent open space areas, the design of the units is compatible with the adjacent residential neighborhood, and existing single family developments are not adversely impacted.

- d) *Lot Size and Slope.* Generally, locate smaller lots on the more level sites and larger lots on the steeper slopes. Require larger lot sizes if necessary to mitigate negative visual impacts and/or geologic hazards.
- e) *Lot Sizes in Open Space Areas.* Lot sizes in areas designated “Non-MOSO Open Space or MOSO Open Space” on the General Plan Diagram may be less than 40,000 sq. ft., but not less than 15,000 sq. ft., when part of the overall project will provide outdoor recreational facilities with guaranteed permanent access to the general public. This policy may not be used to alter the density on lands designated MOSO Open Space.

Implementing Programs:

IP-A1 General Plan Diagram

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

IP-C3 Design Review

- LU1.7 Residential - 6 DUA Developments. The Residential - 6 DUA designation provides for developments that are primarily single family in character but may include the use of zero lot line, attached, or duplex units. Townhouse projects with recreational and open space amenities are also appropriate in this designation. Planning for these areas should utilize Planned District Zoning to provide for reasonable common open space and/or recreational areas and facilities.
- LU1.8 Slope Restrictions. The soil characteristics in Moraga are prone to landslide conditions which can cause damage to property, injury to persons, public cost and inconvenience; therefore, development shall be avoided on slopes of 20 percent or steeper, but may be permitted if supported by site-specific analysis. No new residential structures may be placed on after-graded average slopes of 25 percent or steeper within the development area, except that this provision shall not apply to new residential structures on existing lots that were either legally created after March 1, 1951 or specifically approved by the Town Council after

April 15, 2002. All new non-MOSO lots shall contain an appropriate development area with an average after-graded slope of less than 25%. Grading on any non-MOSO land with an average predevelopment slope of 25% or more within the proposed development area shall be prohibited unless formally approved by the Town Council where it can be supported by site-specific analysis and shown that a minimum amount of grading is proposed in the spirit of and not incompatible with all other policies of the General Plan.

Under the terms of the Moraga Open Space Ordinance, development is prohibited on slopes greater than 20 percent in areas designated MOSO Open Space. The Zoning Ordinance, Chapter 8.52 (Open Space District) of the Moraga Municipal Code, defines the methodology for MOSO Open Space designation.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-B7 High Risk Areas Zoning Overlay

IP-B8 Moderate Risk Areas Zoning Overlay

IP-B9 Hillside Zoning Overlay

IP-C1 Development Review

- LU1.9 Cluster Housing to Protect Open Space. Provide for the permanent preservation of open space by allowing clustered housing designs in areas designated MOSO Open Space or Non-MOSO Open Space or Residential on the General Plan Diagram. However, do not place cluster housing in locations that are visually prominent from the scenic corridor or where it would adversely impact existing residential areas.

Implementing Programs:

IP-A1 General Plan Diagram

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

IP-C3 Design Review

- LU1.10 Planned District Zoning. Apply Planned District zoning for all new residential development on parcels in excess of ten (10) acres (with the exception of MOSO Open Space areas) and on parcels designated as Residential - 6 DUA. The Planning Commission may, at its option, require any residential development to be processed by Planned District when issues relating to access, visual impact,

geologic hazards, environmental sensitivity, community design and other related factors are deemed to be significant.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

IP-C6 Environmental Impact Reports

- LU1.11 Animal Ownership and Maintenance. Recognizing animal ownership and maintenance on residential land as a privilege, control it in a manner consistent with surrounding land use and the well being of the animals. When appropriate and possible, the density and design of subdivisions in selected locations may provide for the keeping of horses.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

- LU1.12 Residual Parcels as Open Space. Except in MOSO Open Space, residual parcels characterized by constraints such as geologic hazards, restricted access, an established riparian habitat, an historically significant feature or visibility from a scenic corridor shall be designated Non-MOSO Open Space. Residual parcels within designated MOSO Open Space shall remain designated MOSO Open Space as required by the Moraga Open Space Ordinance.

Implementing Programs:

IP-A1 General Plan Diagram

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

- LU1.13 Development on Residual Parcels. Permit the development of residual parcels only when it is found that such development will: 1) not have an adverse visual impact and is compatible with existing development; 2) provide properly sited open space; 3) generally provide for lots that are larger than the average lot size of adjacent subdivisions with setbacks from property lines greater than those in adjacent subdivisions; and 4) respect the natural features and development patterns of surrounding areas.

Implementing Programs:

IP-C1 Development Review
IP-C3 Design Review

LU2 Commercial

GOAL: A commercial environment that is compatible with Moraga's predominantly residential character.

LU2.1 Commercial Building Height. Restrict heights for office and commercial structures to minimize visual impacts on adjacent properties and protect views. Office and commercial structures shall be limited to two stories or 35 feet, whichever is less, unless such height is found to create a significant adverse impact on neighboring residential properties or on scenic corridors, and in such cases, the maximum height shall be lowered.

Implementing Programs:
IP-B1 Zoning and Subdivision Ordinances
IP-C1 Development Review
IP-C3 Design Review

LU2.2 New Commercial Uses. Encourage new business and office uses that enhance existing uses, respond to local resident and business needs, employ local residents, and strengthen the character and attractiveness of the Town's commercial centers.

Implementing Programs:
IP-C1 Development Review
IP-K1 Moraga Center / Rheem Park Area Specific Plans

LU2.3 Location of New Commercial Development. Locate new commercial developments in the vicinity of existing commercial areas (as designated on the General Plan Diagram and in the Moraga Center Area and Rheem Park Area Specific Plans), with appropriate review and evaluation of potential traffic impacts to ensure adequate street capacity.

Implementing Programs:
IP-A1 General Plan Diagram
IP-C1 Development Review
IP-C5 Traffic Impact Studies
IP-K1 Moraga Center / Rheem Park Area Specific Plans

LU2.4 Phased Development. Require that office and commercial areas be master-planned when development on a phased basis is proposed.

Implementing Programs:

IP-C1 Development Review
IP-K1 Moraga Center / Rheem Park Area Specific Plans

- LU2.5 Traffic Access and Impacts. Provide direct access from major arterials to commercial uses so that traffic generated by the use does not traverse existing residential neighborhoods.

Implementing Programs:
IP-C1 Development Review
IP-C5 Traffic Impact Studies
IP-K1 Moraga Center / Rheem Park Area Specific Plans

- LU2.6 Buffering from Adjacent Uses. Properly buffer commercial uses from adjacent noncommercial uses.

Implementing Programs:
IP-C1 Development Review
IP-K1 Moraga Center / Rheem Park Area Specific Plans

- LU2.7 Automobile Service Uses. Locate automobile service and related uses only in areas where compatible with adjacent uses, and ensure that any needed outside areas are properly screened from view. Properly mitigate noise, light, glare and other adverse impacts.

Implementing Programs:
IP-C1 Development Review
IP-K1 Moraga Center / Rheem Park Area Specific Plans

- LU2.8 Home-Based Occupations. Allow Moraga residents to work from their homes so long as their home-based occupation does not create adverse impacts on adjacent residences (such as increased traffic, noise, exterior signage, or other nuisances).

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

LU3 Community Focal Points

GOAL: Vibrant, attractive, and functional community focal points in and around the Moraga Center and Rheem Park shopping centers that enhance community character and livability.

- LU3.1 Moraga Center Area Specific Plan. Undertake a specific planning process for the area designated on the General Plan Diagram as the 'Moraga Center Area Specific Plan,' coordinated as appropriate with the planning for the Rheem Park Area Specific Plan. Address the following issues through the specific plan process:
- a) *Vision*. Define a long-term vision for the area's development and redevelopment as a community focal point and activity center, defining specifically the area's role within the larger structure of the Town and its relation to the Rheem Park Specific Plan Area.
 - b) *Mix of Uses*. Establish an appropriate mix of residential and commercial use areas in addition to community facilities and open space areas. Focus in particular on those parcels that are undeveloped, under-utilized, or subject to potential redevelopment.
 - c) *Housing*. Define appropriate locations and densities to achieve the Town's fair share of 'Regional Housing Need' in keeping with the goals and policies of the Housing Element. Provide a mix of housing types that is fitting with Moraga's community character and responds to the needs of lower and moderate income households, the local workforce, seniors, and 'empty-nesters.'
 - d) *Retail and Office Uses*. Define appropriate locations and densities for new or redeveloped retail and office uses. Explore opportunities for new types of specialty retail stores and/or flexible small office arrangements that may respond to Moraga's evolving community needs.
 - e) *Town Center Facility*. Identify possible sites for a potential Town Center facility and define its relationship to and connections with other uses within the Specific Plan Area as well as with adjacent residential neighborhoods.
 - f) *Design Quality*. Establish design guidelines to create an attractive pedestrian-friendly environment and reflect Moraga's community character.

- g) *Traffic Access, Circulation and Parking.* Address traffic access and circulation issues and provide adequate parking to meet current and projected needs, located and designed consistent with the area's pedestrian orientation.
- h) *Pedestrian and Bicycle Circulation.* Create an environment that encourages walking and biking, with appropriate amenities and connections to adjacent residential neighborhoods. Consider providing some flexibility in parking standards in return for effective strategies and 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 new and existing residential developments.
- j) *Historic Preservation.* Preserve historic architecture to the extent possible at the Moraga Ranch and incorporate it into the overall design of the area.
- k) *Creek Protection.* Protect the creek area with appropriate development setbacks to protect its riparian environment and address flood risks. Consider incorporating the creek into a linear park feature connecting Moraga Road to the Moraga Way/School Street area, with pedestrian/bicycle connections across the creek as appropriate.
- l) *Orchard Preservation.* Encourage clustered housing design on the Moraga Ranch property to protect some of the remaining orchard areas, particularly those areas that are most visible from Moraga Way and Moraga Road.

Implementing Programs:

IP-K1 Moraga Center / Rheem Park Area Specific Plans

- LU3.2 Rheem Park Area Specific Plan. Undertake a specific planning process for the area designated on the General Plan Diagram as the 'Rheem Park Area Specific Plan,' coordinated as appropriate with the planning for the Moraga Center Area Specific Plan. Address the following issues through the specific plan process:

- a) *Vision*. Define a long-term vision for the area's development and redevelopment as a community focal point and activity center, defining specifically the area's role within the larger structure of the Town and its relation to the Moraga Center Specific Plan Area.
- b) *Mix of Uses*. Consider an appropriate mix of residential and commercial uses in addition to community facilities. Focus in particular on those parcels that are undeveloped, under-utilized, or subject to potential redevelopment.
- c) *Housing*. Explore appropriate locations and densities to achieve the Town's fair share of 'Regional Housing Need' in keeping with the goals and policies of the Housing Element. Provide a mix of housing types that is fitting with Moraga's community character and responds to the needs of lower and moderate income households, the local workforce, seniors, and 'empty-nesters.'
- d) *Retail and Office Uses*. Define appropriate locations and densities for new or redeveloped retail and office uses. Explore opportunities for new types of specialty retail stores and/or flexible small office arrangements that may respond to Moraga's evolving community needs.
- e) *Research and Development Uses*. Consider the desirability of strengthening or expanding the area's 'research and development' emphasis and establish use controls and guidelines as appropriate.
- f) *Design Quality*. Establish design guidelines to create an attractive and functional environment that reflects Moraga's community character.
- g) *Traffic Access, Circulation and Parking*. Address traffic access and circulation issues and provide adequate parking to meet current and projected needs, located and designed consistent with the area's pedestrian orientation.
- h) *Pedestrian and Bicycle Circulation*. Create an environment that encourages walking and biking, with

appropriate amenities and connections to adjacent residential neighborhoods. Consider providing some flexibility in parking standards in return for effective strategies and 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 – 16 DUA' (with a maximum of 20 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

LU4.3 Community Access. Locate institutional uses so that they have easy access to and from the community, with direct access to major arterials.

Implementing Programs:

IP-C1 Development Review

LU4.4 Access for People with Disabilities. Design institutional uses to facilitate access by people with disabilities.

Implementing Programs:

IP-C1 Development Review

IP-C3 Design Review

LU4.5 Facility Siting. Site institutional facilities so that they complement the natural environment and so that they will not intrude upon areas of adjacent land uses.

Implementing Programs:

IP-C1 Development Review

LU4.6 Public Safety Facility Compatibility. Ensure that uses and buildings located in the vicinity of public safety facilities and training operations are compatible by design and siting.

Implementing Programs:

IP-C1 Development Review

IP-C2 Development Review for Emergency Services

LU4.7 Saint Mary's College. Continue the 'good neighbor' relationship between the Town and the College to maintain the College's viability as an integral part of the Town.

Implementing Programs:

IP-L10 Coordination with Saint Mary's College

LU5 Agriculture

GOAL: Promotion and preservation of Moraga's remaining agricultural resources as an important part of the Town's heritage and character.

LU5.1 Agricultural Uses and Activities. Allow agricultural and horticultural uses and activities on lands within the Town so long as they are low intensity and compatible with adjacent uses. Examples include small orchards and cattle grazing.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

LU5.2 Preservation of Agricultural Resources. Strive to preserve the Town's remaining agricultural resources, such as pear and walnut orchards.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

IP-K1 Moraga Center / Rheem Park Area Specific Plans

LU6 Bollinger Canyon Special Study Area

GOAL: Consideration of development of this area is subject to completion of a detailed study and preparation of an area plan by the property owner for the Town's review and approval to guide development and conservation efforts in the Bollinger Canyon area.

LU6.1 Bollinger Canyon Study Area. Due to the special character of the Bollinger Canyon area, its unique development issues, and its status as one of the few remaining areas of development potential in the Town, the Bollinger Canyon Area will be the subject of a 'special study' conducted by area property owners to document the site's opportunities and constraints and define a conceptual plan of development consistent with the goals and policies of the Town's General Plan. This study will focus on that area identified on the General Plan Diagram as 'Study Area'. The Action Plan may include:

- *An 'Opportunities and Constraints' Analysis.*
- *A Conceptual Development and Conservation Plan*

- *A General Plan Amendment to Implement the Conceptual Development and Conservation Plan in Town Policies*

*Implementing Program:
IP-K7 Bollinger Canyon Special Study*



4 COMMUNITY DESIGN

CD1 Natural Setting

GOAL: Protection and preservation of the natural scenic qualities that make Moraga unique.

CD1.1 Location of New Development. To the extent possible, concentrate new development in areas that are least sensitive in terms of environmental and visual resources, including:

- a) Areas of flat or gently sloping topography outside of flood plain or natural drainage areas.
- b) The Moraga Center area and Rheem Park area.
- c) Infill parcels in areas of existing development.

Implementing Programs:

IP-A1 General Plan Diagram

IP-B1 Zoning and Subdivision Ordinances

IP-B2 Moraga Open Space Ordinance

CD1.2 Site Planning, Building Design and Landscaping. Retain natural topographic features and scenic qualities through sensitive site planning, architectural design and landscaping. Design buildings and other improvements to retain a low visual profile and provide dense landscaping to blend structures with the natural setting.

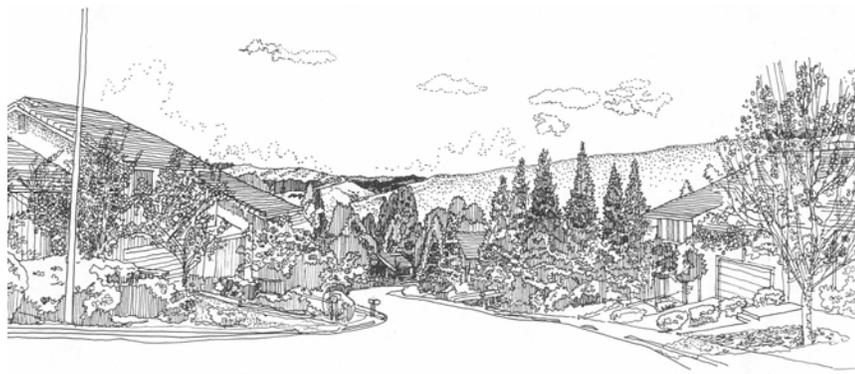
Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

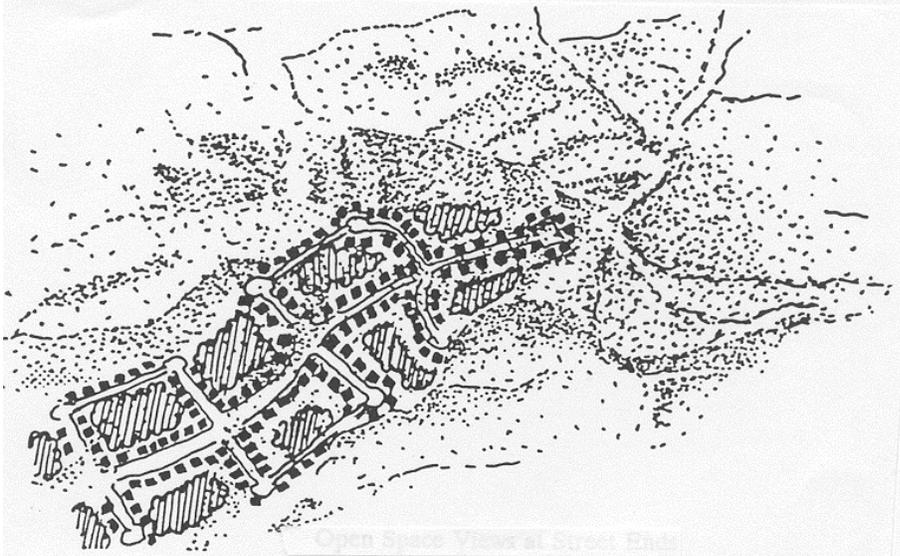
IP-C1 Development Review

IP-C3 Design Review

IP-E1 thru E4 Design Guidelines



Development should follow natural contours, with low-profile buildings and landscaping to enhance the natural setting.



Subdivision design should retain natural topographic features.

- CD1.3 View Protection. Protect important elements of the natural setting to maintain the Town's semi-rural character. Give particular attention to viewsheds along the Town's scenic corridors, protecting ridgelines, hillside areas, mature native tree groupings, and other significant natural features. Consideration should be given to views both from within the Town and from adjacent jurisdictions. Likewise, the Town should work with adjacent jurisdictions to protect views from Moraga to adjacent areas.

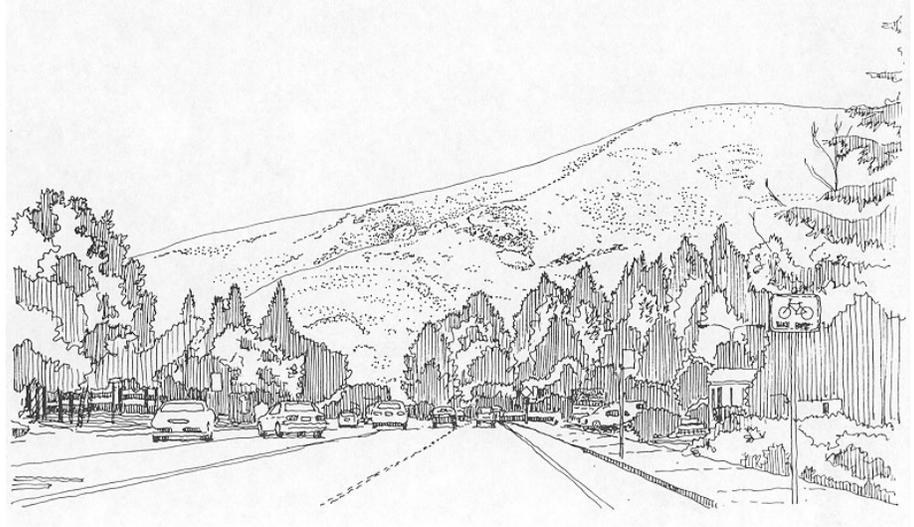
Implementing Programs:

IP-B2 Moraga Open Space Ordinance
IP-C1 Development Review
IP-C3 Design Review
IP-E1 Scenic Corridor Design Guidelines

- CD1.4 Canyon and Valley Areas. Protect the scenic and environmental qualities of canyon and valley areas to retain the Town's semi-rural character. Preserve both close-up and distant views of the natural hillside landscape from valley areas, and preserve significant linear open spaces in major canyons and grassland valleys with floodplain zones as the visual focus.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances
IP-C1 Development Review
IP-C3 Design Review
IP-E1 thru E4 Design Guidelines



Viewsheds such as this one on Moraga Road contribute to the Town's semi-rural character and should be protected.

- CD1.5 **Ridgelines and Hillside Areas.** Protect ridgelines from development. In hillside areas, require new developments to conform to the site's natural setting, retaining the character of existing landforms preserving significant native vegetation and with respect to ridgelines, encourage location of building sites so that visual impacts are minimized. When grading land with an average slope of 20% or more, require 'natural contour' grading to minimize soil displacement and use of retainer walls. Design buildings and other improvements in accordance with the natural setting, maintaining a low profile and providing dense native landscaping to blend hillside structures with the natural setting.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-B2 Moraga Open Space Ordinance

IP-C1 Development Review

IP-C3 Design Review

IP-E1 thru E3 Design Guidelines

- CD1.6 **Vegetation.** Emphasize and complement existing mature tree groupings by planting additional trees of similar species at Town entries, along major street corridors, in and around commercial centers, in areas of new development, and along drainageways. Encourage the use of native, fire-resistant, and drought-tolerant species.

Implementing Programs:

IP-C1 Development Review

IP-C3 Design Review

IP-E1 Scenic Corridor Design Guidelines

IP-G5 Beautification Program

IP-G6 Tree Planting Program

CD1.7 Wireless Communications Facilities. Regulate the location and design of wireless communications facilities, satellite dishes and other miscellaneous antennas in accordance with the Town's Ordinance No. 176 and the Federal Communications Act.

Implementing Programs:

IP-C1 Development Review

IP-C3 Design Review



Enhance scenic corridors with additional tree plantings (emphasizing native and drought-tolerant species) and through conversion of overhead utility lines to underground utilities.

CD1.8 Utility Lines. Whenever and wherever possible, convert overhead utility lines to underground and require underground utilities in areas of new development.

Implementing Programs:

IP-L9 Underground Utilities Program

CD2 Public Places

GOAL: A network of accessible and prominent public places with clear visual and circulation connections between them.

- CD2.1 Public Places as Focal Points. Provide and maintain public parks and facilities that serve as community focal points, gathering places, and activity centers, with pedestrian and bicycle path connections to residential neighborhoods and commercial centers. Provide public views and inviting pedestrian entries into public places from adjacent streets and neighborhoods.

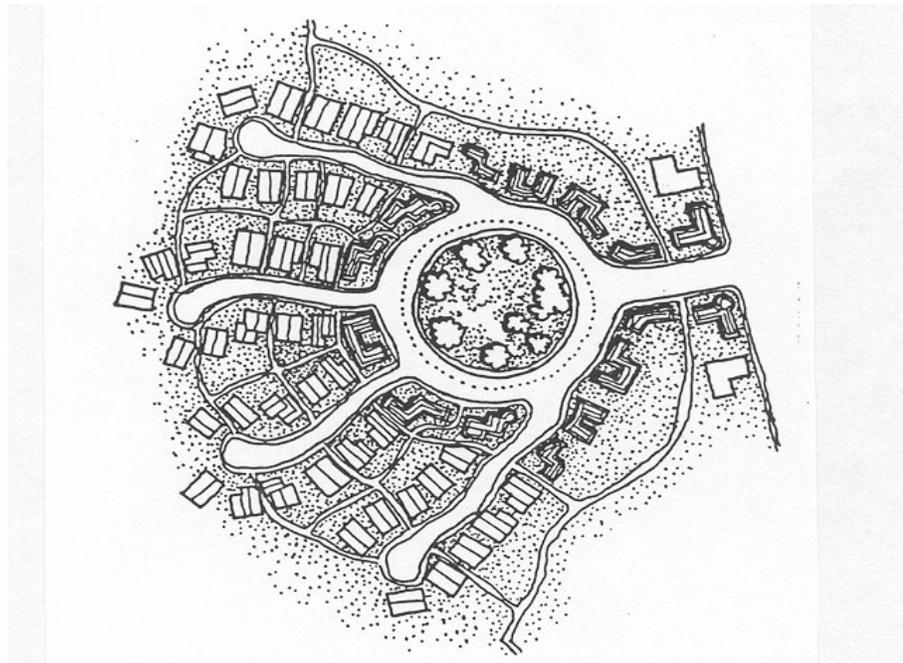
Implementing Programs:

IP-A1 General Plan Diagram

IP-C3 Design Guidelines

IP-K1 Moraga Center / Rheem Park Area Specific Plans

IP-K2 Pedestrian, Bicycle and Trails Master Plan



Preservation of natural features, such as the small hilltop area in this example, can enhance neighborhood quality by providing neighborhood open space areas or small neighborhood parks.

- CD2.2 Town Center Facility. Promote development of the potential Town Center facility as a central community-gathering place and activity center, utilizing the Specific Plan process to ensure the facility has both visual and physical access from adjacent roadways and public areas.

Implementing Programs:

IP-K1 Moraga Center / Rheem Park Area Specific Plans

- CD2.3 Commercial Centers as Community Places. Encourage design improvements at the Moraga Center and Rheem Park centers to create a stronger pedestrian orientation and support

their role as community gathering spots and activity centers. Incorporate amenities such as plaza spaces, outdoor seating, shade, and landscaping to promote their use as social spaces. Consider the use of flexible setbacks (for example, with new buildings at or near the public sidewalk and parking located to the side or rear) to achieve pedestrian-oriented design goals.

Implementing Programs:

IP-K1 Moraga Center / Rheem Park Area Specific Plans

- CD2.4 Schools, Schoolyards and Playfields as Neighborhood Places. Work with the school districts to enhance the function of schools, schoolyards and playfields as neighborhood gathering places and activity centers during after-school hours and on weekends, addressing design, access, use, safety, management and maintenance issues.

Implementing Programs:

IP-L11 Coordination with Moraga School Districts

- CD2.5 Connections. Designate pedestrian and bicycle routes that connect selected public places with each other and with residential neighborhoods, schools, and commercial centers.

Implementing Programs:

IP-K2 Pedestrian, Bicycle and Trails Master Plan

CD3 Scenic Corridors

GOAL: Scenic roadways leading into and through the Town that strengthen community identity and reflect Moraga's semi-rural character.

- CD3.1 Designation of Scenic Corridors. Designate the following routes as the Town's 'Scenic Corridors':
- a) St. Mary's Road
 - b) Canyon Road
 - c) Moraga Way
 - d) Moraga Road
 - e) Rheem Boulevard
 - f) Camino Pablo
 - g) Bollinger Canyon Road

Implementing Programs:

IP-A1 General Plan Diagram

CD3.2 Visual Character. Improve the visual character along Scenic Corridors with lighting, landscaping and signage.

Implementing Programs:

IP-E1 Scenic Corridor Design Guidelines

IP-G5 Beautification Program

CD3.3 Gateways. Create prominent ‘gateways’ at Town entrance points with landscaping and signage improvements.

Implementing Programs:

IP-E1 Scenic Corridor Design Guidelines

IP-G5 Beautification Program

CD3.4 Moraga Road. Improve the design quality and consistency of Moraga Road as the Town’s primary boulevard linking the two major commercial centers.

Implementing Programs:

IP-E1 Scenic Corridor Design Guidelines

IP-K1 Moraga Center / Rheem Park Area Specific Plans

IP-G5 Beautification Program

CD3.5 Landscaping and Amenities. Use additional street tree planting, berms, fencing and ornamental landscaping to enhance the visual continuity along the Town’s Scenic Corridors. Require appropriate landscaping for both public and private developments located on designated Scenic Corridors, including pedestrian lighting and street trees within existing commercial areas. Encourage use of native and drought-tolerant species and, where applicable, preservation of orchard trees.

Implementing Programs:

IP-C3 Design Review

IP-E1 Scenic Corridor Design Guidelines

IP-G5 Beautification Program

IP-G6 Tree Planting Program

CD3.6 Development Standards and Design Guidelines. Adopt development standards and design guidelines for Scenic Corridors to control site design and setbacks, landscaping, infrastructure locations, grading and signage.

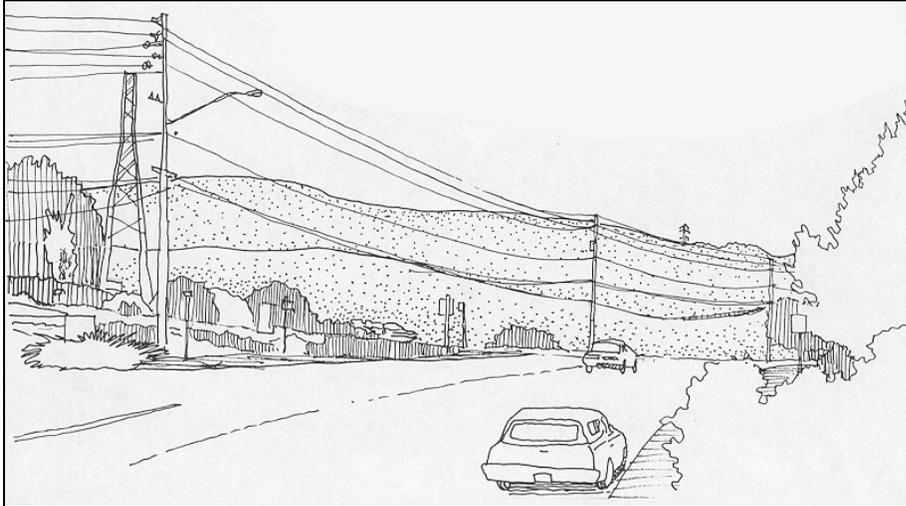
Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

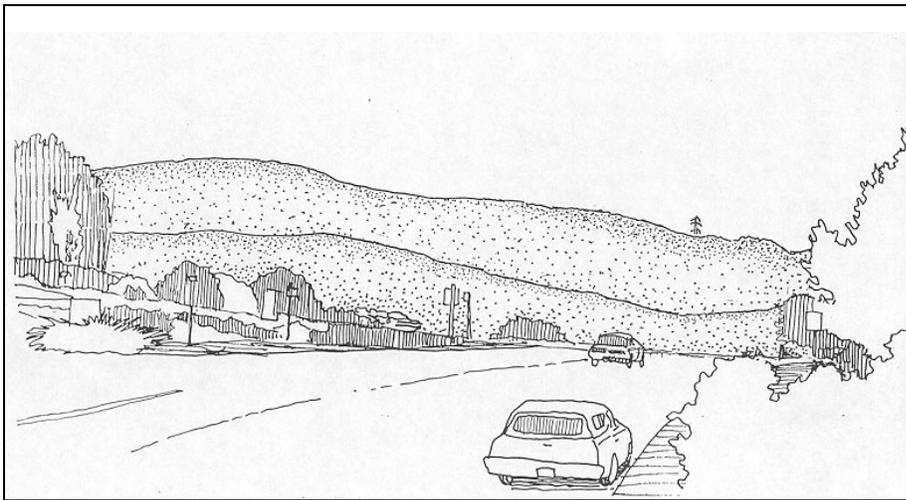
IP-E1 Scenic Corridor Design Guidelines

CD3.7 Underground Utilities in Scenic Corridors. Convert all overhead wiring in scenic corridor areas to underground as soon as possible.

*Implementing Programs:
IP-L9 Underground Utilities Program*



TODAY – Moraga Road at Via Granada



FUTURE – Moraga Road at Via Granada

A typical roadway segment as it appears today and as it might appear after implementation of policies to place utilities underground, screen parking areas with shrubs and trees, and protect ridge views.

CD4 Single Family Neighborhoods

GOAL: High quality residential neighborhoods that preserve their existing scale, character and quality and provide an inviting pedestrian environment to promote walking and biking between neighborhoods.

CD4.1 Property Development Standards. Maintain and enforce existing property development standards for the Town's single-family residential neighborhoods.

Implementing Programs:

IP-C1 Development Review

CD4.2 Neighborhood Character and Improvements. Work with individual neighborhoods to define their architectural and landscape character and identify improvements to strengthen and enhance that character. Examples of potential improvements include tree planting, sidewalks, bike paths and landscaping.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-E2 Residential Design Guidelines

IP-G5 Beautification Program

IP-G6 Tree Planting Program

CD4.3 Infill Development. Ensure that new residential development in existing neighborhoods reflects the size, scale, height, setbacks, and character of existing development. While new homes, home additions, and remodels should be allowed, they should not create adverse impacts on adjacent properties or detract from overall neighborhood character. All projects should be subject to discretionary review by staff.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

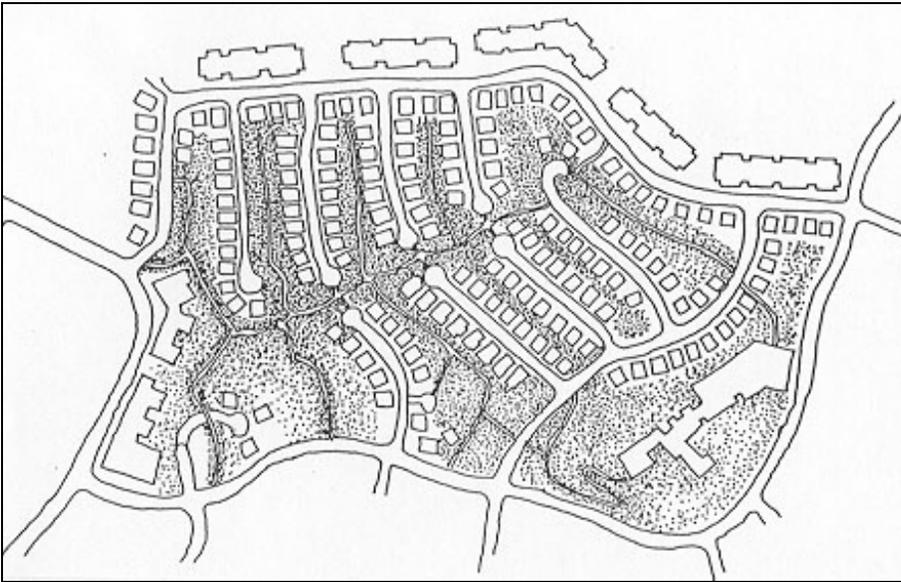
IPC3 Design Review

IP-E2 Residential Design Guidelines

IP-G5 Beautification Program



New housing should be consistent with the scale and character of existing neighborhoods.



Residential developments should provide high quality pedestrian environments with connections to adjacent neighborhoods and, where feasible, commercial areas.

CD4.4 New Residential Developments. Design new single family developments to create high quality pedestrian environments with pathways to adjacent neighborhoods and, where feasible, commercial areas. Ensure that the layout of new residential lots respect the site topography and natural features. Where feasible, avoid standard repetitive lot sizes and shapes in hillside areas.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

IPC3 Design Review
IP-E2 Residential Design Guidelines

CD5 Multi-Family Residential Developments

GOAL: Multi-family developments that are centrally located, well designed, and appropriate to Moraga's context and character.

CD5.1 Location. Locate new multi-family developments in close proximity to commercial centers, transit stops, and community facilities such as parks and schools, with site design and landscaping to create buffers between adjacent uses while providing connection to pedestrian and bicycle paths.

Implementing Programs:
IP-A1 General Plan Diagram
IP-B1 Zoning and Subdivision Ordinances
IP-C1 Design Review
IP-E3 Multi-Family Residential Design Guidelines

CD5.2 Design. Ensure that new multi-family developments are planned, designed and constructed to enhance the local area, reflecting the scale and quality of their surroundings. Encourage designs that help to break up large building masses, for example by breaking one large building into several smaller buildings; providing variations in rooflines; creating a three-dimensional façade rather than a massive, flat façade; and using landscaping to soften building edges. Architectural styles and materials should reflect the character of existing residential neighborhoods, with landscaping to enhance the natural setting.

Implementing Programs:
IP-C1 Development Review
IP-C3 Design Review
IP-E3 Multi-Family Residential Design Guidelines

CD5.3 Open Space. Require usable private and common open space in all new multi-family residential development.

Implementing Programs:
IP-B1 Zoning and Subdivision Ordinances
IP-C3 Design Review
IP-E3 Multi-Family Residential Design Guidelines

CD5.4 Pedestrian Amenities. Design new multi-family developments to create high quality pedestrian

environments, with connections to the Town's pedestrian path and trail system.

Implementing Programs:

IP-C3 Design Review

IP-E3 Multi-Family Residential Design Guidelines

IP-K2 Pedestrian, Bicycle and Trails Master Plan



The design of multi-family residential developments should reflect the scale and character of nearby residential developments. Through proper site and architectural design, high-density developments can look and feel less dense than they actually are and help create a positive, pedestrian-friendly neighborhood environment.

CD6 Commercial Areas

GOAL: *High quality commercial districts that serve as important community focal points, gathering places, and activity centers.*

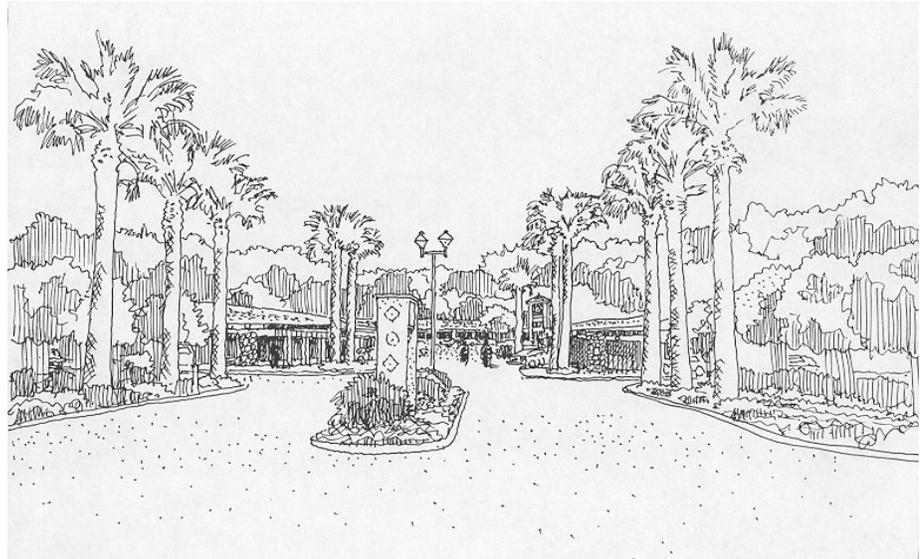
CD6.1 Design Quality. Improve the design quality of the Town's commercial centers, creating an attractive and inviting environment for shopping and socializing and enhancing their function as community focal points. Enhancements might include more landscaping; configuration of parking areas to incorporate more landscaping and create better pedestrian connections and entrances; architectural improvements to create visual focal points; creation of pedestrian walkways, plazas and seating areas; and signage improvements.

Implementing Programs:

IP-C3 Design Review

IP-E4 Commercial Design Guidelines

IP-K1 Moraga Center / Rheem Park Area Specific Plans



Entrances to commercial areas can be enhanced through reconfiguration of parking areas, landscaping, signage, lighting and a stronger pedestrian orientation.

CD6.2 Traffic Access and Circulation. Ensure adequate traffic access, circulation and parking in the Town's commercial centers. Reduce potential safety hazards by minimizing the number of driveway openings onto public streets, encouraging side street access to commercial developments, and encouraging connections between developments.

Implementing Programs:

IP-C1 Development Review

IP-C3 Design Review

IP-E4 Commercial Design Guidelines

IP-K1 Moraga Center / Rheem Park Area Specific Plans

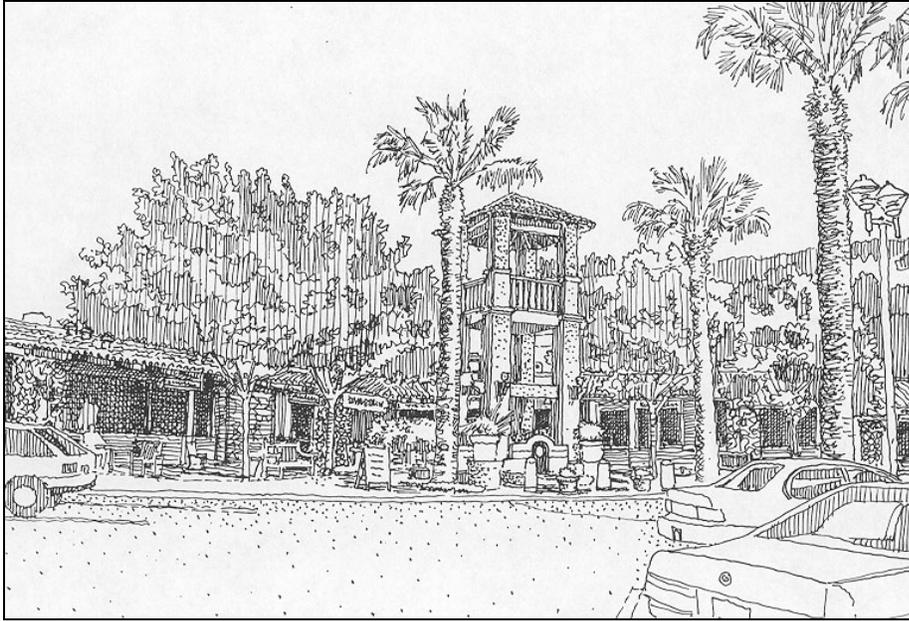
CD6.3 Pedestrian Orientation. Create a safe, inviting and functional pedestrian environment in commercial areas, with interconnected walkways; pedestrian amenities (e.g., seating, lighting, signage, landscaping); plaza areas; and outdoor café spaces. Where pedestrian paths cross parking areas or vehicle lanes, give clear priority to pedestrians through pavement markings, differentiation in the pavement surface, and signage.

Implementing Programs:

IP-C3 Design Review

IP-E4 Commercial Design Guidelines

IP-K1 Moraga Center / Rheem Park Area Specific Plans



Site design, landscaping, architectural design and other amenities can combine to create a pedestrian-friendly environment that enhances the shopping centers' role as a community gathering place.

- CD6.4 **Office Development.** Encourage high quality office development projects in close proximity to the Town's retail centers, with pedestrian connections between them. Encourage office building designs that respect the visual dominance of the landscape, reflect the scale and character of adjacent neighborhoods, and create buffers between residential neighborhoods and arterial roadways.

Implementing Programs:

IP-C3 Design Review

IP-E4 Commercial Design Guidelines

IP-K1 Moraga Center / Rheem Park Area Specific Plans

- CD6.5 **Moraga Center Area.** Use the Moraga Center Area Specific Plan to create a community focal point and mixed-use activity center of businesses and higher density residences with a unified 'village' character. Provide a land use and zoning plan, design theme and circulation system (traffic, pedestrian and bicycle) for the entire Moraga Center area, including the Moraga Center shopping center; commercial uses in the Country Club Drive/School Street area (including the Moraga Barn); commercial uses on the east side of Moraga Road; the historical buildings, creek area and orchards in the Moraga Ranch; the proposed new Town Center facility; areas of potential new residential development; and adjacent existing residential neighborhoods. Consider also the pathways connecting between the Specific Plan Area and other Town facilities

and attractions, including Moraga Commons, the Moraga Library, school facilities, Saint Mary's College, Hacienda de las Flores, and the Rheem Park area.

A sketch illustrating a possible land use scheme for the Moraga Center Area is shown in Appendix B. The sketch is provided for illustrative purposes only to show the configuration of the Specific Plan Area and potential opportunities. It is in no way meant to represent an approved plan or policy direction for the Specific Plan Area.

Implementing Programs:

IP-K1 Moraga Center / Rheem Park Area Specific Plans

- CD6.6 Rheem Park Area. Use the Rheem Park Area Specific Plan to create a community focal point and mixed-use activity center in the vicinity of the Rheem Park shopping center. Provide a land use and zoning plan, design theme and circulation system (traffic, pedestrian and bicycle) for the entire Rheem Park area, including the shopping center; existing and potential future 'research and development' facilities; potential redevelopment of the bowling alley and old fire station sites; infill development opportunities; potential new residential development; and adjacent existing residential neighborhoods. Consider also the pathways between the Specific Plan Area and other Town facilities and attractions, including school facilities, Saint Mary's College, the proposed new golf course at Palos Colorados, Hacienda de las Flores, and the Moraga Center area.

A sketch illustrating a possible land use scheme for the Rheem Park Area is shown in Appendix B. The sketch is provided for illustrative purposes only to show the configuration of the Specific Plan Area and potential opportunities. It is in no way meant to represent an approved plan or policy direction for the Specific Plan Area.

Implementing Programs:

IP-K1 Moraga Center / Rheem Park Area Specific Plans

CD7 Historic Resources

GOAL: *Preservation of historically significant buildings and sites as a valued part of the community's character and a link to its past.*

- CD7.1 Designation of Historic Resources. Identify and protect buildings, sites and other resources in the community that give residents a tie with the past, which may include:
- Hacienda de las Flores
 - Older buildings at Saint Mary's College
 - Trees with historical significance
 - Moraga Ranch
 - Moraga Barn

Implementing Programs:

IP-B13 Historic Preservation Ordinance

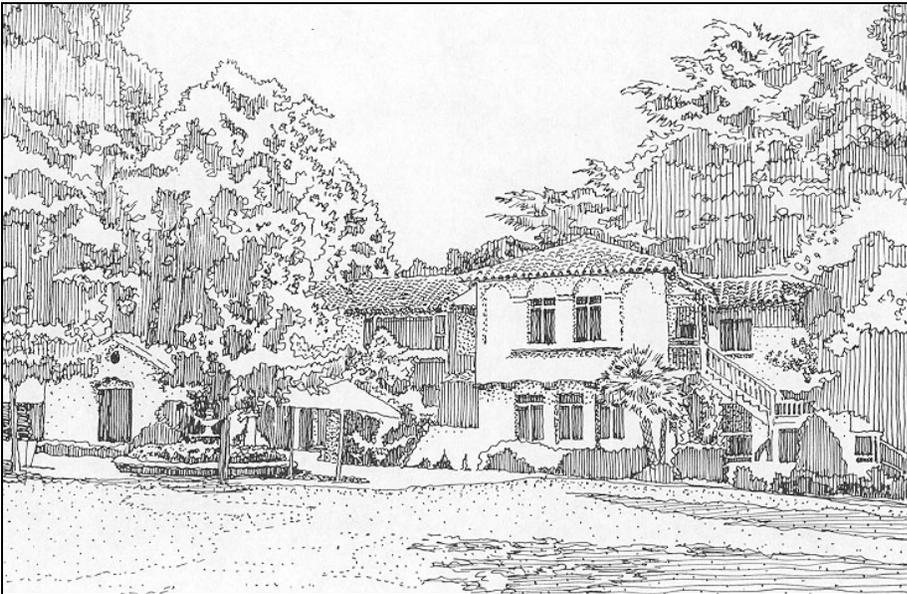
IP-B15 Moraga Tree Ordinance

- CD7.2 Historic Preservation. Promote the preservation and conservation of historic buildings and sites, providing incentives as appropriate for their retention and rehabilitation.

Implementing Programs:

IP-B13 Historic Preservation Ordinance

IP-E6 Historic Resource Design Guidelines



Hacienda de las Flores is an important historical resource as well as a valued community activity center.

CD7.3 Adjacent Sites. Ensure that adjacent infill development is complementary to designated historic buildings and sites.

Implementing Programs:

IP-B13 Historic Preservation Ordinance

IP-C3 Design Review

IP-E6 Historic Resource Design Guidelines

CD7.4 ‘Spanish Heritage’ Districts. Designate areas with significant ‘Spanish Heritage’ architecture as ‘Spanish Heritage Districts,’ including Saint Mary’s College and the Hacienda de las Flores. In these areas, encourage the use of basic elements of ‘Spanish Heritage’ architecture, with flexibility for invention, variety, and incorporation of contemporary design elements. Examples of architectural elements that may be encouraged in ‘Spanish Heritage’ Districts include:

- a) simple white stucco walls
- b) red clay tile roofs
- c) porches across the building front or side, with or without arches
- d) arches as an architectural feature over driveways and entrances
- e) buildings adapted to topography, for example through use of terraced gardens and porches
- f) bay windows
- g) garden walls
- h) lattices over carports and porches
- i) distinctive rooflines with low pitches
- j) balconies and verandas
- k) covered walkways and passages (arcades, colonnades)

Implementing Programs:

IP-B13 Historic Preservation Ordinance

IP-C3 Design Review

IP-E6 Historic Resource Design Guidelines

CD7.5 Landscaping in Historic Areas. Use landscaping to enhance the historic character of designated buildings, sites and districts, emphasizing the use of native and drought tolerant species.

Implementing Programs:

IP-B13 Historic Preservation Ordinance

IP-C3 Design Review

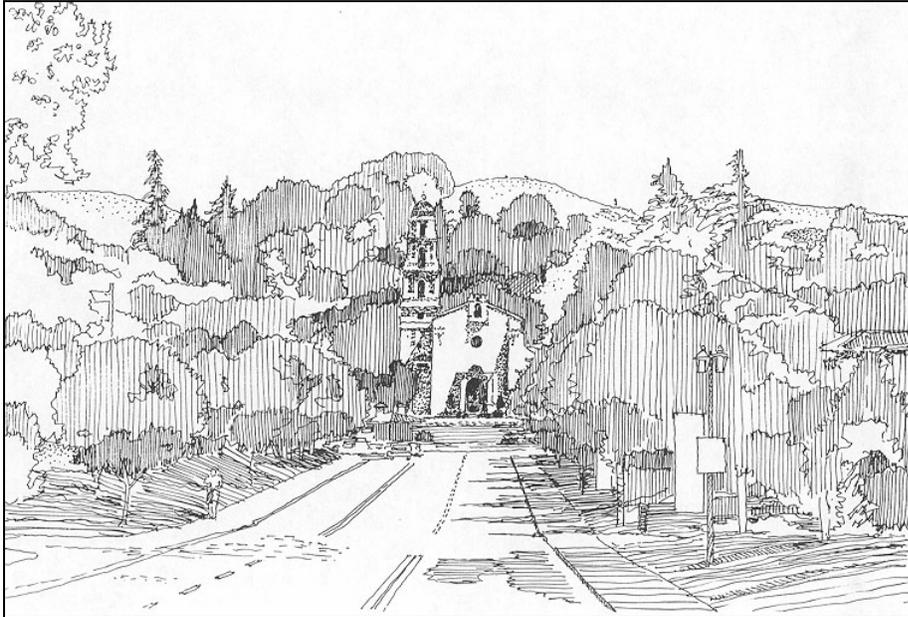
IP-E6 Historic Resource Design Guidelines

IP-G5 Beautification Program

CD7.6 Public Information on Historic Resources and Preservation. Promote and support educational and informational programs regarding Moraga's history to help residents better understand and appreciate the Town's past and the historic resources that remain in the Town.

Implementing Programs:

IP-M2 Information on Historic Preservation and Resources



Saint Mary's College contains excellent examples of Spanish Heritage architecture.

HOUSING

The housing element identifies opportunities, challenges and resources associated with the provision of housing in the Town of Moraga. While it is required by the State, the housing element is a local document with a local impact. It is a chance for us to think strategically about housing in Moraga, to consider our changing communities, and to plan how to best meet their needs. It is an opportunity to evaluate existing policies, and prepare to meet future challenges.

Housing in Moraga is generally working well. The housing stock is in good shape and the Town is a desirable place to live. Residents are, by and large, happy with current conditions.

Some of the major issues in Moraga today include the aging population, the need for sustainability and the desire for workforce housing. Many of these issues are addressed through the Moraga Center Specific Plan, which lays the groundwork for a walkable, mixed use village center for Moraga.

Because of its length, the first two sections of the housing element are bound with the General Plan and the remaining sections are bound separately.

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I. GOALS, POLICIES AND PROGRAMS

A. Goals and Policies

H1 *Housing and Neighborhood Quality*

GOAL: Continued maintenance and improvement of high-quality, safe and livable housing and residential neighborhoods.

H1.1 Maintenance and Rehabilitation. Encourage owners of residential structures to maintain and, where appropriate, rehabilitate their premises in accordance with current housing codes.

Implementing Programs:

IP-D2 *Conduct Building Inspection, Code Enforcement and Hazard Abatement Activities*

IP-H3 *Increase Awareness of Housing Rehabilitation Program*

H1.2 Student Renters. Allow students enrolled in Saint Mary's and other colleges to rent quarters in single family residences, provided the character of the neighborhood is not adversely affected.

Implementing Programs:

IP-B1 *Revise the Zoning and Subdivision Ordinances*

H1.3 Design for Safety. Minimize the risk of burglary, vandalism and other crimes through appropriate design in new housing and neighborhoods.

Implementing Programs:

IP-E5 *Develop Public Safety Guidelines*

H1.4 Design Excellence. Review the design of new housing developments to ensure that they are compatible with the scale and character of the neighborhood in which they are located and the semi-rural character of the Town as a whole, consistent with policies in the Town's Community Design Element. Strive to ensure that affordable housing developments are well designed and professionally managed so that they provide a high quality living environment and contribute to the overall quality of life in the Town.

Implementing Programs:

IP-E2 *Review and Update Residential Design Guidelines*

IP-E3 *Review and Update Multi-Family Residential Design Guidelines*

H1.5 Environmental Sustainability. Promote cost effective sustainability in new construction and renovation.

Implementing Programs:

IP-H10 *Enhance Sustainable Building Guidelines*

H2 Housing Mix and Affordability

GOAL: A variety of housing types to help meet the Town's projected housing needs.

H2.1 Housing Variety. Ensure that new residential developments provide the Town with a wide range of housing types to meet the various needs and income levels of people who live and work in Moraga, including single family homes, senior housing, workforce housing and second units.

Implementing Programs:

- IP-A1 Continue to Use the General Plan Diagram*
- IP-H1 Address Regional Housing Need*
- IP-H4 Facilitate Access to Affordable Housing Subsidies*
- IP-H11 Promote Secondary Units Where Appropriate*
- IP-K1 Develop Rheem Park Area Specific Plans*
- IP-K2 Adopt and Implement the Moraga Center Specific Plan*

H2.2 Vacant Land Inventory. Maintain and periodically update an inventory of developable vacant land to coordinate future housing growth.

Implementing Programs:

- IP-G1 Maintain Vacant Land Inventory*

H2.3 Fair Share Housing. Provide for Moraga's 'fair share' of the regional housing need, as identified by the Association of Bay Area Governments, by identifying adequate sites for higher density housing within the Moraga Center Specific Plan, as provided on the General Plan Diagram. Additionally, work with Saint Mary's College, the Moraga School District and other property owners to identify and facilitate the development of affordable housing opportunities and also allow the development of attached or detached secondary living units where appropriate and feasible.

Implementing Programs:

- IP-A1 Continue to Use the General Plan Diagram*
- IP-K1 Develop Rheem Park Area Specific Plans*
- IP-K2 Adopt and Implement the Moraga Center Specific Plan*

H2.4 Multi-Family Housing Amenities. Ensure that multi-family housing developments provide adequate parking for residents and visitors as well as open space and recreational facilities to meet resident needs.

Implementing Programs:

- IP-B1 Revise the Zoning and Subdivision Ordinances*
- IP-C1 Undertake Development Review*
- IP-K2 Adopt and Implement the Moraga Center Specific Plan*

- H2.5 Condominium Conversions.** Allow the conversion of rental units to condominiums only when:
- The safety, design and environmental requirements of the Town are met;
 - The relocation needs of the apartment residents are adequately addressed; and
 - An adequate supply of rental units is preserved for those who want to live in Moraga but cannot afford or do not desire to purchase a residence.

Implementing Programs:

IP-B3 *Revise the Condominium Conversion Ordinance*

- H2.6 Density Bonus.** The Town will offer density bonuses consistent with State law

Implementing Programs:

IP-B1 *Revise the Zoning and Subdivision Ordinances*

- H2.7 Affordable Housing Partnerships.** Work with Saint Mary's College, the Moraga School District, affordable housing developers, and other groups and organizations to develop collaborative approaches for meeting local housing needs, including affordable workforce housing, senior housing, and other special housing needs.

Implementing Programs:

IP-H2 *Maintain Housing Partnerships*

IP-H3 *Increase Awareness of Housing Rehabilitation Program*

IP-H4 *Facilitate Access to Affordable Housing Subsidies*

- H2.8 Manufactured Housing.** As a means to offer lower cost housing, continue to permit manufactured housing, built to current federal and State standards and on permanent foundations, in all residential areas, providing their overall design is consistent with the Town Design Guidelines (in accord with SB 1960, enacted in 1980).

Implementing Programs:

IP-B1 *Revise the Zoning and Subdivision Ordinances*

IP-C1 *Undertake Development Review*

IP-C3 *Undertake Design Review*

- H2.9 Secondary Living Units.** Allow, and where appropriate encourage, secondary living units in single family and multi-family areas, including MOSO and non-MOSO open space providing they comply with the Town's Municipal Code and Design Guidelines. Further, detached secondary units within existing subdivisions may be allowed on lots that are sufficiently large for accommodation of such units taking into consideration impacts to the neighborhood and its residents including but not limited to visual impacts and privacy impacts and where they are otherwise compatible with the neighborhood.

Implementing Programs:

IP-B1 *Revise the Zoning and Subdivision Ordinances*

IP-C1 *Undertake Development Review*

IP-C3 *Undertake Design Review*

H3 Special Housing Needs

GOAL: Greater cultural diversity and the prevention of discrimination in housing based on age, race, ethnic background, household composition or any other illegal or arbitrary criteria.

H3.1 Equal Opportunity Housing. All persons and families should have equal opportunity to obtain housing in Moraga, unconstrained by arbitrary or illegal patterns of discrimination.

Implementing Programs:

IP-H7 *Assure Equal Housing Opportunities, Coordination and Information Program*

IP-H8 *Provide Non-discrimination Clauses*

H3.2 Resources for Homeless and Near Homeless Persons and Families. Provide access to information on temporary housing resources, assistance and facilities to any person or family faced with the prospect of homelessness. Allow emergency shelters by right in appropriate areas of the city and continue to treat supportive and transitional housing as a residential land use.

Implementing Programs:

IP-H6 *Address Homeless Services and Referral*

H3.3 Student Housing Demand. Cooperate with Saint Mary's College to address student housing needs.

Implementing Programs:

IP-L10 *Coordinate with Saint Mary's College*

IP-K2 *Adopt and Implement the Moraga Center Specific Plan*

H3.4 Senior Housing. Encourage senior citizen housing, consistent with projected community needs. Include the following considerations:

- easy access to needed services, such as shopping, medical, transportation, etc.;
- off-street parking requirements consistent with project needs;
- limited income constraints of many elderly; and
- adaptable to mobility constraints of disabled.

Implementing Programs:

IP-C1 *Undertake Development Review*

IP-D3 *Promote Universal Design*

IP-H5 *Adopt Reasonable Accommodations Procedures for People with Disabilities*

IP-H11 *Promote Secondary Units*

IP-K2 *Adopt and Implement the Moraga Center Specific Plan*

H3.5 Housing for People with Disabilities. Encourage housing that responds to the needs of people with disabilities, providing maximum housing choice consistent with community needs.

Implementing Programs:

IP-D3 *Promote Universal Design*

IP-H5 *Adopt Reasonable Accommodations Procedures for People with Disabilities*

IP-H11 *Promote Secondary Units*

IP-H9 *Provide Accessible Housing Information and Referrals*

B. Implementation Programs

See table on pages 5-14 for a summary of programs. Note: implementation program numbers may not be sequential because implementing programs unrelated to housing (from other elements of the General Plan) share a number system, but are not reprinted below.

General Programs

IP-A1 Continue to Use the General Plan

Use the General Plan Diagram to guide land use planning activities in the Town and its Sphere of Influence area. Use the Circulation System of the General Plan Diagram to guide activities related to goods movement, emergency vehicle routes, street closures and other activities that affect the transportation system, local businesses and residents. Review and update the General Plan Diagram as part of the annual General Plan review process.

Ordinances

IP-B1 Revise the Zoning and Subdivision Ordinances

Revise the Town's Zoning Map, Zoning Ordinance and Subdivision Ordinance, as needed, to maintain consistency with the adopted General Plan and, specifically, to achieve the following:

- Incorporate the land use plans of the Moraga Center and Rheem Park Area Specific Plans, when completed. *Until such time that the new Specific Plans are completed, the previous General Plan designations and existing zoning shall apply in the specific plan areas.*
- Retain existing residential zoning and discourage non-residential uses in these zones.
- Provide for density bonuses in residential districts, consistent with State law requirements (California Govt. Code 65915).
- Continue to allow the renting of rooms/quarters in single family homes as a permitted use in single family zones. This will help meet the needs of extremely low income households.
- Permit emergency housing by right in the Institutional Zone.
- Continue to allow manufactured housing on single family lots if placed on permanent foundations and subject to compliance with Town Design Guidelines.
- Review the requirements for secondary units and implement changes, including permitting detached units under certain circumstances.
- Prohibit the creation of new non-MOSO lots unless the after-graded average slope of the proposed development area is less than 25 percent.

IP-B3 **Revise the Condominium Conversion Ordinance**

Revise the Condominium Conversion Ordinance to exempt limited equity residential cooperatives that meet all of the following requirements to the extent necessary to comply with State law:

- Minimum of 20 percent of the units as housing affordable to extremely low to moderate income households;
- Resale controls to assure long term affordability of the extremely low and moderate income units;
- Right of first refusal of purchase of units by occupants; and
- Relocation assistance to extremely low to moderate income households who are unable to afford the purchase of units that are converted.

C. **Development Review**

IP-C1 **Undertake Development Review**

Undertake development reviews to ensure compliance with applicable local, regional, State, and federal laws and adopted policies. Ensure that developers contribute funding for on-site and off-site improvements that mitigate impacts of development.

Specifically, review development proposals to ensure:

- *Neighborhood Quality.* Continue to examine site and building plans to ensure that layout and design meet Town objectives for neighborhood quality (including minimizing burglary, vandalism, and other crimes).
- *Performance Standards.* Ensure that one or more of the following conditions will be met:
 - Performance standards will be maintained consistent with adopted mitigation programs following project occupancy;
 - Additional mitigation measures are available and will be required of the project sponsor in order to insure maintenance standards; or
 - Capital projects planned by the Town or special districts will result in the maintenance of standards. Improvements should be in place at the time of project implementation.
- *Acceptable Noise Levels.* Discourage the siting of residences adjacent to major arterials unless noise can be reduced to acceptable levels, consistent with State law. Encourage designs that orient sensitive portions of buildings away from noise sources; utilize the natural terrain to screen structures from major arterials or other noise sources; and use appropriate design techniques to reduce adverse noise impacts.
- *Solar Access.* Discourage the design and siting of buildings in a manner that may reduce solar access for adjacent buildings or properties.
- *Emergency Response.* Appropriate consideration of emergency response planning.
- *Fire Prevention.* Appropriate fire prevention measures, including fire protection systems and fire-retardant roofs in accordance with adopted ordinances and standards.
- *Safe Subdivision Design.* Subdivision design and platting of each parcel so that there is a safe building location.

- *Slope Stability.* Location of development in the most stable portion of each subdivision and/or parcel, with a statement from the project engineering geologist and geotechnical engineer to this effect, subject to review of the Town's consulting geotechnical engineer and engineering geologist.
- *Seismic Safety.* Design and construction according to the seismic standards of the latest edition of the Uniform Building Code, with public buildings, multi-story buildings, office and commercial buildings, and public infrastructure designed to the highest feasible standards of seismic design by a structural engineer according to expected levels of seismic shaking, with review by a qualified structural engineer.

IP-C3 Undertake Design Review

Submit all applicable development proposals to the Design Review Board to ensure consistency with the design goals and policies of the General Plan and the Town Design Guidelines.

IP-C9 Study Development Process Simplification

Study ways to reduce the time needed for subdivision approval, while protecting the character of Moraga.

D. Codes and Enforcement

IP-D2 Conduct Building Inspection, Code Enforcement and Hazard Abatement Activities

Encourage the County to continue to respond to complaints of substandard property conditions by inspecting properties and enforcing applicable building, health and safety codes. Regularly inform elected and appointed officials regarding code compliance and enforcement issues.

For critical structures and development in risk areas, encourage the County to implement a proactive program of building inspection, code enforcement, and hazard and nuisance abatement. Specifically:

- *Substandard Structures.* Inspect and vacate or condemn structures that are damaged or are in imminent peril, using public nuisance abatement powers.
- *Hazards in Town Buildings.* Reduce non-structural hazards in all Town buildings.
- *Continuing Education for Seismic Safety.* Require inspectors to attend continuing education programs to ensure their familiarity with principles of seismic design and with seismic code requirements.
- *Grading and Foundation Inspections.* Establish inspection procedures to ensure that all grading and foundation work is observed and documented at specific critical stages. For sensitive sites, require periodic grading and foundation inspection by the Town's engineering geologist and/or geotechnical engineer.
- *Inspection of Critical Public Buildings.* For particularly critical public buildings, require periodic inspection by the Town's structural engineer for seismic safety.

IP-D3 Promote Universal Design

Encourage new construction and renovations to follow the principles of universal design, ensuring that the buildings are usable by people of all ability levels. Provide information to the public, the Design Review Board, the Planning Commission, and others.

E. Design Guidelines

Review and update the Town Design Guidelines to implement the goals and policies of the General Plan, including its Community Design Element. Specific areas to address include:

IP-E2 Review and Update Residential Design Guidelines

Review and update design standards and guidelines to address residential design issues in existing and potential future single family residential developments, including:

- *Subdivision Design* to encourage lot and street configurations adapted to topography and natural features.
- *Street Design* to discourage closed loop streets.
- *Landscape Character* to encourage street trees and landscaping and retain significant views, with provisions for drought-tolerant species, use of recycled water, and other water conservation measures.
- *Pedestrian Environment* to create interconnected sidewalk/pathway linkages to adjacent neighborhoods, commercial centers and community facilities such as parks and schools; provide for pedestrian-oriented lighting; and, where feasible, encourage landscape strips between the sidewalk and curb to buffer pedestrians from automobiles.
- *Home Design* to encourage home designs that are consistent with existing residential character, with appropriate height, scale and setback requirements; and to discourage the visual dominance of garages on streets by limiting the frontage (by percentage and by location) occupied by garage doors.
- *Energy Efficiency* to encourage home designs and retrofitting to conserve energy through use of active and/or passive solar energy systems, ceiling insulation, ceiling fans, low-energy appliances, and/or other measures.
- *Equipment Screening* to encourage appropriate screening of mechanical equipment, solar collectors, satellite dishes, communication devices and similar devices, with special attention given to buildings whose roofs are viewed from higher elevations.
- *Infill Development* to promote more sensitive building additions and infill projects that preserve the scale and character of the existing neighborhood.
- *Public Places* to provide facilities and amenities appropriate to the neighborhood, such as neighborhood parks, childcare centers, schools and churches, ensuring appropriate siting and design.
- *Clustering* to preserve natural features and open spaces and minimize grading.
- *Landscaping in Hillside Areas* to address issues such as fire resistance, erosion control, drought tolerance, and visual buffering for privacy.
- *Estate Housing* to address issues specific to large-lot developments in outlying areas.

IP-E3 Review and Update Multi-Family Residential Design Guidelines

Review and update design standards and guidelines to address issues specific to the planning, design and management of multi-family residential developments, including:

- *Site Design* to encourage developments that are oriented towards the public street rather than to an internal parking area.
- *Density and Housing Type Mix* to encourage a variety of housing types and discourage too high a concentration of any one unit or building type in a single area.
- *Building Design* to encourage buildings that reflect the scale and quality of their surroundings and which fit the character of existing residential neighborhoods.
- *Landscaping* to encourage developments that blend with the natural setting, with provisions for drought-tolerant and fire resistive plant species, use of recycled water, and other water conservation measures.
- *Sense of Entry and Individuality* to provide a public entry point and a 'sense of address' toward the street or directly to an open space on the site.

- *Outdoor Spaces and Amenities* to encourage garden spaces and outdoor play spaces on the site.
- *Pedestrian Environment* to create a place where it is pleasant and safe to walk, orienting buildings towards public sidewalks and providing yards and landscaped setbacks.

IP-E5 Develop Public Safety Guidelines

Develop planning and design guidelines for implementation of design ideas that can help prevent or reduce crime (e.g., through attention to sight-lines to front doors and windows and from front windows to the street).

G. Ongoing Programs

IP-G1 Maintain a Vacant Land Inventory

Maintain and update an inventory of vacant and under-utilized parcels in the Town, including an assessment of their potential development capacity. Include sites that are appropriate for developments that serve extremely low to moderate income households.

IP-G2: Annually Review General Plan and Maintain Internal Consistency

Annually review the General Plan to ensure it is consistent with State law. As changes are made to the General Plan, review all Elements for internal consistency with other Elements.

H. Housing Specific Programs

IP-H1 Address Regional Housing Need

Continue to zone sufficient sites to meet Moraga's regional share of housing need as established by the Association of Bay Area Governments Regional Housing Needs Determination for the period 2007 through 2014.

IP-H2 Maintain Housing Partnerships

Work with Saint Mary's College, the Moraga School District, affordable housing developers, and other groups and organizations to define opportunities for collaboration in the development of new affordable housing to meet the needs of local employees and special needs populations. Identify potential sites, financial resources and regulatory mechanisms to facilitate the development of new units that can help meet the Town's 'fair share' housing requirements for all income ranges, including extremely low income.

IP-H3 Increase Awareness of Housing Rehabilitation Program

Participate in the County Housing Authority's Housing Rehabilitation Program and Contra Costa County Neighborhood Preservation Loan program which provides low interest loans for the rehabilitation of homes owned or occupied by extremely low to moderate income households. Improve citizen awareness of this rehabilitation loan program by making pamphlets on this program available at the Planning Department and the public library. Target outreach efforts to lower income households, including extremely low income households.

IP-H4 **Facilitate Access to Affordable Housing Subsidies**

Seek to increase the availability of State, county and federal subsidies for affordable housing in Moraga through the following actions:

- Petition the County Housing Authority for additional Section 8 subsidies if rental dwelling units can be located that are within federal fair market rent guidelines. If necessary, collect documentation on rent levels and need to substantiate an increase in the number of Section 8 certificates or vouchers. This program serves very low and extremely low income households.
- Assist developers in accessing funding for the construction of senior housing or other extremely low income to moderate income housing for which State or federal subsidies are available.
- Participate in future issuances of mortgage revenue bonds or mortgage tax credit programs by Contra Costa County to support home ownership opportunities for low and moderate income Moraga residents.
- Support a waiver exemption of Lamorinda Fee and Financing Authority (LFFA) Impact Fees for affordable housing development¹.
- Encourage future development to consider a fair share affordable housing component for workforce housing, including housing for extremely low income households.

IP-H5 **Adopt Reasonable Accommodations Procedures for People with Disabilities**

Adopt an ordinance to provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures that may be necessary to ensure equal access to housing. The purpose of this is to provide a process for individuals with disabilities to make requests for reasonable accommodation in regard to relief from the various land use, zoning, or building laws, rules, policies, practices and/or procedures of the City.

IP-H6 **Address Homeless Housing, Services and Referral**

Provide referrals to private and public agencies that offer assistance and shelter to homeless individuals and families, and participate with designated inter-agency organizations to address homeless needs. Allow emergency shelters by right in the institutional zone by June 2010. Continue to treat transitional and supportive housing as a residential use not subject to additional siting limitations or procedures as compared to other residential uses.

IP-H7 **Assure Equal Housing Opportunities Coordinator and Information**

Facilitate fair and equal housing opportunity by designating the Planning Director as the Town's Equal Opportunity Coordinator with responsibility to refer complaints to a district office of the California Department of Fair Employment and Housing. Provide information to the public regarding equal housing opportunity laws and the Town's Equal Housing Opportunities Coordinator. Prepare and distribute a pamphlet on equal housing opportunity to the public at Town Administration offices.

¹ The Lamorinda Program Management Committee allows jurisdictions to request fee waivers for affordable housing projects. The Town of Moraga will attempt to secure these waivers for eligible developments.

IP-H18 Provide Nondiscrimination Clauses

Continue to provide nondiscrimination clauses in rental agreements and deed restrictions for affordable housing constructed pursuant to this Element.

IP-H19 Provide Accessible Housing Information and Referral

Provide information to developers, homeowners and other interested parties on the needs and techniques for producing adaptable and accessible housing for people with disabilities. Encourage consideration of such techniques in both new and rehabilitated housing, and provide referrals for people with disabilities who desire specially designed housing to meet their needs.

IP-H10 Enhance Sustainable Building Guidelines.

Incorporate minimum sustainability features into design guidelines for new residential construction.

IP-H11 Promote Secondary Units.

Where appropriate, promote secondary units to meet the needs of seniors, extended families, households with domestic help, students and others. In particular, encourage secondary units in new subdivisions. Specific policies include:

- Create a program to encourage owners of secondary units built without appropriate permits to bring their buildings up to code.
- Identify methods to simplify the secondary unit approval process to encourage new units, while protecting the single family character of neighborhoods.
- Develop a database to understand trends in secondary units.

IP-H12 Revise the Definition of Family

Amend the definition of family so it is consistent with State and federal law, ensuring that it does not pose a constraint for people with disabilities, large families, etc.

IP-H13 Promote Single Room Occupancy/Rooms for Rent

Educate the community that it is permissible to rent rooms in single family houses. Methods to achieve this include putting information in the Town newsletter and on the Town website. As part of the regular meetings with Saint Mary's College, discuss ways to cooperate on promoting Single Room Occupancy/Rooms for Rent, such as having an electronic college housing bulletin board.

K. *Special Plans and Projects***IP-K1 Develop Rheem Park Area Specific Plan**

Undertake a coordinated specific plan process to address planning issues in the Rheem Park area in accordance with the goals and policies of the General Plan.

IP-K2 Adopt and Implement the Moraga Center Specific Plan

Finalize the Moraga Center Specific Plan and develop the necessary rules and ordinances to implement it. Meet with stakeholders, including property owners and the College to ensure, encourage and facilitate residential development and create opportunities for housing affordable lower income households.

L. Intergovernmental Coordination

Coordinate with other relevant jurisdictions and agencies to address issues of mutual concern. Specific programs of intergovernmental coordination should include the following:

IP-L10 Coordinate with Saint Mary's College

Work collaboratively with Saint Mary's College to:

- Coordinate calendars of events.
- Regularly communicate on plans in progress and upcoming opportunities.
- Encourage Saint Mary's employees residing in Moraga to serve on local boards and committees.
- Continue existing process to address proposals and issues of mutual concern in an expeditious manner.
- Meet annually to review the progress of the approved Master Plan's implementation.
- Discuss student housing needs and solutions as needed. These may include: a) assistance in accessing funding for student housing; b) approving an affordable housing development that includes student units in multi-family residential zones, or c) permitting second units, the renting of rooms, and/or other uses of existing single family properties, consistent with neighborhood quality objectives.
- The relationship between the Parks and Recreation Department and Saint Mary's College is improving as we work closer together. We will continue to coordinate recreation endeavors that benefit both entities.

Program Summary

		Responsibility	Timeframe
IP-A1	Continue to Use the General Plan	Planning Department	Ongoing
IP-B1	Revise the Zoning and Subdivision Ordinances	Planning Department	MCSP – Dec. 2009, Other actions ongoing or June 2010
IP-B3	Revise the Condominium Conversions Ordinance	Planning Department	June 2014
IP-C1	Undertake Development Review	Planning Department	Ongoing
IP-C3	Undertake Design Review	Planning Department	Ongoing
IP-C4	Study Development Process Simplification	Planning Department	Dec. 2013
IP-D2	Conduct Building Inspection, Code Enforcement and Hazard Abatement Activities	Planning Department	Ongoing
IP-D3	Promote Universal Design	Planning Department	Dec. 2010
IP-E2	Review and Update Residential Design Guidelines	Planning Department	June 2011
IP-E3	Review and Update Multi-Family Residential Design Guidelines	Planning Department	June 2011
IP-E5	Develop Public Safety Guidelines	Planning Department and Police Department	Dec. 2010
IP-G1	Maintain a Vacant Land Inventory	Planning Department	Ongoing
IP-G2	Annually Review General Plan and Maintain Internal Consistency	Planning Department	Ongoing
IP-H1	Address Regional Housing Need	Planning Department	Ongoing
IP-H2	Maintain Housing Partnerships	Planning Department	Apply State Density Bonus Law as requested by developers of projects meeting applicable standards; review and modify the Zoning Ordinance as appropriate by 2010
IP-H3	Increase Awareness of Housing Rehabilitation Program	Planning Department	June 2010

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IP-H4	Facilitate Access to Affordable Housing Subsidies	Planning Department	Ongoing
IP-H5	Adopt Reasonable Accommodations Procedures for People with Disabilities	Planning Department	Dec. 2010
IP-H6	Address Homeless Housing, Services and Referral	Planning Department	Ongoing
IP-H7	Assure Equal Housing Opportunities Coordinator and Information	Planning Department	Ongoing, pamphlet by Dec. 2010
IP-H8	Provide Nondiscrimination Clauses	Planning Department	Ongoing
IP-H9	Provide Accessible Housing Information and Referrals	Planning Department	Dec. 2010
IP-H10	Enhance Sustainable Building Guidelines	Planning Department	Dec. 2010
IP-H11	Promote Secondary Units Where Appropriate	Planning Department	Dec. 2011
IP-H12	Revise the Definition of Family	Planning Department	Dec. 2013
IP-H13	Promote Single Room Occupancy/Rooms for Rent	Planning Department	Dec. 2012
IP-K1	Develop Rheem Park Area Specific Plan	Planning Department	June 2014
IP-K2	Adopt and Implement the Moraga Center Specific Plan	Planning Department	Dec. 2009
IP-L10	Coordinate with Saint Mary's College	Various Departments	Ongoing

II. QUANTIFIED OBJECTIVES

State law requires all jurisdictions to identify specific objectives for new construction, rehabilitation and conservation/preservation of affordable housing. The following table summarizes the goals for the Town of Moraga. It assumes the housing market will rebound and there will be strong demand for residential construction. The goals refer to the beginning of construction. It may take several years for larger projects, like the Moraga Center Specific Plan, to be completed.

	New Construction	Rehabilitation	Section 8
Extremely Low	42	0	3
Very Low	42	2	2
Low	64	3	0
Moderate	97	0	0
Above Moderate	62	0	0
Total	307	5	5

Rehabilitation is assumed based on the County Rehabilitation Loan Program (Implementation Program IP-H3). There is no known need for conservation at this point, consequently, it is not listed. Section 8 assumptions are based on implementation of IP-H4.

III. SUMMARY

- **Moraga maintains a small town feel.** There are currently nearly 16,200 people and 5,800 housing units in the Town of Moraga (2009 estimate).
- **Housing in Moraga is primarily single family homes.** When the Town incorporated in 1974, 68 percent of the housing units were single family homes. Single family homes comprise 86 percent of the housing stock in 2009.
- **Slow growth has occurred in recent years.** Moraga's housing stock has increased by about 30 percent since incorporation, a moderate rate of growth in comparison to the San Francisco Bay Area region.
- **There is the potential for near-term increases in the number of housing units in Moraga.** Although development in the past ten years has been limited, several projects under construction or in the planning stage will increase the total housing supply by another 100 to 200 units within the next five years to a little over 6,000 units, assuming healthy housing market conditions.
- **The Moraga Center Specific Plan will provide more housing choices in the community and improve the job / housing balance.** While Moraga will always be predominantly a single family home community, the types of housing possible under the Moraga Center Specific Plan will create more housing choices for seniors, local workers and students of Saint Mary's College. The Specific Plan will increase the number of jobs in the community, and provide up to 100 workforce housing units and up to 490 senior housing units as well as congregate care and assisted living developments.
- **Moraga's housing stock is generally in good condition.** Most of Moraga's housing was constructed after 1960 and is in good condition. It is estimated that less than one percent of the Town's housing stock was in need of repair in 2000.

Housing Cost and Affordability

- **Moraga has high land costs.** Moraga is a high-cost housing area due to the desirability of its location and environment. Land values are substantially higher in Moraga than in many other Bay Area communities, and homebuilders tend to focus on the higher end of the housing market when constructing homes in the Town.
- **Moraga has high housing costs.** The 2009 median housing value in Moraga was approximately \$923,000, nearly double that of the county as a whole. The median rent in 2000 was \$1,084, 30 percent higher than the county. The median sales price for homes in Moraga for February 2009 to April 2009 was \$567,500, a 31 percent decrease compared to the prior year (Trulia). The average listing price however is much higher, just under \$1,000,000 (Trulia). This median housing price is unaffordable for households earning median income.

- **The vast majority of very low and low income renters in Moraga are overpaying for housing.** More than 50 percent of lower income residents were overpaying for housing in 2000 (i.e., paying more than 30 percent of their household income on rent), with over 75 percent of very low income renters overpaying (HUD CHAS). Students with limited incomes and seniors with fixed incomes are two of the groups most affected by high housing costs.
- **Land costs are one of the greatest impediments to the production of affordable housing in Moraga.** The cost of a development-ready lot is hard to estimate because so little land is available at any given time. Lots on the market today range from \$675,000 to \$1,400,000. Because of the strong local demand for higher-priced homes, even small-lot single family developments contain homes selling for \$600,000 or more.
- **Construction costs are high and homes are large, further increasing housing prices.** Because Moraga's housing market is oriented to high-priced homes, builders tend to construct larger dwellings containing many upgrades. The cost per square foot of such homes is typically \$200 to \$350. Because the home sizes are 3,000 to 4,500 square feet, the construction cost of these homes will be at least \$600,000.
- **Geologic conditions lower potential densities and increase construction costs.** Unstable soils, steep slopes, landslide susceptibility, and other hazardous land conditions reduce the feasible development density of most residentially designated land, and thereby limit the number of new dwelling units that can be accommodated in the Town. These soil and slope conditions also increase land development and construction costs due to the extensive grading, soils analysis, and construction techniques that must be employed.
- **Sites for development of affordable housing are limited.** Potential areas for multi-family development that could include dwellings affordable to low income households are primarily located in or near the Town's major commercial hubs at Moraga Road / Rheem Boulevard and at Moraga Way / Moraga Road. These could potentially be constructed as part of a mixed use development project.
- **Lower interest rates would have a marginal effect on housing affordability in Moraga.** Low and moderate income households would not be able to purchase even the least expensive homes in Moraga without subsidized interest rates and/or a large down payment from the sale of a previous home or other source. In order to bring their monthly payments into an affordable range, a lower income household would have to make a down payment of approximately \$500,000 or more to purchase a relatively inexpensive house in the Town, while a moderate income household would have to make a down payment of approximately \$265,000. This is obviously not feasible for most people.

Special Needs Groups

- **The senior population is growing quickly and has unique needs.** Many older households overpay for their housing. Although social security and retirement incomes generally guarantee that retirees do not fall below the poverty level, housing costs can still outstrip incomes for many. In Moraga in 2000, 22 percent of homeowners 62 years of age or more and 51 percent of renters in this age group paid 30 percent or more of their income on housing. Outreach to Moraga seniors in May 2009 found a clear preference for housing opportunities that supported aging in place.
- **Student housing is a special housing need in Moraga.** Officials at Saint Mary's College estimate that between 200 and 300 off-campus students live in Moraga, representing between 20 and 30 percent of the approximately 955 undergraduate students living off-campus (out of a total undergraduate enrollment of approximately 2,515).

Potential Governmental Housing Constraints

- **Because Moraga is located in such a high-priced housing market, most of the Town's regulations have little substantive effect on the affordability of market rate housing.**
- **Some of the Town's zoning and other planning requirements may reduce the feasibility of affordable multi-family housing development, including:**
 - Zoning regulations that allow multi-family housing only with approval of a conditional use permit;
 - Parking requirements that may increase development costs and reduce the effective development density of affordable multi-family housing;
 - The design review process that may delay and/or result in expensive modifications to housing projects, adversely affecting the financial feasibility of affordable multi-family housing; and
 - Second unit standards that permit such dwellings in all single family neighborhoods but which limit the number that can feasibly be built due to parking requirements, minimum lot size limits and other requirements.

IV. EXISTING HOUSING NEED

A. Introduction

This chapter contains background information on existing conditions and trends in the Town's housing stock, housing projections, housing needs, and factors that may constrain the Town's ability to meet its housing needs. To analyze housing needs, it evaluates housing availability and cost in relation to household characteristics and income, the needs of special population groups, and future housing needs in relation to factors that may affect the ability of the Town to meet those needs.

B. Public Outreach and Engagement

In order to ensure that the housing element meets the needs of all segments of the population, the Town has conducted a broad outreach program. This included talking with realtors, developers and representatives from Saint Mary's College, as well as holding outreach events.

The public had the opportunity to comment at two Planning Commission meetings and one Town Council meeting, before the plan was finalized and sent to HCD for review. In addition, staff set up an information booth at the Moraga Faire on May 9th, 2009. Staff had many informal conversations about the goals of residents and collected 14 surveys. The survey focused on three major areas, the needs of Moraga, second units and sustainability.

The surveys showed a preference for more of the existing pattern of single family development and a desire for slow or no growth. They showed a mixed feeling on second units, with one resident expressing an interest in building a second unit and eleven having no interest. Five residents said they would be strongly opposed if their neighbor wanted to build a second unit, four would be weakly opposed and three not sure. There was strong support for requiring buildings to be green, seven people expressed support for mandatory requirements and two expressed opposition.

Additionally, on May 11th, 2009 staff met with approximately 125 members of the Moraga Movers, a nonprofit membership organization made up of seniors living in Moraga. At this meeting staff described the General Plan and asked for feedback about housing issues. The clear preference of the seniors was for support for aging in place. Additionally, the participants at the meeting expressed a need for more shopping opportunities that met the needs of seniors. They felt without these retail options, it is hard for seniors to live in Moraga.

In addition, there were dozens of meetings about the Moraga Center Specific Plan over the last six years. This included one-on-one conversations with landowners and other stakeholders, charrettes, community meetings, as well as Planning Commission and Town Council meetings.

Outreach efforts have focused on low and moderate income groups. Conversations with Saint Mary's College have been one way of meeting this requirement. Many students at the College are lower income and many employees are lower or moderate income. Additionally, seniors tend to be lower income and the Town met with a senior group while preparing the Housing Element.

C. Demographics

Moraga's population started to grow when the town was developed in the 1960s. The population grew quickly through the 1970s, but has stabilized in recent years. In 1974 there were 14,418 people, compared to the current population of 16,204. Moraga's growth rate from 2000 to 2010 is predicted to be 2.5 percent, which is similar to its neighbors, 2.5 percent for Lafayette and 2.3 percent for Orinda. This is significantly lower than the county growth rate of 12 percent for the ten year period.

Figure 5-1. Population Growth in Moraga, 2000-2030

Year	Moraga	Lafayette	Orinda	Contra Costa County	Bay Area
2000	16,290	23,908	17,599	948,816	6,783,762
2010	16,700	24,500	18,000	1,061,900	7,412,500
2020	17,500	25,300	18,500	1,157,000	8,069,700
2030	18,300	26,000	18,800	1,255,300	8,712,800

Source: ABAG Projections 2007

Moraga has fewer youth and more seniors than the county as a whole. Eighteen percent of the population is under the age of 18 (versus 24 percent in the county) and an additional 18 percent is over age 65 (versus 12 percent in the county) (Claritas 2009). The median age in Moraga is 43, compared to 38 in the County as a whole. Additionally, there are many aging babyboomers, which will nearly double the senior population in the next ten years, based on current migration rates and life expectancies.

Figure 5-2. Population by age in 2009

Age	Population	Percent
Under 18	2,947	18%
18-34	4,406	27%
35-44	1,079	7%
45-54	2,493	15%
55-64	2,652	16%
65-74	1,542	9.4%
75+	1,357	8.2%

Source: Claritas Demographic Snapshot 2009

D. Employment

There were approximately 5,000 jobs in Moraga in 2005. The largest employer is Saint Mary's College, followed by the school district. The number is expected to rise to 5,600 by 2020.

Moraga has many more households than jobs, which contributes to traffic as residents commute elsewhere for work. The median household income in Moraga is \$153,617 (Claritas 2009). This is well above the countywide median income of \$103,682. While many Moraga residents have high skill, high salary occupations, most of the jobs in Moraga are in the health, education or recreation field, and many have low to moderate pay. In this situation, many Moraga residents commute out of the town for work, while many Moraga jobs are worked by people who commute into Moraga.

Figure 5-3. Jobs in Moraga in 2007

	Manufacturing, Wholesale and Transportation	Retail Service	Financial and Professional	Health, Education and Recreation	Other
2,000	350	500	890	2,660	540
2,010	330	500	890	2,940	550
2,020	330	540	990	3,170	580
2,030	330	580	1,090	3,440	620

Source: ABAG Projections 2007 (includes sphere of influence)

Figure 5-4. Sample Salaries

Occupation	Salary
Chief Executives	>\$145,600
Marketing Managers	\$132,148
Lawyers	\$131,127
Public Relations Managers	\$101,441
Fire Fighters	\$85,705
Middle School Teachers	\$66,071
Landscape Architects	\$65,630
Librarians	\$61,580
Carpenters	\$59,276
Food Service Managers	\$48,521
Mental Health Counselors	\$46,690
Postal Service Mail Carriers	\$45,021
Pharmacy Technicians	\$39,881
Landscaping and Groundskeeping	\$29,849
Janitors and Cleaners	\$28,015
Cooks, Restaurant	\$25,658
Cashiers	\$25,059
Home Health Aides	\$22,840

Source: California Employment Development Department, Occupational Employment and Wage Data, May 2007, viewed May 2009.

E. Housing Inventory and Condition

Housing Growth

Most of Moraga's growth and development occurred prior to the Town's incorporation in 1974. At the time of its incorporation, Moraga contained approximately 4,500 housing units, of which 68 percent were single family homes. By January 1999, the total housing stock had increased to 5,778 (a 28 percent increase), of which 85 percent were single family homes. Figure 5-5 shows historical growth in the Town's housing stock and compares the Town's growth rate with that of Contra Costa County and the Bay region. Growth has slowed significantly since 1999, with only 31 added units between 2000 and 2009.

Figure 5-5. Housing Growth in Moraga, 1974-2009

Year	Total Housing	Single Family Housing	% Increase ²	County % Increase ¹	Bay Area % Increase ¹
1974	4,484	3,081	---	---	---
1980	4,986	3,364	11%	14%	8%
1990	5,687	3,481	12%	24%	14%
2000	5,760	4,965	1.3%	19%	11%
2009	5,791	4,996	0.5%	13%	NA

Source: *Town of Moraga Facts, Town of Moraga, July 30, 1999; City/County Population and Housing Estimates, 1991-1999 and 2000-2009 (Report E-5), California Department of Finance; Demographic Comparisons Report, Claritas, Inc., July 28, 1999.*

Housing Types

Moraga has been predominantly a single family community since its earliest days. Although townhouses and multi-family dwellings have been constructed since the Town incorporated in 1974, single family homes still comprise 87 percent of the housing stock. The percentage of single family homes is higher than the county average of 70 percent. Figure 5-6 compares the composition of the Town's housing stock in relation to Contra Costa County and the region. Both the county and the region have a substantially higher percentage of multi-family housing in buildings of five or more dwellings.

Age and Condition of Housing Stock

Most of Moraga's housing was constructed since 1960 and is in relatively good condition. Although the Town has not conducted a comprehensive survey of housing conditions, it rarely receives complaints from residents regarding substandard, unsightly, or hazardous property or building conditions. The last estimate prepared for the 1990 Housing Element indicated that just 11 dwelling units, or 0.2 percent of the housing stock, were in need of rehabilitation. Because residential property values are high in Moraga, owners have an economic incentive to maintain their properties in good condition.

The percentage of dwelling units needing repairs may be higher now that many homes are more than 40 years old. Homes occupied by elderly residents on modest incomes are of particular concern, as these residents may have difficulty meeting maintenance costs. However, there is no evidence of a pervasive problem with housing conditions in the Town. Figure 5-7 shows the age of the Town's housing stock and provides some insight into the possible number of dwellings that may need rehabilitation.

² Percent increase over previous period in total number of dwelling units.

Tenure

Moraga has a long history of high homeownership levels. In 2009, 84 percent of the Town’s residents are homeowners (Claritas 2009), which is unchanged since 1990. The homeownership rate in Moraga is higher than in Contra Costa County (70 percent). Moraga’s relatively high rate of homeownership compared to the county and the region results from the larger percentage of single family homes and the higher incomes of its residents. Except for householders under age 35, all age groups in Moraga have homeownership rates of 80 percent or higher (Census 2000).

Among householders under 35, approximately 50 percent are homeowners (Census 2000). Among the likely reasons that half the households in this age group live in rental housing are that: 1) they are students at Saint Mary’s College, or 2) their incomes are not yet sufficient to afford homeownership.

Figure 5-6. Composition of the Housing Stock, 1999-2009

	Total Housing Units	Single Family Detached	Single Family Attached	2 – 4 Units	5 or More Units	Mobile Home/Other
2009						
Moraga	5,791	4,028 (70%)	968 (17%)	243 (4%)	545 (9%)	7 (<1%)
County	399,187	266,199 (67%)	31,120 (8%)	26,066 (17%)	68,174 (7%)	7,628 (2%)
1999						
Moraga	5,778	3,898 (67%)	985 (17%)	284 (5%)	605 (10%)	6 (<1%)
County	349,912	227,731 (65%)	28,404 (8%)	23,791 (7%)	62,443 (18%)	7,543 (2%)

Note: Percentages may not equal 100 due to individual rounding.

Source: *City/County Population and Housing Unit Estimates 1991-1999 and 2000-2009 (Report E-5)*, California Department of Finance.

Figure 5-7. Year Structure Built

pre 1960	1960-69	1970-79	1980-89	1990-1999
496 (9%)	2,383 (41%)	1,954 (34%)	966 (17%)	118 (2%)

Note: Percentages may not equal 100 due to individual rounding.

Source: U.S. Census Bureau, *2000 Census, Summary Tape File 3*;

Overcrowding

Overcrowding is not a substantial problem in Moraga. According to the 2000 Census, fewer than two percent of Moraga households lived in overcrowded conditions, defined as more than one person per room (excluding bathrooms, kitchens, and hallways). Of the 102 households that were overcrowded, 80 (78 percent) were owner-occupied.

The small incidence of overcrowding in Moraga is likely due to the low percentage of large households that require dwellings with three or more bedrooms to avoid overcrowded conditions. Almost 75 percent of the Town's households in 2000 consisted of families or unrelated groups with three or fewer persons per dwelling. Those households living in overcrowded conditions were likely to be lower income families of six or more persons who could not afford homes with three or more bedrooms. Some of those living in overcrowded conditions could also have been students at Saint Mary's College, but this cannot be confirmed from a review of Census or other available data.

Moraga Center Specific Plan

For the past seven years, Moraga has been working to develop an attractive, pedestrian-friendly village environment with retail, office and housing on 187 acres adjacent to the Moraga center shopping center. This vision will take a step closer to reality when the Town Council adopts the plan, anticipated in January 2010. In total, the plan calls for up to 630 housing units and 90,000 square feet of new retail and entertainment space, and up to 50,000 square feet of new office space. The exact number of housing units is limited by the traffic impacts, but could be as many as 630 dwellings.

In addition to increasing the number of jobs in the community, the Moraga Center Specific Plan (MCSP) seeks to improve the Town's job/housing balance by providing up to 100 workforce housing units. The MCSP also addresses the need for senior housing in Moraga with up to 300 units at a maximum density of 30 dwelling units per acre as well as congregate care and assisted living developments. A 20,000 square foot community center/gymnasium is also being considered for the MCSP. To support the existing and proposed retail and office space and to spur reinvestment in the existing shopping center, the Specific Plan also contemplates up to 180 primarily compact or attached single family residences between Camino Ricardo and the creek. Lastly, because there are currently no facilities to accommodate overnight guests in Moraga the MCSP provides for the construction of up to 85 rooms of bed and breakfast or hotel use.

For more information see the available land inventory section.

Secondary Units

Secondary units can provide an important source of flexible and affordable housing in Moraga and the Town has chosen to strongly encourage their construction and recognition, particularly in new housing. However, secondary units must blend with the small town character of Moraga and developments must be sensitive to concerns of existing residents. See the available land inventory section for more details.

Because there are not many apartments in Moraga, there is a lack of data about the affordability of second units. According to a recent Craigslist search, one bedroom second units rent for \$895 and \$1,100 in the Moraga/Orinda/Lafayette area, and two bedrooms rent for between \$1,500 and \$1,696. (Based on six unique results found with the keyword search “in-law” conducted on May 26th, 2009.)

Some secondary units will be made available at no market rent for family members, domestic help, etc., so these units can be treated as affordable to extremely low income residents.

According to the 2000 Census (adjusted for inflation), approximately one quarter of apartments rent for under \$930, 44 percent rent for \$930-\$1,239, and 32 percent rent for more than \$1,240.

In 2009, an apartment must cost less than \$670 to be affordable to an extremely low income household with one person, less than \$1,160 to be affordable to a very low income household, and less than \$1,656 to be affordable to a median income household.

For the purposes of this housing element, we assume the following affordability ranges for second units:

- Ten percent are affordable to extremely low income households
- Twenty percent are affordable to very low income households
- Twenty percent are affordable to low income households
- Twenty five percent are affordable to moderate income households
- Twenty five percent are affordable to above moderate income households

F. Housing Cost and Affordability

Since its incorporation, Moraga has been a higher cost housing area due to the desirability of its location, environment, and schools. Land values are substantially higher in Moraga than in many other Bay Area communities, and homebuilders have tended to focus on the higher end of the housing market when constructing homes in the Town. Rental housing commands higher rents in Moraga than in the region as a whole because most rental units are single family homes and townhomes, rather than apartment units.

The 2009 median housing value in Moraga was approximately \$923,000, nearly double that of the county as a whole. The median rent in 2000 was \$1,084 (\$1,112 after utilities), 30 percent higher than the county.

The median sales price for homes in Moraga for February 2009 to April 2009 was \$567,500, a 31 percent decrease compared to the prior year (Trulia). The average listing price however is much higher, just under \$1,000,000 (Trulia).

Because Moraga is a small community, month-to-month, or even annual, changes in prices or rents may not be indicative of long term trends. A few transactions can greatly skew the median or average price or rent reported for periods of one year or less.

Figure 5-8 compares median housing prices and rents in Moraga, Lafayette, Orinda, and Contra Costa County.

Figure 5-8. Median Housing Costs

Year	Moraga		Lafayette		Orinda		Contra Costa Co.	
	Median	Median	Median Price ⁶	Median Rent ⁷	Median Price ⁶	Median Rent ⁷	Median Price ⁶	Median Rent ⁷
1990	\$406,500	\$871	\$388,500	\$767	\$433,600	\$1,001	\$217,100	\$675
1999	\$508,000	\$1112	\$479,000	\$1076	\$570,500	\$1239	\$216,000	\$898
2009	\$567,500	NA	\$862,450	NA	\$875,000	NA	\$329,000*	NA

Source: U.S. Census Bureau, *1990 Census, Summary Tape File 3A*; Demographic Comparisons Report. *Claritas, Inc., July 28, 1999*; Median Home Prices for Selected California Cities and Areas, *California Association of Realtors, July 1999*. 2009 sales data, *Trulia.com*, based on Feb 09-April 09. *Contra Costa sales price for August 2008 from *California Association of Realtors August 2008 Median Home Prices Report*. 1999 Rents from *US Census*.

Housing Price Trends

Although the long term trend since the Town's incorporation has been for housing prices to increase more rapidly than area incomes, home prices have not gone up continuously. The dot com bust of 2001 and the 2008/2009 recession reversed that trend temporarily. The sales price of homes fell roughly 30 percent in the past year (Feb-Apr 2008 to Feb-Apr 2009, Trulia.com). However, as the volume of sales is low, sales prices are not totally indicative of value, and the value of homes likely has not fallen at the same rate.

During 2006 and 2007, median home sale prices were in the range of \$800,000 to \$1,000,000. While the current prices are more affordable than in recent years, the long term trend is for median value of homes to increase faster than the median income.

Long-time residents have benefited from the growth in equity of their homes. But as these residents sell their dwellings, newcomers purchasing those homes either have substantially higher

⁶ 1990 median based on housing unit value reported by specified owner-occupants; 1999 median based on home sales reported for the first six months of 1999.

⁷ Median gross rent, including cost of utilities.

incomes (on the order of two to three times current residents) or have large down payments from the recent sale of a comparably-valued house.

Affordability Trends

A household can typically qualify to purchase a home that is three times the annual income of that household, depending on the down payment, the level of other long term obligations (such as a car loan), and interest rates. In practice, the interaction of these factors allows some households to qualify for homes priced at more than three times their annual income, while other households may be limited to purchasing homes less than two times their annual income.

In Moraga, and the county as a whole, the ratio of home prices to income is much higher than three to one (3:1 or 3) . Figure 5-9 shows the ratio of the median Moraga housing price to median town and median county income. A ratio greater than three to one indicates that the median housing price is not affordable to a household earning the median income.

This does not mean that any particular home is unaffordable to the current resident of that home. A high ratio can result, for example, when long-time homeowners experience large increases in home values while their incomes increase more modestly. A homebuyer will need substantially higher income than the current resident, however, to purchase the higher-priced dwelling.

Another way to look at affordability levels is to use the rule of thumb that households should not pay more than 30 percent of their income to housing. Figure 5-10 shows the maximum monthly rent and home purchase price which is affordable for lower income families.

Figure 5-9 also shows the percentage of dwelling units that are affordable to low and moderate income households based on a 3.0 housing price-to-income ratio.

Figure 5-9. Median Housing Costs in Relation to Median Income

Year	Moraga			Contra Costa County			
	Median Cost to Median Income	% Affordable Dwellings (3.0 ratio)		Median Cost to Median Income	% Affordable Dwellings (3.0 ratio)		
		Very Low/Low	Moderate		Very Low	Low	Moderate
1990	5.8	< 1%	2%	4.8	2%	6%	18%
1999	5.8	1%	4%	4.7	4%	9%	21%
2009	4.9	NA	NA	4.2	NA	NA	NA

Note: Very low income = 50% or less of the Contra Costa County median income or under \$44,650 in 2009 for a family of 4. low income = 50% to 80% of county median income or between \$44,650 and \$66,250. Moderate-income = 80% to 120% of county median income or between \$66,250 and \$107,150. Source: U.S. Census Bureau, 1990 Census, Summary Tape File 3A; Demographic Comparisons Report. Claritas, Inc., July 28, 1999. 2009 prices from Trulia.com

⁹ Based on median Moraga income.

¹⁰ Based on median county income.

Figure 5-10. Median Housing Costs in Relation to Median Income

	Income Range	Maximum Monthly Rent Including Utilities	Maximum Purchase Price
<i>Extremely Low Income</i>	<\$26,800	\$670	\$98,930
<i>Very Low Income</i>	\$26,801-\$44,650	\$1,116	\$152,671
<i>Low Income</i>	\$44,651-\$66,250	\$1,656	\$218,513
<i>Moderate Income</i>	\$66,251-\$107,150	\$2,679	\$343,020

Source: HCD 2009 State Income Limits. Purchase price assumes six percent interest, 0.5 percent home insurance, one percent property tax, 30 year fixed rate, \$20,000 down payment as calculated at mortgageloan.com. Based on a family of four.

The price of compact single family homes is of particular interest because the Moraga Center Specific Plan envisions those units as moderately priced workforce housing. An analysis of small homes (under 1,500 square feet) sold between June 2008 and June 2009 found that 29 percent were affordable to moderate income residents (Source: Redfin.com). (Figures based on same assumptions as Figure 5-10, using median income adjusted for family of three or \$308,718 purchase price).

Rents

Because Moraga does not have a large apartment market, most rental listings reflect current rates for single family homes and town homes. This is one of the contributing factors to the Town's substantially higher rents in comparison to Contra Costa County and the Bay region. Figure 5-11 shows the median gross rents in relation to income in 2000.

Figure 5-11. Median Rents in Relation to Median Income

	Moraga	Contra Costa Co.
<i>Median Rent</i>	\$1,112	\$898
<i>% Affordable to Extremely Low Income</i>	4%	4%
<i>% Affordable to Very Low-Income</i>	15%	75%
<i>% Affordable to Low-Income</i>	53%	90%

Source: U.S. Census Bureau, 2000 Census as summarized by HUD in the CHAS database. Affordability calculations based on Contra Costa County median income.

Affordability for Lower Income Households

One method of determining whether a community has a balanced housing market is to compare the number of dwelling units in cost ranges that are affordable to low and moderate income households. Figure 5-12 compares housing prices and incomes, and shows the number of dwelling units affordable to low and moderate income households. Figure 5-12 shows that Moraga has a deficit of housing affordable to low and moderate income households, and an especially severe deficit for extremely low and very low income households.

Figure 5-12. Dwelling Units Affordable to Lower Income Households

Year	Very Low	Low Income	Moderate Income
1990			
Households	620	497	1,022
For Sale Housing	0	23	119
For Rent Housing	54	464	At least 579
All Dwelling Units	54	487	At least 698
1999			
Households	735	562	918
For Sale Housing	23	48	At least 173
For Rent	---	---	---
All Dwelling Units ¹⁷	---	---	---

Source: U.S. Census Bureau, *1990 Census, Summary Tape File 3A*; Claritas, Inc., July 28, 1999.

Percentage of Income Devoted to Housing Expenses

Another measure of housing affordability is the percentage of income that households devote to housing costs. Although some households voluntarily commit large percentages of their income to live in a particular community or neighborhood, enjoy a certain lifestyle, or purchase/rent a certain type of dwelling, most governmental agencies, lenders, and housing analysts consider 30 percent of income as the maximum percentage that should be devoted to housing expenses under normal circumstances, particularly for low and moderate income households. US Census data indicates 235 of 315 (75 percent) lower income renter and 361 of 605 (63 percent) lower income owner households paid more than 30 percent of their income on housing. Figure 5-13 shows the number and percentage of households devoting 30 percent or more for housing expenses in 2000.

Figure 5-13. Number and Percent of Households Paying 30 percent or More for Housing

Income Level	Owners		Renters	
	Number	Percent	Number	Percent
Extremely Low	104	93%	92	74%
Very Low	148	69%	84	89%
Low	129	47%	59	61%
Above Low Income	878	21%	63	11%

Source: U.S. Census Bureau, *2000 Census, as summarized by HUD in the CHAS database.*

¹⁶ Housing unit totals for low and moderate income households are cumulative.

¹⁷ Insufficient data.

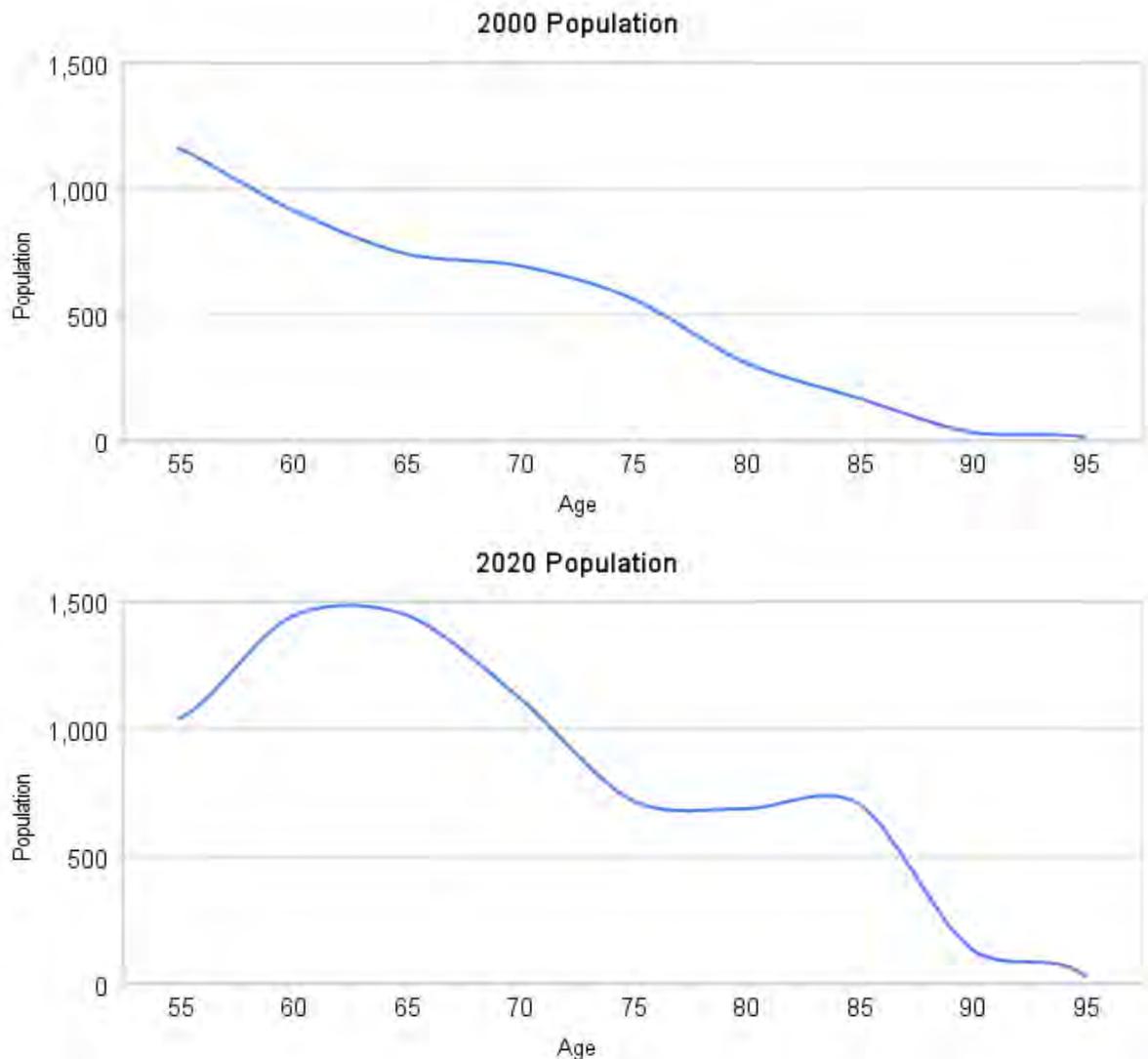
Figure 5-12 shows that virtually all very low income renter households, and the majority of low income renter households, paid 30 percent of more for housing in 1990. Low-income homeowners also had a high incidence of overpayment. Moderate and above moderate income homeowners had a somewhat higher incidence of overpayment than renters did. This may have been a voluntary response to the high home prices in Moraga.

G. Special Needs Groups

Older Adults

The senior population of Moraga is growing quickly. Figure 5-14 shows estimated changes in population based on recent trends.

Figure 5-14. Senior Population Growth



Sources: US Census 2000, Claritas Demographic Snapshot 2009, ABAG age specific mortality and migration rates for region.

Most seniors in Moraga own their homes, while just over eight percent rent.

Older adults, primarily those 65 years of age or more who are retired, generally have two distinct housing needs that set them apart from the population at large:

- *Financial Assistance:* because incomes tend to be lower than the population at large, many retirees do not have the financial capacity to maintain or repair their homes. They may be “house rich” but “income poor.” Elderly households who rent may not be able to cover rent increases.
- *Physical Accommodation:* as retirees age, their physical abilities and needs change. The home that may have served them well for decades may no longer be suited to their physical needs.

Income

Retirees typically have incomes below the average. Most retirees live on a combination of Social Security, pension, interest, and other forms of income typically associated with retirement. Although the level of income of Moraga’s retirees is generally higher than that of the region, the median income is still substantially below that for all households.

The 2000 Census reported that households headed by individuals 65-74 years of age had a median income of approximately \$70,132, 34 percent below the town-wide median of nearly \$98,000. The income of seniors 75 years old and older is approximately \$52,500. Figure 5-15 compares the percentage of households who were low and moderate income by age group in 2000. Figure 5-15 shows that households headed by individuals 62 years of age or more had a greater percentage of low and moderate income households. This is not surprising considering that the overwhelming majority of households in this age group reported Social Security, interest, pension payments, and the like as their primary sources of income. Seniors who rent were especially vulnerable. Three quarters of the extremely low and almost half of the very low income seniors are spending more than 50 percent of their income on rent. If rents increase, which they likely will, or senior incomes decrease, which they tend to do as seniors age, these seniors are at risk for displacement. While not a large population (approximately 60 households), these seniors are an important component of the community.

Figure 5-15. Income Levels by Age Group (2000)

Income Group	Senior Renters	Senior Owners	All Renters	All Owners
<i>Extremely Low Income</i>	23%	2%	14%	2%
<i>Very Low Income</i>	21%	8%	10%	4%
<i>Low Income</i>	7%	13%	11%	6%
<i>Moderate or Above Income</i>	50%	78%	65%	87%

Source: U.S. Census Bureau, 2000 Census, as summarized by HUD for the CHAS database. Seniors defined as aged 62 and over living alone or as couples.

Although older adult households are largely low and moderate income, retirement incomes generally guarantee that retirees do not fall below the poverty level. Older adults typically have

among the lowest poverty rates of all age groups and households types. Figure 5-16 compares poverty rates by age group. Even the highest poverty rates are well below the double-digit rates common in many communities for families with children.

Figure 5-16. Poverty Rate by Age Group

18-64	65-74	75+
3%	<1%	2%

Source: U.S. Census Bureau, 2000 Census, Summary Tape File 3A.

However, this does not mean that a substantial percentage of older households do not experience financial difficulties in properly maintaining their homes, paying customary housing expenses, or meeting monthly rental expenses. The 2000 Census reported that 22 percent of homeowners 62 years of age or more and 52 percent of renters in this age group paid 30 percent or more for housing (as summarized by HUD in the CHAS database). These data on the incomes and housing expenses of households 62 and older indicate that a substantial number of these older adults (particularly renters) may need assistance to either:

- repair and maintain their dwellings units,
- relocate to housing without such high maintenance and repair costs,
- afford their current rental housing, or
- relocate to more affordable rental housing specifically designed for seniors.

Capacity for Independent Living

Another need that is typical for older adults is assistance in daily living. As individuals age, their self-care capacities and mobility decline, although not uniformly. Many of the very old, in particular those 85 years of age and older, may need assistance in daily living. Outreach to Moraga seniors in May 2009 found a clear preference for housing opportunities that supported aging in place. Housing designed for older adults with mobility and self-care limitations would fill a need among those older adults who want to stay in the community.

The characteristics of households with mobility and/or self-care limitations are explored in greater detail in the next section.

Individuals with Disabilities

The 2000 Census reported that around 1,500 of the Town's residents over five years old had some kind of disability. They made up around 10 percent of the total population. These individuals have mobility impairments, self-care limitations, or other conditions that may require special housing accommodations or financial assistance. Individuals with such disabilities can have a number of special needs that distinguish them from the population at large:

- Individuals with mobility difficulties (such as those confined to wheelchairs) may require special accommodations or modifications to their homes to allow for continued independent living. Such modifications are often called “handicapped access.”
- Individuals with self-care limitations (which can include persons with mobility difficulties) may require residential environments that include in-home or on-site support services, ranging from congregate to convalescent care. Support services can include medical therapy, daily living assistance, congregate dining, and related services.
- Individuals with developmental disabilities and other physical and mental conditions that prevent them from functioning independently may require assisted care or group home environments; and
- Individuals with disabilities may require financial assistance to meet their housing needs because a higher percentage are low income than the population at large and their special housing needs are often more costly than conventional housing.

Because Moraga is a relatively affluent community, most individuals with disabilities, or their family members, are able to pay for special accommodations or housing arrangements to meet these individuals’ needs. However, there is still a segment of the disabled population, particularly low income, retired individuals, who may not have the financial capacity to pay for needed accommodations or modifications to their homes. In addition, even those able to pay for special housing accommodations may find them unavailable in Moraga.

According to the 2000 Census, there were no residential group quarters in Moraga that would accommodate special needs individuals with disabilities, but there were 44 individuals in nursing homes. The Town also has two senior assisted care developments, with a total capacity of approximately 170 units (of which 15 units are set aside for very low income residents).

While individuals with these conditions do not necessarily encompass the full range of persons with disabilities, most disabilities that may require special housing accommodations could be considered a mobility or self-care condition. According to the Census, about 556 residents reported disabilities that prevented them from going out of their home without assistance (359 of these residents were seniors). Figure 5-17 compares the number of people with disabilities by age group.

Figure 5-17. Persons with Mobility and/or Self-Care Limitations

Age Group	Go Out of Home Limitations	Self-Care Limitation Only	Physical Disability
5-15	NA	12	18
16-64	197	60	258
65+	359	132	433

Source: U.S. Census Bureau, 2000 Census, Summary Tape File 3A.

Large Families

Large families (families with five or more individuals) typically require housing with three or more bedrooms. While there is no shortage of homes in Moraga with three or more bedrooms in relation to the number of large families, low and moderate income large families may experience difficulty in finding affordable housing of sufficient size to meet their space needs.

According to the 2000 Census, there were 486 large families, representing a little less than ten percent of family households in Moraga. Approximately ninety percent of large families own their homes. The Census also reports that 56 percent of large family renters and 26 percent of large family owners are overpaying for housing. Many of these families are paying more than 50 percent of their income to rent.

Female-headed Households

Most female-headed households are either single elderly women or single parents. Traditionally, these two groups have been considered special needs groups because their incomes tend to be lower, making it difficult to obtain affordable housing, or because they have specific physical needs related to housing (such as child care or assisted living support). Single mothers in particular tend to have the most difficulty in obtaining suitable, affordable housing.

Because Moraga is a high-income community, the proportion of single elderly women and single mothers who are low income or below the poverty level is substantially lower than in most communities. The 2000 Census reported 31 single mothers below the poverty level, and only two other female householders who were below that level of income. It is unlikely, therefore, that female-headed households in Moraga have a substantial need for financial assistance to meet their housing needs.

Those special needs that do exist most likely relate to the support services that elderly women and single mother need to live independently.

College Students

Saint Mary's College, a private, parochial college located in Moraga, had an enrollment of just under 5,000 students in 2009. Enrollment has increased approximately 10 percent during the 1998 and 2009 period. Of the total student body, just over 2,500 are traditional undergraduates who would most likely require special student housing. About two-thirds of new undergraduate students come from northern and central California, about 20 percent from southern California, and the remainder from out of state.

According to College officials, Saint Mary's accommodates about 1,560 of the undergraduate students on campus and 955 off campus (2009). In 2002, officials estimated that between 200 and 300 of these students are accommodated in Moraga. The College plans to construct facilities in the near future for another 200 students to live on campus, thus reducing the housing crunch for more of the undergraduate students.

Even with the increase in campus housing, many undergraduates will choose, or be forced, to live off campus. Some, though not most, live in Moraga. The 2000 Census reported 101 renters

age 24 or less residing in Moraga. It is likely that many of these renters were students at Saint Mary's. The Census also reported that the median income for households age 24 or under was just over \$32,000, probably because of low income students. Most of these students likely live in small apartments, second units, or rented rooms in the Town.

Although the College houses a substantial percentage of its undergraduates, and some students manage to find housing in Moraga, there is likely an unmet need for additional housing affordable and suitable to students in the area. The magnitude of this need is difficult to gauge without better information on student incomes and family location.

People in Need of Emergency Shelter or Transitional Housing

The 2007 Contra Costa County Homeless Census found five unsheltered homeless people in the Town out of 1,749 homeless people in the county. The count was conducted in the winter, when seasonal demand is likely at its highest. There were two men, two women and one child. There are no emergency or transitional housing facilities in Moraga. See Appendix A for a list of all known agencies providing services as well as emergency, supportive and transitional housing in Contra Costa County. While Contra Costa County does not have additional demographic or special needs information about the homeless, it is likely that a significant number of homeless people are suffering from issues such as depression and substance abuse.

It is not known whether there is a need for an emergency shelter or transitional housing facility that serves women (and their children) escaping domestic violence in Moraga. In previous years, the County has provided assistance through its Housing Crisis Loan Fund Program, although a few individuals may have been assisted from Moraga, the number of clients is too low to justify a separate emergency shelter or transitional housing facility in the Town.

While full details from the 2009 homeless count are not available at this time, key findings include:

- Eight unsheltered homeless people were found in Moraga
- Countywide, there was an eight percent decrease in homeless persons in the county.
- Approximately 57 percent of unsheltered homeless persons lived in encampments.
- The number of single adults accessing services has increased by approximately 20 percent.
- The number of homeless individuals in alcohol and drug treatment programs has doubled.
- There was an increase in the number of homeless individuals making use of food programs.

The Town of Moraga will allow emergency shelters in the institutional districts zone, currently made up of Saint Mary's College. There are over 300 acres in this zone, more than an enough space to accommodate the eight individuals in the last homeless count. Because of the cost of land, it is unlikely that a shelter will be built on land zoned residential or commercial. The

institutional zone is one of the zones where it is feasible to provide a shelter. The institutional zone is within easy walking distance to the Moraga and Rheem shopping centers and on bus lines that go to BART. Much of the institutional zone is flat and level and has infrastructure ready. Much of Moraga is hilly and therefore inappropriate for more intensive land uses.

Extremely Low Income Households

In 2000, there were approximately 236 extremely low income households (US Census) (making less than \$26,800 in 2009). Seniors made up approximately 63 of these households. Another large group of these households is made up of those aged 24 and under, though the exact number is not available. Assuming that half the very low income individuals are extremely low income, we can assume there will be a demand for 37 units affordable to extremely low income households between now and 2014.

According to housing experts, in many cases the most appropriate housing choice for extremely low income households is rental. Many individuals with incomes below \$26,800 will have trouble saving for a down payment or emergency repairs. However, extremely low income individuals may also have trouble affording market rents in Moraga. For individuals, single room occupancy units are often an affordable solution.

Single room occupancies are permitted by right in many zones (R1, R2, R3, R6, MOSO) and by CUP in other zones. The permitting process is the same as for single family residences. SROs are governed by Moraga Municipal Code, section 8.148.80 It reads:

The land use restrictions in this title are not intended to prevent a person who owns or occupies a residential structure from providing a room or a room and meals to one or more unrelated persons so long as the following conditions exist:

- A. The total number of unrelated persons occupying the residence, when added to those occupying it who are related, does not exceed the number of occupants for which the residence was designed;
- B. The number of vehicles maintained at the residence is comparable to the number maintained at other residences in the neighborhood and does not create traffic or parking (on street and off street) which is greater than that associated with the strictly residential use of the premises;
- C. There is no alteration of the structure which permits it to function as a second living unit with separate kitchen facilities. (Prior code § 8-2708)

Moraga has a new program in this housing element to expand awareness about the right to rent rooms in a house.

Other opportunities for very low and extremely low income residents include second units, Section 8 vouchers used in rental housing, and transitional and supportive housing.

Assisted Multi-family Development At-Risk of Conversion

A search of federal, State, and local records uncovered no assisted multi-family rental developments that could convert to market rate housing within the next ten years. One assisted

project, Moraga Royale, a 95-unit assisted senior development, was assisted with a tax-exempt bonds issued by Contra Costa County. Under a regulatory agreement signed in 1985, the project owner set aside 20 percent of the units for low income seniors. Once the tax-exempt bonds were redeemed, the project subsidy terminated and the project owner was under no further obligation to set aside 20 percent of the units for low income seniors. The regulatory agreement expired October 1997.

Farmworker Housing

Studies that accurately document farmworker numbers are few. Estimates place the number of farmworkers in the United States at three to five million, including men, women, teenagers, and children who are working in the fields and packing houses (Farmworkerhealth.org). The farmworker population is estimated to be 84 percent male and 16 percent female. Male farmworkers are typically single or migrating without their families.

There is no significant farming in Moraga. There are a number of recreational produce or wine growers operating on small lots of less than five acres. The people involved with this scale of production generally have full time employment and do not hire employees.

There are three ranches in Moraga, but these use family members for all their labor (source: John Hoover of Hoover ranch). Additionally, there is one small orchard in town.

The 2000 US Census found that there was no farmworker housing in Moraga. However, the Census estimated there were 17 farmers or farm managers and seven farming/fishing/forestry workers.

H. ABAG Housing Needs Determination

In May 2008, Association of Bay Area Governments (ABAG) adopted a new regional housing allocation (RHNA) plan for the 2007-2014 planning period based on a regional need of 214,500 units.

The final RHNA calculated by ABAG determined the Town of Moraga's share of the nine-county Bay Area new housing construction need at 234 dwelling units between 2007 and 2014. The Town's assigned share was based on additional households expected to reside in the Town, employment trends, access to transportation and other infrastructure, unmet needs among current residents who did not have affordable housing, and the replacement of older homes expected to be demolished during the seven-year period, among other factors.

Figure 5-18 summarizes the current allocation used to establish housing need in the Town's Housing Element, by income category.

Figure 5-18. 2007-2014 ABAG Housing Needs Estimate, Pre AB 1233 Adjustments

Income Group	#	%
<i>Very Low-Income</i>	73	31%
<i>Low-Income</i>	47	20%
<i>Moderate-Income</i>	52	22%
<i>Above Moderate-Income</i>	62	26%
TOTAL	234	100%

Adjustments to RHNA

A recent State law, AB 1233, required jurisdictions that did not complete programs related to making sites available for housing to complete those programs in the first year of the new housing element cycle (June 30, 2010 for Moraga). In shorthand, the RHNA is effectively increased in some cases if programs were not implemented.

While the Town made significant progress towards completing the Moraga Center Specific Plan (Implementation program K-1) the necessary rezoning is not expected to happen until January 2010. Figure 5-19 shows the AB 1233 related carryover requirements.

Figure 5-19. AB 1233 Carryover Requirements

	Very Low	Low	Moderate	Above Moderate
1999 RHNA	32	17	45	120
Units constructed	21	0	0	67
Previously identified sites currently available	0	0	0	190 (Palos 123 and Country Club 67)
Carryover - Remaining Need from 1999-2006	11	17	45	N/A

The new RHNA is summarized below in Figure 5-20. Rezoning for a portion of the need must happen in the first year. This is not a problem because the rezoning associated with the Moraga Center Specific Plan is expected to be completed before the June 2010 deadline.

Figure 5-20. Adjusted RHNA 2007-2014

Income Group	#	%
<i>Very Low-Income</i>	84	27%
<i>Low-Income</i>	64	21%
<i>Moderate-Income</i>	97	32%
<i>Above Moderate-Income</i>	62	20%
TOTAL	307	100%

V. EVALUATION OF ACCOMPLISHMENTS

A. Housing Production

Although housing production has been slow in recent years, Moraga has set the stage for several new developments. In particular, the Town recently approved a development plan for the 123-unit Palos Colorado project.

The town has been working steadily since 2003 on the Moraga Center Specific Plan which will allow approximately 560 housing units in and around a mixed use development. The planning effort has required considerably more study than was initially anticipated. Additionally, it took considerable time to do the necessary public outreach and communication with the property owner to ensure that everyone's needs were understood and met.

Table 5-21 summarizes housing production in Moraga from 1999 to 2007. The 20 very low income units from 1999 and 2000 were produced by Saint Mary's College for faculty/student housing. These townhouses have kitchens, baths and bedrooms and therefore meet the census definition of a housing unit. Moraga surveyed the College when they were first constructed and the college reported renting them out at \$400 a month, which was affordable to extremely low income households. (They currently rent for \$7,500 for the nine-month academic year.) The one unit from 2005 was a secondary unit.

Figure 5-21. Summary of Housing Production (1999-2006)

	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
1999	10	0	0	44	54
2000	10	0	0	8	18
2001	0	0	0	4	4
2002	0	0	0	1	1
2003	0	0	0	1	1
2004	0	0	0	1	1
2005	1	0	0	6	7
2006	0	0	0	2	2
Total produced compared to identified need	21 of 32 (66%) Occupied or under construction	0 of 17 (0%) Occupied or under construction	0 of 45 (0%) Occupied or under construction	67 of 120 (56%) Occupied or under construction	88 of 214 (41%) Occupied or under construction

B. Additional Objectives (1999 – 2006)

The Town of Moraga established quantified objectives in six program areas for the production of additional housing affordable to low and moderate income households. Several of the programs established a single objective for low and/or moderate income housing, so it is not possible to evaluate the Town's accomplishments with respect to the four income groups represented in the Town's regional housing needs allocation (very low income, low income, moderate income, and above moderate income). Figure 5-22 summarizes the quantified objectives contained in the 2002 Housing Element in relation to actual accomplishments.

The quantified objectives in Figure 5-22 represent the expectations for new housing that were identified in the last housing element. The quantified objectives are based on the implementation programs, the development potential of vacant and underdeveloped sites, and general market conditions. The quantified objectives were created to evaluate the potential effectiveness of the Housing Element.

The Town was most successful in attracting new development, see above, but did not succeed in rehabilitating substandard units, providing homebuyer assistance, or increasing the number of Section 8 vouchers. The primary obstacle was limited staff time and limited funding.

Figure 5-22. 1999-2006 Housing Element Objectives and Achievements

	Very Low		Low		Moderate		Above Moderate		TOTAL	
	Obj.	Result	Obj.	Result	Obj.	Result	Obj.	Result	Obj.	Result
Housing Construction	30	21	25	0	50	0	120	67	225	88
Housing Rehabilitation	2	0	3	0	0	0	0	0	5	0
Homebuyer Assistance	0	0	5	0	10	0	0	0	15	0
Renter Assistance (New Section 8)	5	0	0	0	0	0	0	0	5	0
RHND³ Share/New Units	32	21	17	0	45	0	120	67	214	88

³ Regional Housing Need Determination (RHND), as determined/approved by the Association of Bay Area Governments in accordance with State housing law

C. Evaluation of Policies and Programs under the 2002 Housing Element

2002 Housing Element

The 2002 Housing Element contained 19 Action Programs to be implemented by the Town and other public agencies. Moraga groups its implementation programs into one section of the General Plan, but the relevant items are reprinted here. Figure 5-23 summarizes the action programs and a brief evaluation of results and Figure 5-24 provides more in-depth descriptions.

Figure 5-23. 2002 Housing Element Action Programs – At a Glance

IP-A1	General Plan Diagram. Use the General Plan Diagram to guide land use planning activities in the Town and its Sphere of Influence area...	Ongoing. Circulation plans updated in 2007.
IP-B1	Zoning and Subdivision Ordinances. Revise the Town's Zoning Map, Zoning Ordinance and Subdivision Ordinance...	Ongoing. See notes about Moraga Center Specific Plan. Expected completion in 2009.
IP-B3	Condominium Conversions Ordinance. Revise the Condominium Conversion Ordinance to exempt limited equity residential cooperatives that meet certain conditions...	Ongoing. See notes about Moraga Center Specific Plan. Expected completion in 2009.
IP-C1	Development Review. Undertake development reviews to ensure compliance with applicable local, regional, State, and federal laws and adopted policies...	Ongoing.
IP-C3	Design Review. Submit all applicable development proposals to the Design Review Board...	Ongoing. New design guidelines adopted in 2007.
IP-D2	Building Inspection, Code Enforcement and Hazard Abatement. Encourage the County to continue to respond to complaints of substandard property conditions...	Ongoing. One stop shop created in 2007.
IP-E2	Review and Update Residential Design Guidelines	Updated July 2007. The residential and multi-family design guidelines were completely revised in 2007 in accordance with the Housing Element. Ongoing.
IP-E3	Review and Update Multi-Family Residential Design Guidelines	Updated July 2007. The residential and multi-family design guidelines were completely revised in 2007 in accordance with the Housing Element. Ongoing.
IP-E5	Public Safety Guidelines. Develop planning and design guidelines for implementation of design ideas that can help prevent or reduce crime...	Police and fire departments are consulted for new developments.
IP-G1	Vacant Land Inventory. Maintain and update an inventory of vacant and under-utilized parcels...	Ongoing. Available at Town offices.
IP-H1	Regional Housing Need. Continue to zone sufficient sites to meet Moraga's regional share of housing need...	Ongoing. See notes about Moraga Center Specific Plan.
IP-H2	Housing Partnerships. Work...with stakeholders to develop new affordable housing...	Ongoing. For example, Specific Plan calls for teacher and student housing.
IP-H3	Housing Rehabilitation Program. Participate in the County Housing Authority's Housing Rehabilitation Program...	To be implemented in 2009.
IP-H4	Affordable Housing Subsidies. Seek to increase the availability of State and federal subsidies for affordable housing...	Not completed.
IP-H5	Affordable Housing Trust Fund. Establish an Affordable Housing Trust Fund...	Not completed.
IP-H6	Homeless Services and Referral. Provide referrals to private and	Ongoing. Very small demand.

public agencies...

IP-H7	Equal Housing Opportunities Coordinator and Information. Facilitate fair and equal housing opportunity...	Ongoing. Pamphlet still needs to be developed.
IP-H8	Nondiscrimination Clauses. Continue to provide nondiscrimination clauses in rental agreements and deed restrictions...	Ongoing.
IP-H9	Accessible Housing Information and Referral. Provide information to developers, homeowners and other interested parties on the needs and techniques for producing adaptable and accessible housing for people with disabilities...	Ongoing. Developers have generally not expressed an interest in this information.
IP-K1	Moraga Center and Rheem Park Area Specific Plans. Undertake a coordinated specific plan process to address planning issues in the Town's two centrally located mixed use areas...	Moraga Center Specific Plan is nearly complete. Rheem Park Area Specific Plan is in the early stages.
IP-L10	Coordination with Saint Mary's College. Work collaboratively with Saint Mary's College...	Ongoing.

Figure 5-24. 2002 Housing Element Action Programs

IP-A1 General Plan Diagram

Use the General Plan Diagram to guide land use planning activities in the Town and its Sphere of Influence area. Use the Circulation System of the General Plan Diagram to guide activities related to goods movement, emergency vehicle routes, street closures and other activities that affect the transportation system, local businesses and residents. Review and update the General Plan Diagram as part of the annual General Plan review process.

Evaluation

This implementation program is ongoing. No changes in the General Plan Diagram are requested at this time. Emergency vehicle routes were reviewed in 2007 as part of the Lamorinda Emergency Preparedness Program. New emergency vehicle routes were also approved in the Palos Colorados project in 2007 and are under consideration for the Bollinger Canyon area. The updated Emergency Preparedness Plan discusses vehicle and pedestrian routes for escape and shelter in place issues.

IP-B1 Zoning and Subdivision Ordinances

Revise the Town's Zoning Map, Zoning Ordinance and Subdivision Ordinance, as needed, to maintain consistency with the adopted General Plan and, specifically, to achieve the following:

- Incorporate the land use plans of the Moraga Center Area and Rheem Park Area Specific Plans, when completed. Until such time that the new specific plans are completed, the 1990 General Plan designations and existing zoning shall apply in the specific plan areas.
- Retain existing residential zoning and discourage non-residential uses in these zones.
- Provide for density bonuses in residential districts, consistent with State law requirements (California Govt. Code 65915).
- Continue to allow the renting of rooms/quarters in single family homes as a permitted use in single family zones.
- Permit emergency and transitional housing in the Community Commercial Zoning District.
- Continue to allow manufactured housing on single family lots if placed on permanent foundations and subject to compliance with Town Design Guidelines.
- Review the requirements for second units and implement changes, including permitting detached units under certain circumstances.
- Prohibit the creation of new non-MOSO lots unless the after-graded average slope of the proposed development area is less than 25 percent.

Evaluation

When the Specific Plan is adopted it will require implementation through the Municipal Code. Land use densities will be changed to conform to the approved plan. New development standards will be required for the new zoning districts. Currently, the maximum allowable residential density is six dwelling units per acre. In the Specific Plan area, however, the Town is considering a maximum density of up to 24 dwelling units per acre. If this higher density is approved by the Town it will need to be implemented through the zoning ordinance in the Municipal Code.

The Moraga Center Specific Plan has taken longer than anticipated to complete because several additional studies were needed. Specifically, more extensive traveling modeling was required to ensure that the plan did not exceed peak hour, peak direction traffic limits. Additionally, two economically viability studies (one more general and one more specific) and a park and recreation study were completed. Finally, the process took longer because the Town wanted to work closely with the property owner to understand their goals and needs.

IP-B3 Condominium Conversions Ordinance

Revise the Condominium Conversion Ordinance to exempt limited equity residential cooperatives that meet all of the following requirements to the extent necessary to comply with State Law:

Minimum of 20 percent of the units as housing affordable to very low to moderate income households,

Resale controls to assure long term affordability of the low and moderate income units,

Right of first refusal of purchase of units by occupants, and

Relocation assistance to low or moderate income households who are unable to afford the purchase of units that are converted.

Evaluation

As noted above, changes in the zoning code will be required to implement the Specific Plan. This program will be implemented at the same time as these changes as both the Specific Plan and this program relate to affordable housing.

IP-C1 Development Review

Undertake development reviews to ensure compliance with applicable local, regional, State, and federal laws and adopted policies. Ensure that developers contribute funding for on-site and off-site improvements that mitigate impacts of development.

Specifically, review development proposals to ensure:

Neighborhood Quality. Continue to examine site and building plans to ensure that layout and design meet Town objectives for neighborhood quality (including minimizing burglary, vandalism, and other crimes).

Performance Standards. Ensure that one or more of the following conditions will be met:

Performance standards will be maintained consistent with adopted mitigation programs following project occupancy;

Additional mitigation measures are available and will be required of the project sponsor in order to insure maintenance standards; or

Capital projects planned by the Town or special districts will result in the maintenance of standards. Improvements should be in place at the time of project implementation.

Acceptable Noise Levels. Discourage the siting of residences adjacent to major arterials unless noise can be reduced to acceptable levels, consistent with State law. Encourage designs that orient sensitive portions of buildings away from noise sources, utilize the natural terrain to screen structures from major arterials or other noise sources, and use appropriate design techniques to reduce adverse noise impacts.

Solar Access. Discourage the design and siting of buildings in a manner that may reduce solar access for adjacent buildings or properties.

Emergency Response. Appropriate consideration of emergency response planning.

Fire Prevention. Appropriate fire prevention measures, including fire protection systems and fire-retardant roofs in accordance with adopted ordinances and standards.

Safe Subdivision Design. Subdivision design and platting of each parcel so that there is a safe building location.

Slope Stability. Location of development in the most stable portion of each subdivision and/or parcel, with a statement from the project engineering geologist and geotechnical engineer to this effect, subject to review of the Town's consulting geotechnical engineer and engineering geologist.

Seismic Safety. Design and construction according to the seismic standards of the latest edition of the Uniform Building Code, with public buildings, multi-story buildings, office and commercial buildings, and public infrastructure designed to the highest feasible standards of seismic design by a structural engineer according to expected levels of seismic shaking, with review by a qualified structural engineer.

Evaluation

This implementation program is ongoing. Implementation examples are provided below:

Neighborhood Quality. All applications for design review require consideration of neighborhood factors prior to approval. In order to approve an application for design review the Town must find:

1. The proposed improvements conform with good design as set forth in the Town of Moraga Design Guidelines, and in general contributes to the character and image of the town as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality.

The proposed improvement will not have a substantial adverse affect on neighboring properties or the community due to poor planning; neglect of proper design standards; or the existence of building and structures unsuitable to and incompatible with the character of the neighborhood and the character of the community.

The proposed improvement will not lower property values; discourage the maintenance and improvement of surrounding properties; or preclude the most appropriate development of other properties in the vicinity.

The proposed improvement will not impair the public health, safety or welfare.

Performance Standards. In part to improve monitoring of conditions of approval, the Town is now using Town employees as inspectors especially with respect to grading and erosion control.

Acceptable Noise Levels. The Town has conditioned the location of certain noise generating devices such as air conditioning condensers and pool equipment to reduce noise impacts on neighbors to an acceptable level.

Solar Access. Consideration for solar access occurs through the design review process as well as the subdivision process.

Emergency Response and Fire Prevention. All applications for subdivision or design review are made available to the Fire Department. Fire Department conditions of approval are incorporated into the Town approval process.

Safe Subdivision Design. The Town employs the expertise of consulting engineers in subdivision design.

Slope Stability. The Town employs the expertise of consulting geologists and geo-technical engineers in applications for slide repair or hillside development.

Seismic Safety. Applications for building permits are reviewed in accordance with the seismic standards of the latest edition of the Uniform Building Code.

IP-C3 Design Review

Submit all applicable development proposals to the Design Review Board to ensure consistency with the design goals and policies of the General Plan and the Town Design Guidelines.

Evaluation

This implementation program is ongoing. In 2007, the Town Council adopted new Design Guidelines for the Town which included Green Building Guidelines for new residences in new subdivisions. In 2008, staff processed 27 applications for Design Review Board approval and 53 applications for administrative design review approval.

IP-D2 Building Inspection, Code Enforcement and Hazard Abatement

Encourage the County to continue to respond to complaints of substandard property conditions by inspecting properties and enforcing applicable building, health and safety codes. Regularly inform elected and appointed officials regarding code compliance and enforcement issues.

For critical structures and development in risk areas, encourage the County to implement a proactive program of building inspection, code enforcement, and hazard and nuisance abatement. Specifically:

Substandard Structures. Inspect and vacate or condemn structures that are damaged or are in imminent peril, using public nuisance abatement powers.

Hazards in Town Buildings. Reduce non-structural hazards in all Town buildings.

Continuing Education for Seismic Safety. Require inspectors to attend continuing education programs to ensure their familiarity with principles of seismic design and with seismic code requirements.

Grading and Foundation Inspections. Establish inspection procedures to ensure that all grading and foundation work is observed and documented at specific critical stages. For sensitive sites, require periodic grading and foundation inspection by the Town's engineering geologist and/or geotechnical engineer.

Inspection of Critical Public Buildings. For particularly critical public buildings, require periodic inspection by the Town's structural engineer for seismic safety.

Evaluation

This implementation program is ongoing. In August 2007, Jeff Keebler, a Building Inspector from Contra Costa County, moved his office to the Planning Department and joined Town staff. The objective was to create a 'one stop shop' for the community with planning, engineering, and building all in one convenient location. Staff work and communicate regularly with Greg Wixom, the Town's Contra Costa County Code Enforcer, in order to keep property conditions standard and code compliant. Town staff also continue to respond to complaints of substandard property conditions by making site visits, writing code enforcement letters, and, if necessary, employing the hazard and abatement processes.

IP-E2 Review and Update Residential Design Guidelines

Review and update design standards and guidelines to address residential design issues in existing and potential future single family residential developments, including:

- *Subdivision Design* to encourage lot and street configurations adapted to topography and natural features.
- *Street Design* to discourage closed loop streets.
- *Landscape Character*, to encourage street trees and landscaping and retain significant views, with provisions for drought-tolerant species, use of recycled water, and other water conservation measures.
- *Pedestrian Environment* to create interconnected sidewalk/pathway linkages to adjacent neighborhoods, commercial centers and community facilities such as parks and schools; provide for pedestrian-oriented lighting; and, where feasible, encourage landscape strips between the sidewalk and curb to buffer pedestrians from automobiles.
- *Home Design* to encourage home designs that are consistent with existing residential character, with appropriate height, scale and setback requirements; and to discourage the visual dominance of garages on streets by limiting the frontage (by percentage and by location) occupied by garage doors.
- *Energy Efficiency* to encourage home designs and retrofitting conserve energy through use of active and/or passive solar energy systems, ceiling insulation, ceiling fans, low-energy appliances, and/or other measures.
- *Equipment Screening* to encourage appropriate screening of mechanical equipment, solar collectors, satellite dishes, communication devices and similar devices, with special attention given to buildings whose roofs are viewed from higher elevations.
- *Infill Development* to promote more sensitive building additions and infill projects that preserve the scale and character of the existing neighborhood. *Public Places* to provide facilities and amenities appropriate to the neighborhood, such as neighborhood parks, childcare centers, schools and churches, ensuring appropriate siting and design.
- *Clustering* to preserve natural features and open spaces and minimize grading.
- *Landscaping in Hillside Areas* to address issues such as fire resistance, erosion control, drought tolerance, and visual buffering for privacy.
- *Estate Housing* to address issues specific to large-lot developments in outlying areas.

Evaluation

Updated July 2007. The residential and multi-family design guidelines were completely revised in 2007 in accordance with the Housing Element.

IP-E3 Review and Update Multi-Family Residential Design Guidelines

Review and update design standards and guidelines to address issues specific to the planning, design and management of multi-family residential developments, including:

- *Site Design* to encourage developments that are oriented towards the public street rather than to an internal parking area.
- *Density and Housing Type Mix* to encourage a variety of housing types and discourage too high a concentration of any one unit or building type in a single area.
- *Building Design* to encourage buildings that reflect the scale and quality of their surroundings and which fit the character of existing residential neighborhoods.
- *Landscaping* to encourage developments that blend with the natural setting, with provisions for drought-tolerant species and fire resistive plant species, use of recycled water, and other water conservation measures.
- *Sense of Entry and Individuality* to provide a public entry point and a 'sense of address' toward the street or directly to an open space on the site.
- *Outdoor Spaces and Amenities* to encourage garden spaces and outdoor play spaces on the site.
- *Pedestrian Environment* to create a place where it is pleasant and safe to walk, orienting buildings towards public sidewalks and providing yards and landscaped setbacks.

Evaluation

Updated July 2007. The residential and multi-family design guidelines were completely revised in 2007 in accordance with the Housing Element.

IP-E5 Public Safety Guidelines

Develop planning and design guidelines for implementation of design ideas that can help prevent or reduce crime (e.g., through attention to sight-lines to front doors and windows and from front windows to the street).

Evaluation

This is an ongoing program. The Police Department has been involved with current development planning regarding traffic and crime prevention issues in developments. The Police Department will provide ongoing POST training to interested officers in this field as classes become available.

IP-G1 Vacant Land Inventory

Maintain and update an inventory of vacant and under-utilized parcels in the Town, including an assessment of their potential development capacity.

Evaluation

This implementation program is ongoing. There is paper-based list that is available for the public, which is updated as needed.

IP-H1 Regional Housing Need

Continue to zone sufficient sites to meet Moraga's regional share of housing need as established by the Association of Bay Area Governments Regional Housing Needs Determination for the period 1999 through 2006.

Evaluation

This implementation program is ongoing. With the completion of the Moraga Center Specific Plan in January 2010 and the Housing Element, the Town will have a strong foundation.

IP-H2 Housing Partnerships

Work with Saint Mary's College, the Moraga School District, affordable housing developers, and other groups and organizations to define opportunities for collaboration in the development of new affordable housing to meet the needs of local employees and special needs populations. Identify potential sites, financial resources and regulatory mechanisms to facilitate the development of new units that can help meet the Town's 'fair share' housing requirements.

Evaluation

This implementation program is ongoing. One accomplishment is the creation of 20 affordable town houses. There is a council subcommittee that meets regularly with college representatives. Also, there is an annual Town/Gown breakfast where town council, school district, other local leaders meet with the College. Regular contact occurs with the College's director of community and government affairs. Collaboration will be increased through the completion of the Moraga Center Specific Plan.

IP-H3 Housing Rehabilitation Program

Participate in the County Housing Authority's Housing Rehabilitation Program which provides low interest loans for the rehabilitation of homes owned or occupied by very low to moderate income households. Improve citizen awareness of this rehabilitation loan program by making pamphlets on this program available at the Planning Department and the public library.

Evaluation

A plan to increase citizen awareness will be implemented in 2009.

IP-H4 Affordable Housing Subsidies

Seek to increase the availability of State and federal subsidies for affordable housing in Moraga through the following actions:

Petition the County Housing Authority for additional Section 8 subsidies if rental dwelling units can be located that are within federal fair market rent guidelines. If necessary, collect documentation on rent levels and need to substantiate an increase in the number of Section 8 certificates or vouchers.

Assist developers in accessing funding for the construction of senior housing or other low or moderate income housing for which State or federal subsidies are available.

Participate in future issuances of mortgage revenue bonds or mortgage tax credit programs by Contra Costa County to support home ownership opportunities for low and moderate income Moraga residents.

Support a waiver exemption of Lamorinda Fee and Financing Authority (LFFA) Impact Fees for affordable housing development.

Encourage future development to consider a fair share affordable housing component for workforce housing.

Evaluation

The methods most likely to be pursued in Moraga are LFFA fee waivers and workforce affordable housing. The other methods require expertise beyond that of the current staff. The required expertise could be provided by consultants should an appropriate project be proposed in Moraga.

IP-H5 Affordable Housing Trust Fund

Establish an Affordable Housing Trust Fund to which financial contributions can be directed to support affordable housing development in Moraga. Establish procedures and criteria for determining how the Fund's proceeds are to be managed and expended to support affordable housing development in the Town.

Evaluation

The Town has not made significant progress with this item because of limited staff time and resources.

IP-H6 Homeless Services and Referral

Provide referrals to private and public agencies that offer assistance and shelter to homeless individuals and families, and participate with designated inter-agency organizations to address homeless needs.

Evaluation

This implementation program is ongoing. Demand for services has been very low.

IP-H7 Equal Housing Opportunities Coordinator and Information

Facilitate fair and equal housing opportunity by designating the Planning Director as the Town's Equal Opportunity Coordinator with responsibility to refer complaints to a district office of the California Department of Fair Employment and Housing. Provide information to the public regarding equal housing opportunity laws and the Town's Equal Housing Opportunities Coordinator. Prepare and distribute a pamphlet on equal housing opportunity to the public at Town Administration offices.

Evaluation

This implementation program is ongoing. The pamphlet still needs to be developed.

IP-H8 Nondiscrimination Clauses

Continue to provide nondiscrimination clauses in rental agreements and deed restrictions for affordable housing constructed pursuant to this Element.

Evaluation

This implementation program is ongoing.

IP-H9 Accessible Housing Information and Referral

Provide information to developers, homeowners and other interested parties on the needs and techniques for producing adaptable and accessible housing for people with disabilities. Encourage consideration of such techniques in both new and rehabilitated housing, and provide referrals for people with disabilities who desire specially designed housing to meet their needs.

Evaluation

This implementation program is ongoing. Developers have generally not expressed an interest in this information.

IP-K1 Moraga Center and Rheem Park Area Specific Plans

Undertake a coordinated specific plan process to address planning issues in the Town's two centrally located mixed use areas (the Moraga Center Area and Rheem Park Area, as shown on the General Plan Diagram) in accordance with the goals and policies of the General Plan.

Evaluation

This implementation program has been underway since fall 2002 for the Moraga Center Specific Plan. Since that time the Town has conducted numerous community outreach events and detailed traffic and economic studies. In June 2007, the Town Council approved a project description for the draft environmental impact report for the Moraga Center Specific Plan (MCSP) and held a hearing on the EIR in May, 2009. The plan will be ready for adoption in January 2010. The project description can be found on page 5-25.

The Rheem Park Area Specific Plan is still in the early stages and will move forward once the Moraga Center Specific Plan is adopted.

IP-L10 Coordination with Saint Mary's College

Work collaboratively with Saint Mary's College to:

Coordinate calendars of events.

Regularly communicate on plans in progress and upcoming opportunities.

Encourage Saint Mary's employees residing in Moraga to serve on local boards and committees.

Create a process to address proposals and issues of mutual concern in an expeditious manner.

Meet annually to review the progress of the approved Master Plan's implementation.

Discuss student housing needs and solutions, as needed...

The relationship between the Parks and Recreation Department and Saint Mary's College is improving as we work closer together. We continue to coordinate recreation endeavors that benefit both entities.

Evaluation

This implementation program is ongoing. Communication is increasing with Saint Mary's College regarding issues related to affordable housing and transit. The Town and the College have ongoing discussion regarding student safety and behavior in the Moraga Community. More work could be done to better coordinate our calendars of events. The Town coordinated implementing a party ordinance in conjunction with the College to ensure safety and privacy in residential neighborhoods. Further, the Town Planning Department worked collaboratively with the College to install a new sign at their Extended Education Building off Rheem Boulevard.

VI. NEW HOUSING

A. Available Land Inventory - Ability to Accommodate Regional Share

Subdivisions

This section contains an overview of land available for residential development. For a full list of parcels, please see Appendix B. For all of the units identified in this inventory there is or will be adequate sewer, water and electrical capacity.

Approved Subdivisions

There are several major subdivisions that have been approved and are ready with infrastructure, with a total of 201 units expected. The 123-unit Palos Colorados development (460 acres) was recently approved. These lots have infrastructure and have received all the discretionary review permits they need. It is scheduled to be single family homes that will sell for over \$2 million. Creating secondary units is an important priority for the Town and Palos Colorados was approved to have up to 30 secondary units and the developer believes the market will support building them. Future developments will likely have similar provisions.

The seven-acre, ten-lot Los Encinos development has been approved and the infrastructure improvements are in place. The individual houses will need to go through design review and secure building permits.

The 19-acre, 68-lot County Club Extension was approved, but the units will need to go through design review and secure building permits. Additionally, all of the subdivision improvements are in place.

Subdivisions with Applications Pending

There are many additional lots, which can accommodate hundreds of housing units, that are zoned for housing and are in various stages of the subdivision process. Some of these parcels are just beginning the development approval process and others are farther along. Some of the pending subdivisions include:

- Rheem Valley Estates – 17 units
- Rancho Laguna – 27 units
- Bollinger Canyon – 126 units

Because the time involved for approval and construction, the Town is not claiming any of these lots in the adequate sites analysis. See Appendix B for more information.

Individual Lots or Potential Subdivisions

There are a number of lots spread throughout the town that are suitable for development. Many of these are relatively large, but have growth controls that limit the number of units (see the constraints section). The Town estimates that there are approximately 334 units that can be developed on 30 plus parcels. These parcels are listed in Appendix B, and are not claimed in the available land inventory.

Secondary Units

The recently approved Palos Colorados development will have up to 30 secondary units. While the Town will continue to encourage new subdivisions to have secondary units, only 30 units are claimed for the purposes of meeting the RHNA number. The Town is taking the conservative approach of claiming seven of these units will be affordable to extremely low/very low income households, eight will be affordable to low income households, seven to moderate income households and eight to above moderate income households. See pages 27 to 29 for more information.

Moraga Center Specific Plan

Much of the demand for new housing will be met through the Moraga Center Specific Plan, described in the background section (Section IV, E). The Specific Plan covers fourteen parcels on 187 acres, and will accommodate up to 630 units. In addition to the housing, the Specific Plan calls for up to 90,000 square feet of new retail and entertainment space along with up to 50,000 square feet of new office space.

The complementary retail and residential land uses to be developed in the central part of the plan area will create an attractive, pedestrian-friendly village environment. Given that approximately 50 percent of the MCSP area is currently vacant land, the plan is as primarily an urban infill project, wherein available, vacant land will be put to productive, complementary use within the existing framework of land uses and circulation. The key natural feature in the plan area - Laguna Creek - will be visually accessible to residents and visitors, while its natural course and conditions will be maintained.

As shown in the illustrative land use and circulation plan (photo 2), the MCSP area is bounded to the north by residential development and to the east by the Moraga Commons Park and recreational area as well as additional residential development. Residential development also abuts the southern and western boundaries of the area. Significant features within the area are the Moraga Center commercial complex and other retail and service facilities including offices and financial institutions. The area is served by County Connection bus service with direct service to the Orinda Bart Station which is 4.8 miles from the intersection of Moraga Way and Moraga Road, the two principal roads serving the area.

Because of potential site constraints and market variability, the Town is only claiming 393 units as part of its available sites inventory. Approximately 228 of these are zoned at 20 units per acre or more. There will be a number of different types of housing in this plan, described below.

See the photos below for more information and see page 99 for parcel by parcel analysis.

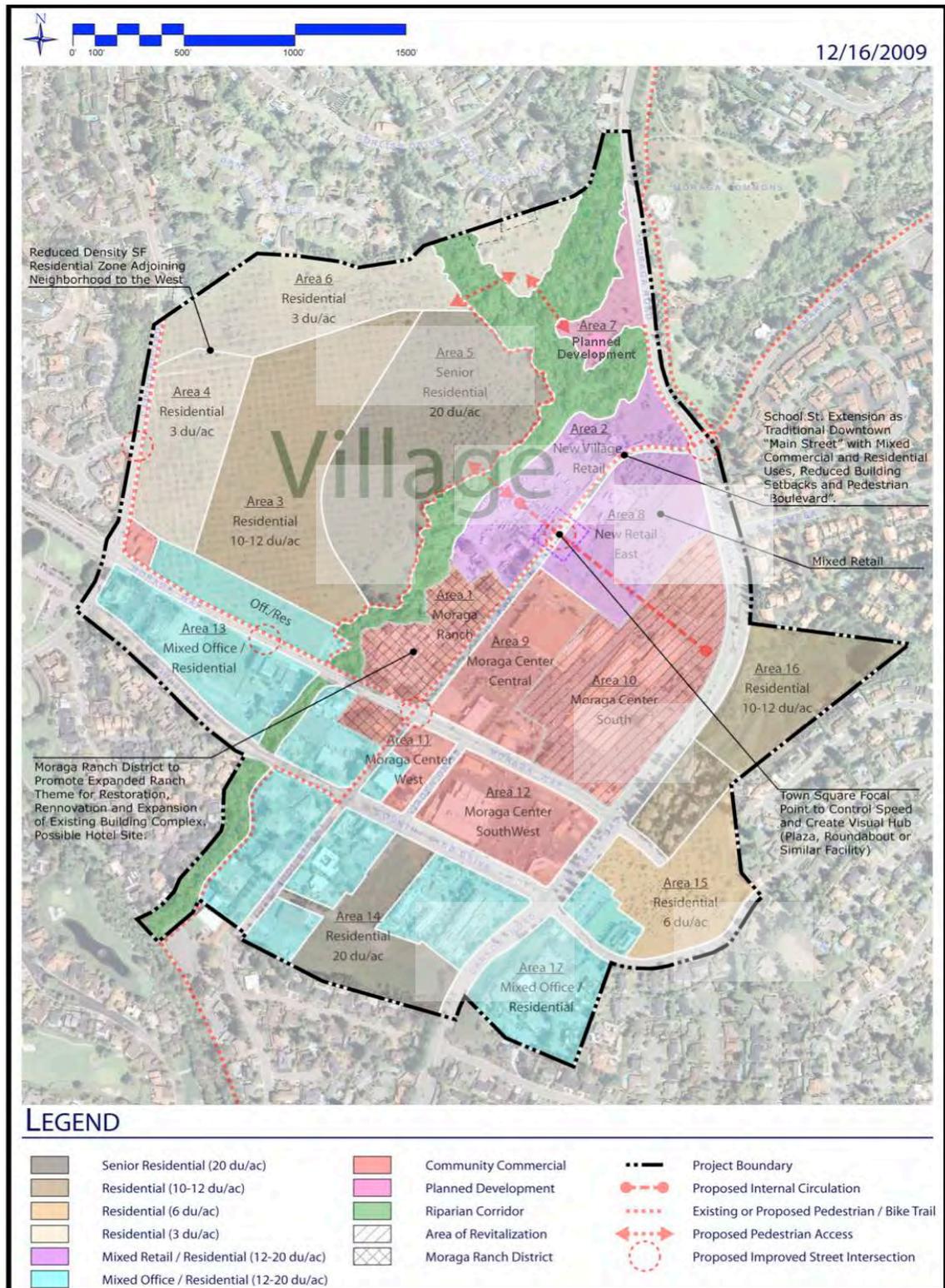
Photo 1. The site in its current condition.



Moraga Center Specific Plan
VIEW LOCATOR

digital imaging studio at Dahlin Group 

Figure 4-2: MCSP Illustrative Land Use and Circulation Plan



Photos 3 and 4. Photos and renderings of site current and proposed.



**Moraga Center Specific Plan
View-01 Existing From Sandringham Drive**

digital imaging studio at Dahlin Group 



**Moraga Center Specific Plan
View-01 Conceptual From Sandringham Drive**

digital imaging studio at Dahlin Group 

Photo 5. Active Senior Housing.



**Moraga Center Specific Plan
View-09 Conceptual**

digital imaging studio at Dahlin Group 

Workforce Housing

Approximately 16.3 acres will be zoned for mixed use commercial/housing or retail/housing, which will result in an anticipated 80 units of workforce housing (or up to 100 with density bonuses). The mixed use zoning associated with the mixed use office or mixed use retail zones permits up to 20 units per acre (up to 25 with density bonuses), with a minimum of 12 units per acre.. All of the workforce units are available to everyone.

The workforce housing may be built in addition to the 140,000 square feet of commercial space that is permitted on the site. Specifically, there is cap on the amount of commercial/residential office that can be built, and the residential may be built in addition to this cap. Based on the zoning rules, which are still in draft form, it will be possible to build both the maximum amount of commercial space, and the identified levels of housing.

Senior Housing

The Specific Plan also addresses the need for senior housing in Moraga with up to 490 units at a maximum density of 20 units per acre (higher with a density bonus) or 30 dwelling units per acre for a senior project. There are approximately 24 acres of this zoning. With a minimum density of 20 dwelling units per acre for projects in the ministerial designated site area, active senior units in this area would also address part of the Town's fair share of affordable housing. These active senior units are in addition to a maximum of 150 units/rooms for assisted living/congregate care. The town is not claiming any of the congregate care/assisted living units for the purposes of meeting the RHNA number.

Single Family Homes and Town Homes

The Specific Plan also contemplates up to 245 single family homes primarily between Camino Ricardo and the creek. Careful siting and clustering of dwelling units in this area may be employed to preserve portions of the existing orchard. Of these units, 180 would be moderate density single family homes or town homes (10-12 units per acre, 17 acres). An additional 65 would be lower density single family homes (24 acres). These housing units, in close proximity to the proposed Village center, will support the Town Center and reduce the number of vehicle trips needed to access local-serving amenities. According to the analysis in the affordability trends section, pages 5-30, at least 30 percent of the compact single family homes will likely be affordable to moderate income residents.

Infrastructure and Feasibility

Most infrastructure is in place for the Moraga Center Specific Plan, including adequate sewer, water and electricity. One of the limiting factors is the Lafayette Orinda Gateway Traffic levels as described in the 2002 General Plan, as well as the maximum housing figure of 630 as directed by Town Council. It is important that the associated traffic does not go above these levels. Because different types of housing have different traffic effect, the total maximum number of units is variable. For instance, senior, student and workforce housing will have fewer traffic effects, so if developers build more of these units, the total number of housing units will be higher. If developers build more single family houses, which generate more trips, the maximum number of units will be smaller.

The Town hired Economic and Planning Systems (EPS) to conduct a market assessment for the residential portion of the Moraga Center Specific Plan. (A separate firm studied the commercial market assessment). EPS found a strong demand for new housing, raising no concerns about the feasibility of the Specific Plan. The 630 unit proposal (of which 393 housing units are assumed for the available land inventory) is a likely scenario as studied in the Moraga Center Specific Plan.

Development Standards

The ordinance calls for the development of six acres at a minimum density of 20 dwelling units per acre plus applicable density bonuses consistent with State law and a maximum density of 30 dwelling units per acre. This new district calls for the ministerial review of exclusively residential housing projects on a minimum three acre project site. Development under this ordinance would be allowed on the site near Aegis (between County Club Drive, School Street and Canyon Road) and/or on the site in the orchard across the creek from the shopping center. In addition, the Moraga Center Specific Plan calls for the development of up to 100 mixed use units at a density of 20 dwelling units per acre within the shopping center. Together, the minimum 120 units from the exclusively residential ministerial zone and the 100 mixed use units at a density of 20 DUA would provide for 220 units at a density of 20 DUA. This number exceed the number of lower income units that needs to be provided in the community.

Specifically, the by-right provision reads, “The planning director shall approve an application and issue a permit in the 20 Dwelling Unit Per Acre Residential District if all of the requirements of this Chapter have been satisfied. The planning director shall deny an application for a permit in the 20 Dwelling Unit Per Acre Residential District if the requirements of this Chapter have not been satisfied.”

Nonresidential Uses

The MCSP calls for a mix of residential and nonresidential uses. Specifically, it calls for the development of up to 140,000 square feet of new commercial space including 50,000 square feet of office space and 90,000 square feet of new retail space. The existing vacant land within the Moraga Center Specific Plan is more than adequate to accommodate all of the potential commercial development on a single floor. Because the land is zoned for two or three stories, any second and third floor development will be residential. In other words, it is possible for a development to reach the maximum permitted nonresidential square footage and still have potential for more development, but this development would be limited to residential. If 100 dwelling units were developed above the proposed commercial space each unit could contain approximately 1,050 square feet assuming approximately 25 percent of the floor area was required for circulation and common areas. (140,000 square feet times 75 percent usable for habitation equals 105,000 square feet divided by 100 units equals 1,050 square feet per unit.

Mixed Use and Underutilized Sites

All of the housing parcels are entirely vacant, except for one which is mostly vacant. The Town is taking a number of steps to promote development/redevelopment of these properties. The Town has worked closely with the property owner throughout the process and has reached mutually acceptable development standards that will promote development. These include by-right zoning on six acres, as well as flexibility to transfer this zoning to other parcels if market

conditions require it⁴. Also, the Town has completed a Program Level EIR for the MCSP. Future development that is consistent with the EIR (and where there are no project specific impacts) may rely on Program EIR to expedite the development process. Additionally, the MCSP area has been designated a potential Priority Development Area under the Focus program, and will become a Priority Development Area as soon as the Specific Plan is adopted.

Small Sites

All of the land zoned to accommodate new residential or mixed use development affordable to lower income households are sites that are six acres or larger. Furthermore, because all of the land is owned by one property owner, the sites can be combined and treated as a one larger site.

Units and Zoning

Town staff will continue to meet with representatives from Saint Mary's College to discuss opportunities for student and faculty housing within the MCSP and facilitate discussions between Saint Mary's and the owners/developers of the MCSP area to encourage joint efforts and cooperation between them in the provision of such housing. The Town will also seek input from the School District and other employers to determine the need for and market demand for workforce housing in the community in order to provide this information to potential developers.

As a part of negotiating a development agreement with the principal owners within the MCSP, the Town will pursue possible development impact fee waivers and other considerations in exchange for commitments from the owners to provide student, faculty and workforce housing within the MCSP area⁵. Development proposals that demonstrate that they will achieve the objectives of and comply with the MCSP will also receive priority in the development review process as a result of the prior analysis and approvals granted by the MCSP.

See the table on Page 5-95 for a parcel by parcel summary of anticipated units by type.

⁴ Specifically, the Town will allow an exchange of an alternate parcel for by-right zoning if the developer determines that the alternative parcel is more appropriate for that type of development. This is an accommodation put in place at the request of the property owners.

Figure 5-25. Residential Development Potential

Description	Very Low and Low	Moderate	Above Moderate	Total
<i>Approved subdivisions with infrastructure</i>	-	-	201	201
<i>Moraga Center Specific Plan</i>	148 senior 80 workforce housing	30 compact single family	70 compact single family homes 65 low density single family homes	393 148 senior 80 workforce 100 compact single family 65 low density single family
<i>Second Units</i>	15	7	8	30 second units
TOTAL	243	37 (plus remaining capacity from very low and low income)	274	624
<i>Adjusted RHNA</i>	148 (84 very low and 64 low)	97	62	307

B. Potential Non-Governmental Housing Constraints

Land Costs

The cost of improved land is one of the greatest impediments to the production of affordable housing in Moraga. A local real estate broker contacted by the Town (Wendy Holcenberg) stated that few developable lots come on the market, but when they do, their price is often expensive. A recent subdivision consisting of six large homesites was on the market for \$5 million. Lots on the market today range from \$675,000 to \$1,400,000. Even the cost of smaller parcels (quarter acre or less) creates an impediment to the production of affordable housing.

The combination of high land prices and expensive homes practically guarantees that homebuilders in Moraga will maximize their profits by constructing only high-priced single family dwellings. It does not make economic or business sense for a builder to construct a modest, entry-level home affordable to low or moderate income households on a lot that costs hundreds of thousands of dollars.

Some high-priced communities have attempted to accommodate affordable ownership housing in large, master-planned developments through an inclusionary housing agreement with the developer. This approach is not feasible in Moraga because there are no large parcels of sufficient size to make an inclusionary program financially feasible, and most remaining vacant residential land is located in hilly terrain that cannot support the high densities needed to make an inclusionary program work.

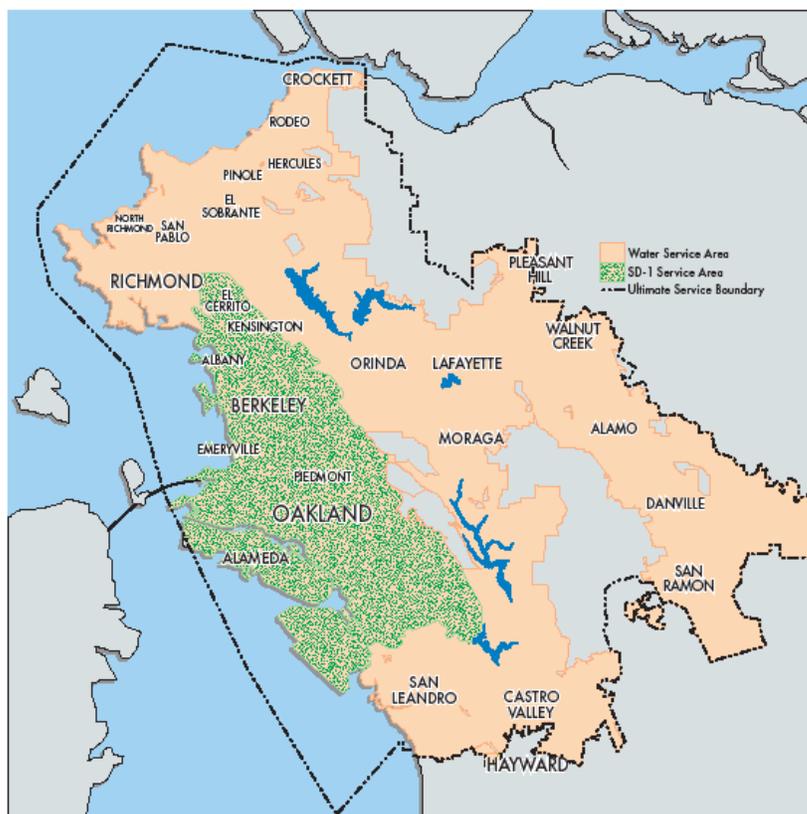
Although it does not appear feasible to construct single family dwellings for low and moderate income households in Moraga, absent a public subsidy of several hundred thousand dollars per unit, there may be an opportunity to create affordable multi-family housing in the commercial district. Moraga Center has vacant land of sufficient size and suitable characteristics to support

higher density multi-family housing. The Town has identified several sites suitable for a multi-family project that could include dwellings affordable to low income households.

Access to Water and Sewer

EBMUD's water system serves approximately 1.3 million people in a 331-square-mile area extending from Crockett on the north, southward to San Lorenzo (encompassing the major cities of Oakland and Berkeley), eastward from San Francisco Bay to Walnut Creek, and south through the San Ramon Valley. Parts of Moraga are in the current service area and parts are not, but the entire town is within the Ultimate Service Boundary. All of the units that the Town lists in its available sites inventory have sewer and water service.

 **East Bay Municipal Utility District Water and SD-1 Service Areas and Ultimate Service Boundary**



Construction Costs

With the exception of grading and foundation work on sloped sites, construction costs are no more expensive in Moraga than other Bay Area locations. Because Moraga's housing market is oriented to high-priced homes, however, builders tend to construct larger dwellings containing many upgrades to the standard tract home. Matt Branagh of Branagh Construction estimated the cost per square foot of a typical development at \$200 to \$250 for flat lots. If home sizes are

3,000 to 4,500 square feet, the construction cost of these homes will be between \$600,000 and \$1,125,000.

One factor that increases construction costs for some homes in Moraga is the need for special construction techniques oriented to sloped sites with potentially unstable soil conditions. Foundations and footings have to be installed that provide a stable construction base, which are more expensive than on gently sloping or flat sites. This hilly construction often adds approximately \$100 per square foot.

A more typical cost for a standard track home without upgrades would be \$200 per square foot. However, the high land costs, slope and soil conditions, and market conditions in Moraga make it unlikely that a homebuilder would construct modest homes priced for low or moderate income homebuyers.

Geologic Constraints

Unstable soils, steep slopes, landslide susceptibility, and other hazardous land conditions reduce the feasible development density of most residentially designated land, and thereby limit the number of new dwelling units that can be accommodated in the Town. These soil and slope conditions also increase land development and construction costs due to the extensive grading, soils analysis, and construction techniques that must be employed in the Town.

While not an impediment to providing market rate housing for upper income homebuyers, these geological conditions increase construction costs to the point of making affordable single family housing virtually impossible. Vacant land available on more gently sloped sites in the Town's commercial core would be more suitable for higher density multi-family housing.

Availability of Financing

Interest rates can dramatically affect housing affordability. In recent years, credit was widely available to many buyers but, since 2008, credit has been much more restrictive though interest rates have been low.

Historically, substantial changes in interest rates have correlated with swings in home sales. When interest rates decline, sales increase. The reverse has been true when interest rates increase. Over the past two decades, there has been a dramatic growth in alternative mortgage products, such as graduated mortgages and variable rate mortgages. These types of loans allow homeowners to take advantage of lower initial interest rates and qualify for larger home loans. Even during periods of high interest rates, these alternative products allow more buyers to qualify for homeownership, thus dampening the swings in home sales that accompany changes in interest rates.

Nevertheless, the fixed interest rate mortgage remains the preferred type of loan, especially during periods of low, stable interest rates. Most governmental programs that seek to increase homeownership among low and moderate income households rely on loan products that provide fixed interest rates below prevailing market rates, either for the principal loan or for a second loan that provides part of the down payment for home purchase. Many programs offer

deferred second loans to facilitate homeownership. Figure 5-26 shows the effect of different interest rates on monthly loan payments and total interest paid during the life of the loan.

Lowering the interest rate would have a marginal affect on housing affordability in Moraga. Low and moderate income households would not be able to purchase even the typical lower priced home in Moraga (approximately \$700,000) without subsidized interest rates and/or a large down payment from the sale of a previous home or other source. In order to bring the principal amount of the mortgage down to a level where they could afford the monthly payments, a lower income household (making \$66,000 a year) would have to make a down payment of approximately \$500,000 or more to purchase the a typical lower-priced home in the Town, while a moderate income household (making \$100,000 a year) would have to make a down payment of \$265,000 or more (assuming six percent interest, 30 year fixed rate loan, one percent property tax).

Figure 5-26. Monthly Payments and Total Interest at Various Interest

Interest Rate	15-Year Loan			30-Year Loan		
	Payment per \$10k	Total Interest Paid	% Difference Payment/Interest	Payment per \$10k	Total Interest Paid	% Difference Payment/Interest
6%	\$84.39	\$5,189	---	\$59.96	\$11,583	---
7%	\$89.88	\$6,178	6.5%/19.0%	\$66.53	\$13,950	11.0%/20.4%
8%	\$95.57	\$7,202	6.3%/16.6%	\$73.38	\$16,415	10.3%/17.7%
9%	\$101.43	\$8,256	6.1%/14.6%	\$80.46	\$18,966	9.6%/15.5%
10%	\$107.46	\$9,343	5.9%/13.2%	\$87.76	\$21,593	9.1%/13.9%

²² MortgageX.com mortgage calculator.

C. Potential Governmental Housing Constraints

Land-Use Controls

The Town has designated four zones in which residences are permitted uses by right and three zones in which residences are allowed with a conditional use permit. Figure 5-27 summarizes the development requirements in these zones. Multi-family housing is allowed by conditional use only in the Multi-family and, under special circumstances, Community Commercial districts.

The Town has the following Zoning rules:

Figure 5-27. Single Zoning Requirements

Zone	Minimum Lot Area	Minimum Frontage	Minimum Front Yard	Minimum Side Yard	Sum of Side Yards	Exterior Side Yard	Minimum Rear Yard
Zone 1 (1 DU/AC)	30,000 sq. ft.	140 feet	25 feet	20 feet	40 feet	25 feet	20 feet
Zone 2 (2 DU/AC)	20,000 sq. ft.	120 feet	25 feet	15 feet	35 feet	20 feet	20 feet
Zone 3 (3 DU/AC)	10,000 sq. ft.	80 feet	20 feet	10 feet	20 feet	15 feet	15 feet
R-15 ¹	15,000 sq. ft.	100 feet	20 feet	10 feet	25 feet	-----	N/A
Sanders Ranch	10,000 to 14,999 sq. ft.	80 feet	20 feet	10 feet ²	20 feet	15 feet	15 feet
and Moraga Place	15,000 to 19,999 sq. ft.	100 feet	20 feet	10 feet ⁴	25 feet	15 feet	20 feet
	20,000 sq. ft. and larger	120 feet	25 feet	15 feet ⁴	35 feet	20 feet	20 feet

1. The front and side yard setbacks for the R-15 Zoning District remain in effect for homes that are now located in Zones 1 or 2 and which were constructed prior to the adoption of the Moraga Zoning Ordinance (Moraga Municipal Code SECTION 8.68.060).

2. Side yards in Sanders Ranch may be reduced to 5-foot minimum with Design Review Board approval in accordance with guidelines adopted by the Planning Commission.

Figure 5-28. Multi-family and Commercial Zoning

Zone	Minimum Lot Area	Minimum Frontage	Minimum Front Yard	Minimum Side Yard	Sum of Side Yards	Exterior Side Yard	Minimum Rear Yard
Zone 6 (6 DU/AC)	10,000 sq. ft.	100 feet	25 feet	20 feet ³	40 feet	25 feet	20 feet ³
Zone SO Suburban Office	10,000 sq. ft.	100 feet	25 feet ⁴	10 feet ⁴	20 feet ⁵	25 feet	10 feet ⁴
Zone CC Community Commercial	10,000 sq. ft.	100 feet	50 feet	None ⁴	None ⁴	50 feet	None ⁴
Zone LC Limited Commercial	10,000 sq. ft.	100 feet	25 feet	None ⁴	None ⁴	25 feet	None ⁴

3. The side and rear setbacks in Zone 6 cannot be less than the height of the building, therefore, if the building height is greater than 20 feet the setback would have to be increased. (Moraga Municipal Code SECTION 8.32.060)
4. The Design Review Board or Planning Commission may increase the minimum setbacks when they review the application (Moraga Municipal Code SECTIONS 8.44.040-B & C, 8.36.040-B & C, 8.40.040-B & C)
5. The distance between principal buildings shall be one-half the total combined height of the two buildings. (Moraga Municipal Code SECTION 8.44.040-A)

Figure 5-29 Housing Types Permitted by Zoning Districts

Residential Use	Zone 1, 2 and 3	6	MOSO	Suburban Office	Institutional
Single Family Detached	P	P	CUP	CUP	CUP
Single Family Attached		P		CUP	CUP
Multi-family		P		CUP	CUP
Residential Care <6 persons	P	P	CUP	CUP	CUP
Emergency Shelter					(Will be permitted pursuant to SB 2)
Single-Room Occupancy	P (for individual rooms in a house)	P (for individual rooms in a house)	P (for individual rooms in a house)	CUP (for individual rooms in a house)	CUP
Manufactured Homes	P	P	CUP	CUP	CUP
Mobile-Homes					CUP
Transitional Housing	P	P	CUP	CUP	CUP
Farmworker Housing	Not specifically listed but appropriate if the lot is used agriculturally	Not specifically listed but appropriate if the lot is used agriculturally	P	CUP	CUP
Supportive Housing	P (under 6 people)	P (under 6 people)	CUP	CUP	CUP
Second Units	P	P			

P=Permitted, CUP=Conditional Use

The Town does not have an inclusionary ordinance, so this is not a constraint on new housing.

R-20 Zone

The Town has met with the property owners of the Moraga Center Specific Plan over a dozen times to craft mutually acceptable development standards that do not impede development.

The following are the development standards for the R-20 (20 units per acre) zone.

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
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 to any architectural projection on a building 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 bedroom Residential Dwelling Unit and 0.3 spaces per Dependant Senior Residential Dwelling Unit.
13.	Parking for Senior Citizen Housing <i>(Example: A 150-unit senior citizen housing project could be served by: (a) 150 spaces; or (b) 113 spaces plus 1 permanent service vehicle; or (c) 75 spaces plus 2 permanent common service vehicles. A 50-unit senior citizen housing project could be served by: (a) 50 spaces; or (b) 38 spaces plus 1 permanent service vehicle; or (c) 25 spaces plus 2 permanent service vehicles.]</i>	The minimum parking ratio provided for in Section 8.34.060A(12) above, shall be reduced by 25% for each passenger vehicle made available permanently for use by the residents of each 75 such units or fraction thereof, provided that not less than 0.5 space shall be provided for each Residential Dwelling Unit served.
14.	Parking space dimensions	As required by Moraga Municipal Code Section

	8.76.050
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All development shall conform to the maximum limits identified in the table below:

	Development Standard	Maximum Limit
1.	Building Height	45 feet
2.	Lot Coverage by buildings	65% of project site area
3.	Lot Coverage by Impervious Surfaces (buildings, structures and hard paving)	70% of project site area
4.	Number of stories	3
5.	Floor area ratio <i>(Note: covered but unenclosed walkways and stairways are not included in the calculation of floor area.)</i>	1.15 when enclosed parking is provided, or .85 when uncovered or carport parking is provided and an additional .35 is allowed for common area facilities such as enclosed corridors, game room, dining room and facility kitchen.
6.	Private outdoor area for each unit	100 square feet attached or immediately adjacent to each unit with a maximum dimension of 8 feet; provided however that any such private outdoor area visible within 500 feet of a Major Scenic Corridor as defined in Chapter 8.132 shall be screened by landscaping and/or an opaque fencing or railing.
7.	Slope of Planted Area	33%

Secondary Units

In accordance with State law, the Town's secondary units ordinance provides for ministerial approval in single family and multi-family zones. The Town has established the following criteria for second units:

- One secondary unit is allowed on each residential lot containing a single family home.
- The unit may be attached to or detached from the principal dwelling.
- The secondary unit must comply with building setback rules of the zoning district.
- The secondary unit must be one story and no higher than 19 feet.
- Secondary units may not be constructed over a basement or garage.
- The maximum lot coverage for a secondary unit and associated structures may not exceed 1,300 square feet.
- Total floor area must be at least 150 square feet but no more than 750 square feet and may not be more than 25 percent of the size of the primary unit.

- The unit may contain no more than one bedroom.
- One off-street parking space is required in addition to parking otherwise required.
- The lot on which the secondary living unit is to be located may not be adjacent to a lot that shares a property line with any other lot on which a secondary living unit has been approved or is located unless the secondary living units are a minimum of five hundred (500) feet apart.
- The property owner must occupy either the secondary unit or the principal residence.
- Design review procedures must be met including: matching existing architectural styles, placing utilities underground, and utilities.

The Town's secondary unit requirements allow such dwellings in any single family neighborhood, which makes this potentially affordable housing alternative available throughout the Town. Size restrictions limit this alternative to one or two-person households. Parking and distance requirements will further limit this alternative in older neighborhoods with smaller lots. The Town has not performed an analysis of the number of secondary units that could potentially be sited in existing neighborhoods.

The Town is interested in promoting secondary units and this housing element contains a new program to promote secondary units (IP-H11).

Emergency, Transitional and Supportive Housing

Transitional and supportive housing is treated the same as other residential uses. Emergency shelters will be allowed by right in the Institutional zone pursuant to SB 2.

Mobile Homes and Manufactured Housing

Manufactured housing is treated the same as other housing types. There was proposal in the 1980s that was approved for a development built with modular housing technology, but the construction team switched to traditional stick built housing after having problems with the supplier. Mobile homes can be stored on individual lots, but can not be used for occupancy. They must be screened from view.

Parking Requirements

In most cases, Moraga requires two covered parking spaces per dwelling unit and one guest space per two dwellings:

- Single family detached: 2 covered spaces
- Single family attached: 2 covered spaces
- Multi-family: per unit, 2 covered spaces and 0.5 uncovered space
- Second Units: 1 space in addition to the main unit's requirements

Lots with less than 45 feet of street frontage are required to have two additional parking spaces. Condos are permitted some flexibility to have parking on a different parcel. The minimum dimensions per space are nine feet wide by 19 feet deep.

These requirements are typical or less than many suburban communities, but have two primary effects on the development of affordable housing:

- The required number and size of spaces effectively reduces the land area available for dwellings, and
- The parking requirements add to the overall cost of development.

These effects are not substantial for the average single family home in Moraga, but could negatively affect the financial feasibility of the development affordable multi-family housing for low or moderate income households.

Moraga Open Space Ordinance

In 1986 a citizen initiative adopted the Moraga Open Space Ordinance (MOSO). The purpose of the ordinance is to direct development to land that is suitable for growth. The ordinance placed all land that was public or private open space before 1986 in a new zoning category called MOSO Open Space. Agriculture is the primary land use in the open space district, but residential uses are permitted with a conditional use permit at a density of one unit per 20 acres. This density can be increased to one unit per five acres based on environmental sensitivity, geological hazards, etc.. Residential use is not permitted on major ridge lines or along steep slopes. Because there is more than adequate land outside the open space district (see land inventory), the Town does not consider this a constraint.

Design Review Process

All new residential dwellings are subject to a design review process. Under the process, a Town staff person (design review administrator) reviews design plans for single family dwellings on individual lots. The staff decision may be appealed to the Design Review Board. The Board's decision, in turn, may be appealed to the Planning Commission, whose decision may be appealed to the Town Council. If the design review administrator is in doubt about whether a proposal complies with Town guidelines, the application may be referred to the Design Review Board.

Design review of new residential subdivisions and multi-family buildings is performed by the Design Review Board directly. Submittal requirements are typical for local design review processes, and include the submission of a site plan, landscape plan, photograph of the site, and architectural renderings (not final specifications for building permit approval). In addition, the Town requires submission of samples of exterior materials to be used on buildings.

The Town's design guidelines address:

- Height, mass, and lot coverage
- Appurtenant features
- Screening of exposed mechanical and electrical equipment
- Colors and materials
- Harmonious relationship with surrounding buildings and land uses

- Landscaping elements and compatibility with local climate and buildings.

The standards contained in the Town’s zoning code for evaluating these factors are rather broad and speak to such issues as “conforms to good taste,” “good design,” “contributes to the character and image of the town” and its “beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality.”

The Town’s design review guidelines may not greatly affect the affordability of single family homes in Moraga as most are high-priced anyway. The application of the guidelines could adversely affect the feasibility of developing affordable multi-family housing due to the following factors:

- The multiple appeal opportunities could greatly delay a project, resulting in the loss of funding or higher financing costs.
- The broad design review standards could require affordable housing developers to use substantially more expensive materials than would otherwise be the case, reduce project density below the point of financial feasibility, or restrict dwelling units to smaller sizes that could not accommodate families with children.

The Town has streamlined the development process for over 500 homes, well above the Town’s RHNA. Specifically, The Town of Moraga has approved the design of 123 new market rate homes in the Palos Colorado subdivision. In addition, the Town has approved the Precise Development Plan for the remaining 67 lots in the Moraga Country Club extension. The Town has also prepared an ordinance with the cooperation of the property owner that will allow ministerial review of up to 180 dwelling units in the Moraga Center Specific Plan area. Furthermore, the Town’s current secondary living unit ordinance complies with the requirement in State law for ministerial review and approval. As noted above, the Town will be drafting new ordinances to implement the Specific Plan and outline requirements for the new mixed use and 10 to 12 dwelling unit per acre zones.

Fees and Exactions

Site Improvement Requirements

Moraga’s site improvement requirements are typical of those in similar Bay Area communities with mostly sloping terrain. Required street improvements generally include curbs, gutters, sidewalks, and utility connections. Larger developments are also responsible for providing on-site drainage and water and sewer lines in the rights-of-way serving the development.

Development Fees

Development fees represent a necessary, but significant portion of housing costs in most communities. The Town of Moraga charges development fees for a number of purposes related to residential construction, including the Town’s cost of permit processing, the provision of park land and facilities, transportation mitigation, and environmental review. Because land costs and constructed residential values are so high in Moraga, the proportion of a home’s cost that can be

tracked to the Town's fees is relatively small in comparison to the average Bay Area community. The fees paid by the developer of the 123-unit residential development cited earlier represent less than two percent of the cost of a single family dwelling.

Although development and permit fees are not a significant factor in the cost of market rate housing in Moraga, these fees could be an impediment to the production of multi-family housing affordable to low or moderate income households. Development fees per unit, including the school district fees, can be as much as \$41,427 for a single family dwelling (see table 5-30). Fees for multi-family units can approach \$30,000 per unit (again, depending on unit sizes, density, and project size). Given the high land and construction costs in Moraga, these fees do not represent a large proportion of the finished cost or sales prices. Depending on the assumptions about lot sizes, unit types and sizes, and amenities, Moraga's development fees represent between two percent and five percent of the cost of a new dwelling unit. Figure 5-30 summarizes the Town's development and permit fee schedule.

The required development impact fees include: General Government Fee, Public Safety Fee, Storm Drainage Fee, Local Traffic Impact Fee and Park Development Impact Fee. The amount of these fees has been set in Town Council Resolution 13-2008, Exhibit C, as shown in the table below:

Figure 5-30. Moraga Development Fees

Type of Fee	Amount
<i>Park Land Dedication</i> (average per dwelling) ²³	
Single family home, detached	\$14,450
Single family home, attached	\$9,478
Multi-family home	\$7,140
<i>Transportation Mitigation Fee</i> (per dwelling unit) (Lamorinda Fee and Finance Authority)	
Single family home and condominium	\$5,637
Multi-family home	\$3,516
<i>School Impact Fees</i>	\$1.84 per square foot (excluding appurtenant structures not for human habitation). (For example, \$5,520 for a 3,000 square foot home)
<i>General Government Impact Fee</i>	\$4,131
<i>Public Safety Impact Fee</i>	\$696
<i>Storm Drainage</i>	\$7,427
<i>Local Traffic</i>	\$486
<i>Park Development</i>	\$3,080
Sewer and Water Impact Fees	
Deposits (required as applicable, final costs may vary)	
<i>Initial Study/Negative Declaration</i> (prepared by staff)	

²³ For developments of 50 parcels or less, developer may pay a fee equal to the value of the land that would otherwise be required. Town may credit private recreation areas and facilities toward parkland dedication requirement according to the provisions of Section 8-6321 of the Moraga Town Code.

Town Fee	\$5000 (total cost can be more than \$10,000)
Fee for Calif. Dept. Fish & Game Review	\$1,275
<i>EIR/Initial Study</i> (prepared by consultant)	Bid cost + 30%
<i>Secondary Unit</i>	\$1500
<i>General Plan Amendment</i>	\$5,000
<i>Rezoning</i>	\$3,000
<i>Use Permit</i> Amendments/renewals	\$500 (staff) or \$3000 (CUP) \$1500
<i>Conceptual Development Plan</i>	\$10,000
<i>General Development Plan</i>	\$10,000
<i>Precise Development Plan</i>	\$10,000
<i>Major Subdivision</i>	\$10,000
<i>Minor Subdivision</i>	\$5,000
<i>Lot Line Adjustment</i>	\$1500 (zoning administrator) or \$3000 (planning commission)
<i>Design Review of New Single Family Residence</i>	\$1550+\$500 per special circumstance (such as exceptions to design guidelines). Two exceptions is typical.
<i>Variance</i>	\$1500 (typical cost is \$2000)
<i>Hillside Development Permit</i>	\$2050-\$8000 depending on slope
<i>Grading Permit/Plan Review</i>	\$1050-\$8000 (depending on slope)
<i>Certificate of Compliance</i>	\$2500

Processing and Permit Procedures

Processing times and permit procedures are not considered major impediment to the production of housing, but can delay the process for some applications. Large developments that need multiple environmental and governmental permits may have longer approval times. Figure 5-31 summarizes the typical processing times. In general, expedited permit processing would not substantially reduce production costs enough to make housing affordable in Moraga.

Figure 5-31. Typical Permit Processing Times

Type of Permit/Approval	Typical Timeframe
Building Permit, No Design Review, No Structural Plan Check	1- 2 days
Building Permit with Structural Plan Check	5 - 30 days
Other Ministerial Review	1 - 5 days
Site Plan Review (with Design Review Board)	30 - 60 days
Use Permit	30 - 60 days, depending on permit
Minor subdivision tentative map	60-90 days plus time for environmental review
Major subdivision tentative map	3 - 6 months plus time for environmental review

For large subdivisions or planned unit developments, the Town of Moraga uses a three part approval process (conceptual development review, general development review and precise development review), in addition to design review (Figure 5-32). Developers have raised concerns that this process is slow and burdensome. The Town is interested in reducing the time and cost associated with processing applications and has added a program to study this issue and make recommendations to simplify the development process (See Program IP-C4).

Figure 5-32 Typical Processing Procedures by Project Type

Single Family (Single Family Residential Zone)	Single Family (Open Space Zone)	Multi-family	Subdivisions less than 10 acre	Planned Development (Larger than 10 units)
Step 1. CEQA typically categorical exemption	Step 1. CEQA typically categorical exemption	Step 1. CEQA typically categorical exemption	Step 1. CEQA review	Step 1. CEQA
Step 2. Design review	Step 2. Use permit	Step 2. Use Permit (not needed for a duplex)	Step 2. Tentative Map	Step 2. Conceptual development review
Step 3. Building permit	Step 3. Design review	Step 3. Design Review	Step 3. Final Map	Step 3. General development review
	Step 4. Building permit	Step 4. Building Permit	Step 4. Design review	Step 4. Precise development review
			Step 5. Grading permit or resource agency permits if applicable	Step 5. Tentative map
			Step 6. Building permit	Step 6. Final map
				Step 7. Design review
				Step 8. Grading permit or resource agency permits if applicable

Many of the larger land holdings have federal and State environmental restrictions because of endangered species or wetlands. These issues are beyond the control of the Town, but can potentially add years to the processing time.

Moraga has responded by focusing on infill opportunities. By adopting the Moraga Center Specific Plan (anticipated January 2010), the Town has laid the groundwork for speedy approvals of up to 630 units. The Rheem Center Specific Plan will also allow more infill development. Housing in the Moraga Center Specific Plan will have a surcharge, likely \$1,000 per unit (and \$1,000 per square foot for commercial space), to recover the cost of preparing the Plan. Considering the savings in processing time and cost for developers, the Town feels this is a very good way to promote housing.

Moraga bills developers based on the actual cost of processing their applications for subdivisions. On a straightforward application, these fees can add \$25,000 per lot, which is not unreasonable considering the sales price of the homes is often over one million dollars. For more complicated applications, the fees can be substantially more. The recently approved Palos Colorados development was a large, complicated development proposal featuring environmental

and watershed issues, involving multiple jurisdictions and stakeholders, which spawned several lawsuits. The processing costs of this application added approximately \$200,000 to each lot. Again, because of the high cost of the homes (over a million dollars), this is not a major constraint to the development of housing. However, the Town is concerned about these costs. One of the goals of studying ways to simplify the development process (Program IP-C4) is a reduction of these costs.

Codes and Enforcement and On/Off Site Improvement Standards

The Town of Moraga uses the 1997 Uniform Building Code for residential construction as required by State law. The Town has not adopted any additional requirements. The application of the Uniform Code to housing rehabilitation could impose an impediment if the cost of compliance exceeds a low income household's ability to pay those costs. Many communities mitigate this cost by not requiring the upgrading of those components of the home that are not part of the rehabilitation.

Moraga uses the most recent version of the California Building Code for residential construction as required by State law and generally follows the lead of the County Building Department. The Town has not adopted minor optional components, including requiring automatic gas shutoffs in the event of an earthquake and allowing masonry chimneys that have emissions greater than the clean air targets. The application of the Uniform Code to housing rehabilitation could impose an impediment if the cost of compliance exceeds a low income household's ability to pay those costs. Moraga mitigates this cost by not requiring the upgrading of those non-essential components of the home that are not part of the rehabilitation.

In recent years, Moraga has encouraged developers to include environmental amenities in new housing. The current housing element calls for cost effective sustainability features to be included in the design guidelines for new residential construction. Although this will add some expense to initial construction, it will decrease long term ownership costs.

Moraga requires public streets to have a 52-foot right-of-way, which includes two ten-foot travel lanes and two eight-foot parking lanes. Some private streets are built with smaller right-of-ways and easements for utilities. These rules are based on fire department guidelines. Streets must have a minimum slope of two percent and a maximum slope of 20 percent (for minor collector streets). Cul-de-sacs are limited to 34 lots. Large subdivisions must have two access points.

Code enforcement is responsive to complaints with a focus on health and safety issues. However, there are relatively few complaints. Code enforcement does not constitute a constraint to provision of permitted housing. Staff are most likely to be involved in abating illegal construction that has health and safety issues.

Traffic

Voters passed Measure C (later updated with Measure J) that requires the Town to participate in cooperative planning with respect to subregional traffic impacts. Because Moraga-bound traffic must pass through Orinda or Lafayette to get to Highway 24, these jurisdictions must be engaged in the planning process. The traffic limits may pose long term limitations on growth, but in the short and medium term, as shown by the MCSP, they are not a constraint.

Specifically, to avoid potential adverse impacts and meet local housing needs, the Town reprioritized development in the Moraga Center Specific Plan area away from detached single family residential development toward local serving higher density housing such as senior, student and workforce housing. The total number of dwelling units proposed for the Moraga Center Specific Plan area is 86 percent more than would have been allowed under the General Plan (630 vs. 339) but the peak hour peak direction traffic is not increased. This is achieved by carefully dividing the “traffic budget” between a range of dwelling unit types including senior housing, mixed use development, higher density single family and conventional single family units.

Constraints for Housing for Persons with Disabilities

Much of Moraga’s housing was built with younger families in mind and is not accessible to people with disabilities. Features like steps, narrow doors and bathrooms with limited accessibility create obstacles that prevent people with disabilities from living in the house. The hilly topography of the area and limited access to stores, services, and public transportation provide additional challenges. The Housing Element recommends adoption of a Reasonable Accommodation Ordinance to allow people to put in improvements needed to make housing more livable and accessible for persons with disabilities. It also recommends promoting universal design.

Moraga’s definition of family is, “(a) an individual; or (b) two or more persons related by blood, marriage, or legal adoption; or (c) a group of not more than five persons, excluding servants, who are not related by blood, marriage or legal adoption, living together as a single nonprofit housekeeping unit in a dwelling unit as distinguished from a hotel, club, fraternity or sorority house, dormitory or boarding house. A family includes necessary servants.”

While this definition allows flexibility for small nonprofits and domestic help, it needs to be expanded so it complies with State and federal law. For example, a mother raising her step-grandson would potentially not qualify as a family.

The Town does not have any spacing or concentration requirements related to housing for persons living with disabilities, so as a result, this issue poses no constraint to the development of housing appropriate for persons with disabilities. The parking standards in Moraga are relatively modest, two spaces for a single family home, and one space for studios and one bedroom units.

The Moraga Center Specific Plan draft implementation guidelines reduce parking standards for seniors down to .5 parking spaces per unit if the development provides a shared vehicle.

The parking requirements for rest homes, nursing homes or convalescent homes are one space per three beds. Additionally, there is flexibility built into the ordinance for public or quasi-public facilities (like schools) based on a study of comparable users or activities. The current standard for single family homes is two parking spaces per dwelling unit, which includes group homes with six or fewer people. The proposed Reasonable Accommodation procedures will provide an additional way to reduce parking requirements for individuals.

Thus, in total, the conclusion of this analysis is that the Town's development standards and regulations do not pose a constraint to housing for persons living with disabilities.

D. Opportunities for Energy Conservation

Many modern design methods used to reduce residential energy consumption are based on proven techniques that have been known to humans since the earliest days of collective settlement. These methods can be categorized in three ways:

- Building design that keeps natural heat in during the winter and keeps natural heat out during the summer. Such design reduces air conditioning and heating demands. Proven building techniques in this category include:
 - location of windows and openings in relation to the path of the sun to minimize solar gain in the summer and maximize solar gain in the winter;
 - use of “thermal mass,” earthen materials such as stone, brick, concrete, and tiles that absorb heat during the day and release heat at night;
 - “burying” part of the home in a hillside or berm to reduce solar exposure or to insulate the home against extremes of temperature;
 - use of window coverings, insulation, and other materials to reduce heat exchange between the interior of a home and the exterior;
 - location of openings and the use of ventilating devices that take advantage of natural air flow (particularly cool evening breezes); and
 - use of eaves and overhangs that block direct solar gain through window openings during the summer but allow solar gain during the winter.
- Building orientation that uses natural forces to maintain a comfortable interior temperature. Examples include:
 - north-south orientation of the long axis of a dwelling;
 - minimizing the southern and western exposure of exterior surfaces; and
 - location of dwellings to take advantage of natural air circulation and evening breezes.
- Use of landscaping features to moderate interior temperatures. Such techniques include:
 - use of deciduous shade trees and other plants to protect the home;
 - use of natural or artificial flowing water; and
 - use of trees and hedges as windbreaks.

In addition to natural techniques that have been used for millennia, a number of modern methods of energy conservation have been developed or advanced during the present century. These include:

- use of solar energy to heat water;
- use of solar panels and other devices to generate electricity;
- window glazing to repel summer heat and trap winter warmth;
- weather-stripping and other insulating devices to reduce heat gain and loss; and
- use of energy efficient home appliances.

Though the greatest opportunities for energy conservation are in the design and construction of new dwellings, retrofitting existing structures for greater energy efficiency can produce valuable savings. Measures may include weatherizing windows and doors, improving insulation, and upgrading heating and cooling systems. Retrofitting for energy conservation is gaining popularity among home owners, though high costs represent a barrier for lower income families.

Financial assistance to lower income families may be provided through initiatives such as the Contra Costa County Neighborhood Preservation Program. This program provides loans to low and moderate income individuals to improve their homes. Loans are granted for plumbing and heating repairs, roof replacements, as well as for improvements specifically intended to improve energy efficiency. More information can be found at: <http://ca-contracostacounty.civicplus.com/index.aspx?NID=287>

The Moraga Center Specific Plan is a great opportunity to promote environmental stewardship. Because almost fifty percent of greenhouse gases come from transportation, it is important to have land use patterns that promote sustainability. Moraga Center will be a walkable, environmentally-friendly, mixed use development with regular public transportation access to the nearby BART station.

Moraga has also made important steps to ensure all buildings are environmentally friendly. All the units in recent Palos Colorados development will achieve at least 90 points on the Build It Green checklist. This is well over the 50 points required for minimal certification. While the specifics of the environmental building ordinance are yet to be determined, Build It Green is one viable option. This program is desirable because it allows builders to choose from a menu of environmental amenities based on local conditions.

VII. CONSISTENCY WITH GENERAL PLAN

The Moraga General Plan serves as the constitution for development in the town. It is a long-range planning document that describes goals, policies and programs to guide decision-making. Once the General Plan is adopted, all development-related decisions in the town must be consistent with the Plan. If a development proposal is not consistent with the Plan, it must be revised or the Plan itself must be amended. State law requires a community's General Plan to be internally consistent. This means that the housing element, although subject to special requirements and a different schedule of updates, must function as an integral part of the overall General Plan, with consistency between it and the other General Plan elements.

The current Moraga General Plan was adopted in 2002, including the previous housing element. This Element builds upon the 2002 document.

The largest change is language is related to the Moraga Center Specific Plan. While the Specific Plan implements many sections of the General Plan, the General Plan must be amended to fully support the Specific Plan. These changes have been identified outside of the housing element and are expected to be adopted by the Town. Specifically, the Land Use element will need to be updated to be consistent with the higher densities associated with the Moraga Center Specific Plan. Additionally, the General Plan will be written to reflect the fact that the housing element will be adopted at the same time as the Moraga Center Specific Plan.

The major new initiatives in this housing element update are as follows:

- Encouraging second units
- Reviewing development procedures
- Setting environmental design guidelines for all new buildings
- Allowing emergency shelters by right
- Passing a reasonable accommodations ordinance for people with disabilities

These policies are consistent with the rest of the General Plan.

It is important to understand that Moraga lists all the General Plan implementing programs in a separate chapter (Chapter 11, Action Plan). Although all housing related programs are reproduced here for clarity and simplicity, they will be integrated back into the Action Plan (Chapter 11) when the housing element is adopted.

APPENDIX A – CONTRA COSTA CNTY EMERGENCY, TRANSITIONAL AND SUPPORTIVE HOUSING INVENTORY

The following tables present an inventory of emergency, transitional and supportive housing in Contra Costa County.

Emergency Shelter

Provider Name	Facility Name	City	Target Population	Year-round Family Beds	Year-round Individual Beds	Total Year-round Beds	Seasonal Beds
Contra Costa Health Services/ Homeless Programs	Concord and Brookside Adult Interim Housing	Richmond and Concord	Singles	0	175	175	0
Interfaith Council of Contra Costa	Winter Nights Shelter	Changes	Mixed	0	0	0	30
SHELTER, Inc.	Family Emergency Shelter	Concord	Families with Children	30	0	30	0
STAND! Against Domestic Violence	Rollie Mullen Center	Confidential	Domestic Violence	20	4	24	0
Anka Behavioral Health	East County Shelter	Antioch	Singles	0	20	20	0
Greater Richmond Interfaith Program	Emergency Shelter	Richmond	Families with Children	75	0	75	0
Contra Costa Health Services/ Homeless Programs	Calli House Youth Shelter	Richmond	Transition-age Youth	0	6	6	0
Bay Area Crisis Nursery	Bay Area Crisis Nursery	Richmond	Singles	0	20	20	0
Bay Area Rescue Mission	Rescue Mission	Richmond	Families with Children	150	0	150	0
Shepherd's Gate	Shepherd's Gate		Mixed	15	15	30	0
Total				290	240	530	30
Unmet Need				190	285	475	0

Transitional Housing

Provider Name	Facility Name	City	Target Population	Year-round Family Beds	Year-round Individual Beds	Total Year-round Beds
STAND! Against Domestic Violence	MOVE	Confidential	Domestic Violence	24	4	28
Rubicon Programs, Inc.	Project Independence	Richmond	Mixed	22	3	25
Contra Costa Health Services/ Homeless Programs	Appian House: Youth	Richmond	Transition-age Youth	0	6	6
SHELTER, Inc.	Pittsburg Family Center	Pittsburg	Families with Children	32	0	32
SHELTER, Inc.	REACH Plus	Scattered Site	Mixed	72	56	128
SHELTER, Inc.	Next Step		Mixed	6	1	7
SHELTER, Inc.	San Joaquin II	Richmond	Families with Children	20	0	20
SHELTER, Inc.	East County Transitional Hsng	Antioch	Families with Children	70	0	70
Bay Area Rescue Mission	Transitional Housing	Richmond	Mixed	26	18	44
Deliverance House	Deliverance House		Families with Children	12	0	12
CARE Collaborative	Transitional Housing		Children	0	5	5
City of Richmond	Pride and Purpose House	Richmond	Children	0	6	6
Anka Behavioral Health	Prop 36 Housing	Scattered Site	Singles	0	16	16
Total				284	115	399
Unmet Need				0	0	0

Permanent Housing

Provider Name	Facility Name	City	Target Population	Year-round Family Beds	Year-round Individual Beds	Total Year-Round Beds
Contra Costa County Housing Authority	Shelter Plus Care	Scattered Site	Mixed	193	125	318
Contra Costa County Housing Authority	Project Coming Home	Scattered Site	Singles	0	40	40
SHELTER, Inc.	Sunset House	Pittsburg	Singles	0	8	8
SHELTER, Inc.	Mary McGovern House	Concord	Singles	0	6	6
SHELTER, Inc.	Transitional Housing Partnership	Scattered Site	Mixed	28	9	37
Anka Behavioral Health	Casa Verde		Singles	0	11	11
Anka Behavioral Health	Casa Barrett		Singles	0	6	6
Anka Behavioral Health	Casa Lago	Antioch	Singles	0	13	13
Anka Behavioral Health	Walter's Way House	Concord	Singles	0	12	12
Anka Behavioral Health	Maple House	Concord	Singles	0	5	5
Anka Behavioral Health	ACCESS	Scattered Site	Singles	0	30	30
Rubicon Programs, Inc.	West Richmond Apartments	Richmond	Singles	0	4	4
Rubicon Programs, Inc.	Idaho Apartments	Richmond	Singles	0	28	28
Resources for Community Development	Aspen Court		AIDS	0	2	2
Contra Costa Interfaith Housing	Garden Parks Apartments	Pleasant Hill	HIV	72	0	72
Catholic Charities	Amara House	Richmond	AIDS	0	6	6
Total				293	305	598
Unmet Need				606	2275	2881

APPENDIX B – AVAILABLE SITES INVENTORY

Notes:

Lots marked as no infrastructure mean an unimproved lot. Infrastructure may be readily available, but has not been extended to the lot at this time.

All the lots that are zoned OSM and have a 0-unit capacity are open space lots which means that a conditional use permit is required for any residential development. The code reads: “any development on such open space lands shall be limited to a maximum density of one dwelling unit per 20, 10, or 5 acres, but in no case shall density on such lands exceed one dwelling unit per five acres” (MMC 8.52.140). All proposed development must meet MOSO standards.

All the lots that are zoned Study and have a 0-unit capacity are study district lots which means that temporary control of the development of the area is permitted while the planning agency conducts detailed studies. The code reads: “the precise standards for the development of property in this district shall be prescribed at the time the reviewing authority approves the issuance of a conditional use permit. The standards shall fix the density, lot area, frontage, front, side and rear setbacks, building height and site coverage requirements” (MMC 8.60.040).

Approved Subdivisions/Projects

APN	ADDRESS / LOCATION	Acres	GEN PL	MIN DENS	MAX DEN	VAC/UND	CONSTRAI NTS	UNIT CAPACITY	NOTES
256-040-023	Palos Colorados	29.6	OSM	0	0	VAC	none	These 8 parcels (460 acres) make up the Palos Colorados Planned Unit Development where 123-SF homes have been approved to be built	123-lot subdivision; infrastructure
256-370-005	Palos Colorados	226.4	OSM	0	0	VAC	none		123-lot subdivision; infrastructure
256-370-006	Palos Colorados	83.3	OSM	0	0	VAC	none		123-lot subdivision; infrastructure
256-370-004	Palos Colorados	66.8	OSM	0	0	VAC	none		123-lot subdivision; infrastructure
256-370-007	Palos Colorados	23.9	OSM	0	0	VAC	none		123-lot subdivision; infrastructure
256-370-008	Palos Colorados	15.4	OSM	0	0	VAC	none		123-lot subdivision; infrastructure
256-370-003	Palos Colorados	4.9	OSM	0	0	VAC	none		123-lot subdivision; infrastructure
237-080-014	Palos Colorados	10.2	OSM	0	0	VAC	none		123-lot subdivision; infrastructure
258-740-010	Los Encinos	2.6	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure
258-740-009	Los Encinos	0.8	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure
258-740-008	Los Encinos	0.7	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure
258-740-007	Los Encinos	0.6	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure
258-740-006	Los Encinos	0.7	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure
258-740-005	Los Encinos	0.6	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure
258-740-004	Los Encinos	0.3	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure
258-740-003	Los Encinos	0.3	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure
258-740-002	Los Encinos	0.3	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure

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APN	ADDRESS / LOCATION	Acres	GEN PL	MIN DENS	MAX DEN	VAC/UND	CONSTRAINTS	UNIT CAPACITY	NOTES
258-740-001	Los Encinos	0.4	OSM	0	0	VAC	none	1 SF home	10-lot subdivision; infrastructure
271-390-010	Country Club Extn (Augusta Lots)	0.4	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-011	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-012	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-009	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
217-390-008	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-007	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-006	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-005	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-004	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-003	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-002	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-001	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-009	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-008	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-007	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-006	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-013	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-014	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-015	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-390-016	Country Club Extn	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure

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APN	ADDRESS / LOCATION	Acres	GEN PL	MIN DENS	MAX DEN	VAC/UND	CONSTRAINTS	UNIT CAPACITY	NOTES
	(Augusta Lots)								
271-390-017	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-010	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-005	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-004	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-003	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-002	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-001	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-009	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-008	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-007	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-011	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-031	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-012	Country Club Extn (Augusta Lots)	0.4	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-013	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-005	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-023	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-014	Country Club Extn (Augusta Lots)	0.4	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-015	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-018	Country Club Extn (Augusta Lots)	0.4	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-017	Country Club Extn	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure

Chapter 5: Housing

APN	ADDRESS / LOCATION	Acres	GEN PL	MIN DENS	MAX DEN	VAC/UND	CONSTRAINTS	UNIT CAPACITY	NOTES
	(Augusta Lots)								
271-380-016	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-019	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-020	Country Club Extn (Augusta Lots)	0.4	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-021	Country Club Extn (Augusta Lots)	0.5	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-022	Country Club Extn (Augusta Lots)	0.4	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-024	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-025	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-020	Country Club Extn (Augusta Lots)	0.4	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-027	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-028	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-004	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-003	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-002	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-380-001	Country Club Extn (Augusta Lots)	0.4	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-010	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-009	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-008	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-007	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-370-006	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-006	Country Club Extn	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure

Chapter 5: Housing

APN	ADDRESS / LOCATION	Acres	GEN PL	MIN DENS	MAX DEN	VAC/UND	CONSTRAINTS	UNIT CAPACITY	NOTES
	(Augusta Lots)								
271-360-005	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-004	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-003	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-013	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-002	Country Club Extn (Augusta Lots)	0.2	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-001	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-010	Country Club Extn (Augusta Lots)	0.4	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-011	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
271-360-012	Country Club Extn (Augusta Lots)	0.3	3- DUA	0	0	VAC	none	1 SF home	68-lot subdivision; infrastructure
258-600-001	1161 Larch Avenue	24.5	OSM	0	0	UND	MOSO land	4	Gong property; application for 4-lot subdivision infrastructure, approved on conceptual development plan
270-470-002	Rheem Boulevard	4.3	OSM	0	0	VAC	hillside land/open space	1	Wang property; no infrastructure, under construction
258-205-019	1057 Camino Pablo							1	Was one unit, will be torn down and replaced with two units. Plans approved.

Subdivisions with Applications Pending

APN	ADDRESS / LOCATION	Acres	GEN PL	MIN DENS	MAX DEN	VAC/UND	CONSTRAINTS	LIKELY UNIT CAPACITY	NOTES
256-040-015	Rheem Boulevard	53.7	OSM	0	0	VAC	within minor ridge line	17	application for 17-lot subdivision; no infrastructure, Rheem Valley Estates, 85 acres
256-030-002	Rheem Boulevard	32.6	OSM	0	0	VAC	hillside land/open space		
256-040-024	Rancho Laguna	178.9	OSM/OS	0	0	VAC	hillside land/open space	31	application for 31-lot subdivision; no infrastructure, EIR Complete. Goes to Planning Commission, July, 2009.
256-210-001	Across Campo/Moraga Rd.	4.9	1-DUA	1	1	VAC	none	4	Bloedorn property; no infrastructure, had initial study session.
258-600-006	Hetfield Drive	58.2	OSM	0	0	VAC	MOSO/hillside land	6	Lipson property; no infrastructure, application submitted
258-012-013	Bollinger Cayon Subdivision	55.2	Study	0	0	VAC	hillside land	126	Lafayette Bollinger Develop; no infrastructure, long term development potential is 126 single family plus potential secondary dwelling units
258-012-023	Bollinger Canyon Subdivision	131.1	Study	0	0	VAC	hillside land		
256-070-013	E. Side Moraga Road	0.9	LC	0	0	VAC	none	0	Azimi property; infrastructure capacity, requested general plan amendment. May be addressed in Rheem Center Specific Plan.

Individual Lots or Potential Subdivisions (No Applications Filed Yet or Very Early Stages of Process)

APN	ADDRESS / LOCATION	Acres	GEN PL	MIN DENS	MAX DEN	VAC/UND	CONSTRAINTS	ESTIMATED LONG TERM UNIT CAPACITY	NOTES
256-040-022	St. Mary's Road	30.8	OSM	0	0	VAC	hillside land/open space	0	Jba Company Llc; no infrastructure
256-040-021	St. Mary's Road	15.6	OSM	0	0	VAC	hillside land/open space	0	Grega property; no infrastructure
256-070-002	489 Moraga Road	2.0	LC	0	0	UND	none	0	First Mgmt Co Inc; infrastructure
256-070-032	E. Side Moraga Road	1.1	2-DUA	1	1	VAC	narrow land	1	Kn Productions, Inc; infrastructure capacity, isolated lot
255-020-015	W.Side Moraga Road	15.0	OSM	0	0	VAC	within major ridge line	0	Devenuta property; no infrastructure, development not likely
255-010-006	W. Side Moraga Road	6.6	1-DUA	1	1	VAC	steep slope	1	Campolindo High School; no infrastructure
255-020-019	50 La Salle Drive	26.3	OSM	0	0	VAC	within major ridge line	1	MOSO CUP; no infrastructure, isolated lot, CUP and design review approved, but now in foreclosure
255-030-027	52 La Salle Drive	8.0	OSM	0	0	VAC	within major ridge line	1	MOSO CUP; no infrastructure, isolated lot, CUP and design review approved, but now in foreclosure
255-140-049	Rheem Shopping Center	19.7	OSM	0	0	VAC	hillside land/open space	0	Kimco Realty (part of shopping center); no infrastructure, to be considered in Rheem center Specific Plan
257-180-034	No Address	0.3	OSM	0	0	VAC	within major ridgeline	150 for all of Indian Canyon	Bruzzone property; no infrastructure, Indian Canyon.
257-180-037	Canyon Road	35.6	1.5 DUA/OS/OSM	1	2	VAC	areas w/ 20%+ slope		Bruzzone property; no infrastructure, Indian Canyon.
257-180-038	Canyon Road	171.4	1.5 DUA/OS/OSM	1	2	VAC	hillside land/open space		Bruzzone property; no infrastructure
257-180-040	Canyon Road	3.1	OSM/OS	0	0	VAC	hillside/open space		Bruzzone property; no infrastructure, Indian Canyon. Roughly 150 units in long term.
257-180-041	Canyon Road	150.2	OSM	0	0	VAC	within major ridgeline		Bruzzone property; no infrastructure, , Indian Canyon. Roughly 150 units in long term.
257-210-013	Camino/Canyon	18.4	3-DUA	0	0	UND	none	48	Moraga School Distrcit; infrastructure
271-120-015	No Address	41.8	OSM	0	0	VAC	within major ridgeline	0	Bruzzone property; no infrastructure

Chapter 5: Housing

APN	ADDRESS / LOCATION	Acres	GEN PL	MIN DENS	MAX DEN	VAC/UND	CONSTRAINTS	ESTIMATED LONG TERM UNIT CAPACITY	NOTES
271-120-020	No Address	1.8	OSM	0	0	VAC	hillside land	0	Bruzzone property; no infrastructure
258-012-036	Bollinger Canyon	6.5	Study	0	0	VAC	hillside land	0	Harvey property; no infrastructure
258-012-037	Bollinger Canyon	17.8	Study	0	0	VAC	hillside land	0	Harvey property; no infrastructure
258-012-038	Bollinger Canyon	11.7	Study	0	0	VAC	hillside land	0	Harvey property; no infrastructure
258-012-044	No Address	56.1	Study	0	0	VAC	hillside land	2	Yanes property; no infrastructure
258-130-001	No Address	100.0	Study	0	0	VAC	hillside land	5	Harvey property; no infrastructure
258-160-028	E. End Sanders	7.0	3-DUA	1	3	VAC	hillside land	21	Bruzzone property; no infrastructure
258-160-062	No Address	132.0	OSM	0	0	VAC	hillside land/ ridge lines	0	Bruzzone property; no infrastructure
258-600-002	Larch Avenue	23.6	OSM	0	0	VAC	MOSO/hillside land	1	Felix property; no infrastructure
237-160-037	No Address	15.7	1-DUA	1	1	VAC	hillside land	15	Bruzzone property; no infrastructure
237-160-073	St. Mary's Road	25.9	1-DUA	1	1	VAC	none	25	Bruzzone property; no infrastructure
258-520-003	S. Alta Mesa Drive	4.3	2-DUA	1	2	VAC	hillside land	8	Bruzzone property; no infrastructure
258-611-004	Off Joseph Drive	11.6	Study	0	0	VAC	hillside land	0	Rector property; no infrastructure
258-612-004	Off Joseph Drive	3.6	Study	0	0	VAC	hillside land	0	Urionaguena property; no infrastructure
258-520-001	Moraga Road	5.8	3-DUA	1	3	VAC	hillside land	15	Bruzzone property; no infrastructure

Moraga Center Specific Plan

Moraga Center

<u>Parcel Number</u>	<u>Current Use and Potential for Reuse</u>	<u>Proposed Acres Zoning</u>	<u>Single Family Units</u>	<u>Condos and Townhomes Units</u>	<u>Workforce Housing Units = Mixed Use</u>	<u>Senior Housing Units</u>	<u>Mixed Use Units</u>	<u>Total Units</u>
257-500-006	Vacant	20 DUA 6.1				180 (30 DUA for senior)		180
258-410-026	Vacant	6 DUA 6		36				36
257-180-082	Vacant	Office mixed use 2.7					54	54
255-310-026	Vacant	12 and 20 DUA 30.7		96		360 (30 DUA for senior)		456
255-310-025	Vacant	3 and 12 DUA 18	27	108				135
255-310-029	Vacant	3 DUA 14	42					42
255-321-015	Vacant	Retail 6					60	60
		Mixed Use						

255-321-002	Vacant	Retail	2.6		52	52
And		Mixed Use				
255-321-016						
255-321-023	Vacant	Retail	7		140	140
		Mixed Use				
Total			69	240	540	306
						1,155*

* Development in the MCSP is capped at 630 units. This table illustrates that there is adequate land to satisfy the maximum number of allowed units.

Overview Map





6 CIRCULATION

C1 Traffic Circulation and Safety

GOAL: A circulation system that provides reasonable and safe access to the Town, egress from the Town, and internal movement.

- C1.1 Roadway Engineering and Maintenance. Apply standard engineering principles in the design, construction and maintenance of all roadways to make them safe for all users, including bicyclists, pedestrians and equestrians. In support of community design and environmental goals, consider allowing narrower street widths, consistent with Town standards, when it can be demonstrated that public safety concerns are adequately addressed.

Implementing Programs:

IP-A1 General Plan Diagram

IP-A2 Annual Town Budget

IP-C1 Development Review

IP-C2 Development Review for Emergency Services

IP-G3 Pavement Management Program

IP-K2 Pedestrian, Bicycle and Trails Master Plan

- C1.2 Traffic Impact Costs. Require each new development to pay its fair share of the cost of improvements for both the local and regional transportation system in accordance with policy GM1.6 and implementing program IP-C8.

Implementing Programs:

IP-B4 Traffic Impacts Ordinance

IP-C1 Development Review

IP-C5 Traffic Impact Studies

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

IP-G2 Traffic Monitoring Program

IP-II Transportation Systems Management Plan

IP-L1 Development Review Referral to Adjacent Jurisdictions

IP-L7 Lamorinda Transportation Planning

- C1.3 Effective Mitigation Measures. Ensure that traffic mitigation measures are specifically identified and reasonably demonstrated to be feasible and effective. Traffic mitigation measures may include a roadway or intersection improvement,

public or private mass transportation improvement, or any other feasible solution that reduces trip volumes or enhances roadway capacity.

Implementing Programs:

IP-B4 Traffic Impacts Ordinance

IP-C1 Development Review

IP-C5 Traffic Impact Studies

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

IP-G2 Traffic Monitoring Program

IP-II Transportation Systems Management Plan

IP-L1 Development Review Referral to Adjacent Jurisdictions

IP-L7 Lamorinda Transportation Planning

- C1.4 Private Streets. Allow private streets, at the Town Council's discretion, if they are constructed consistent with Town street standards, are not gated or similarly restricted, and provide their own maintenance and liability coverage.

Implementing Programs:

IP-II Transportation Systems Management Plan

IP-C1 Development Review

IP-C2 Development Review for Emergency Services

- C1.5 Collector Street Buffering. Design new areas of development so that residential areas are properly buffered from collector streets, with adequate distance, landscaping or other buffer to protect residences from adverse impacts. Traffic from major new residential developments should not be diverted through nor adversely affect existing neighborhoods.

Implementing Programs:

IP-II Transportation Systems Management Plan

IP-C1 Development Review

- C1.6 Street Maintenance. Conduct street maintenance at reasonably high standards to avoid long-term repair and replacement costs and to ensure a safe and comfortable street system.

Implementing Programs:

IP-G3 Pavement Management Program

- C1.7 Street Names. Do not duplicate existing street names in the Lamorinda area when naming new streets. Whenever possible, utilize names of historical significance to Moraga when naming or renaming streets.

Implementing Programs:

IP-C1 Development Review

IP-C2 Development Review for Emergency Services

- C1.8 Priority Roadway Improvements. Identify priority roadway improvement projects to guide project funding decisions, including both capacity-enhancing projects and safety related projects.

Implementing Programs:

IP-A2 Annual Town Budget

IP-C5 Traffic Impact Studies

IP-G3 Pavement Management Program

- C1.9 Traffic Enforcement. Provide sufficient resources to maintain a high level of traffic safety through law enforcement.

Implementing Programs:

IP-A2 Annual Town Budget

IP-M3 Traffic Safety Education Program

- C1.10 Traffic Education. Disseminate traffic educational materials to transportation users to encourage ridesharing, bus transit, and the safe use of streets and highways.

Implementing Programs:

IP-II Transportation Systems Management Plan

IP-M3 Traffic Education Program

- C1.11 Emergency Vehicle Access. Maintain and improve critical transportation facilities for emergency vehicle access and emergency evacuation needs.

Implementing Programs:

IP-A1 General Plan Diagram

IP-II Transportation Systems Management Plan

IP-C2 Development Review for Emergency Services

- C1.12 Right-of-Way Safety. Ensure that private recreational vehicles, trailers and other large vehicles are parked off the public right-of-way and out of the front building setback in order to promote traffic safety and good visibility.

Implementing Programs:

IP-II Transportation Systems Management Plan

IP-M3 Traffic Education Program

C2 Regional Coordination

GOAL: A regional circulation system that meets the expectations and needs of Lamorinda residents.

C2.1 Regional Collaboration and Problem-solving. Work collaboratively with the other Lamorinda jurisdictions and agencies to define and pursue a clear regional transportation agenda and to address traffic flow and safety issues, particularly on the three roadways leading from Moraga to State Route 24 (Moraga Way, Moraga Road, and St. Mary's Road/Glenside Road/Reliez Station Road). Cooperate with Lafayette, Orinda and the County in planning and approving new development to ensure that cumulative development impacts do not lower the levels of service on these roadways below the adopted 'Measure C' standards. Use data from the Traffic Monitoring Program to monitor compliance with adopted standards and to determine remaining roadway capacity.

Implementing Programs:

IP-G2 Traffic Monitoring Program

IP-L7 Lamorinda Transportation Planning

IP-L8 Transit Improvements

C2.2 Regional Transportation Improvements. Work collaboratively with the other Lamorinda jurisdictions and agencies to develop workable solutions to regional traffic issues and to identify and pursue potential funding sources, including regional and sub-regional development impact fees as well as funds from County, State and Federal sources.

Implementing Programs:

IP-B4 Traffic Impacts Ordinance

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

IP-L7 Lamorinda Transportation Planning

IP-L8 Transit Improvements

C3 Commercial Area Traffic and Parking

GOAL: Properly designed and managed circulation and parking to promote safety and minimize traffic congestion within and adjacent to commercial areas.

C3.1 Commercial Area Traffic Safety. Maintain effective and safe vehicle circulation into, out of, and within commercial areas.

Implementing Programs:

IP-II Transportation Systems Management Plan

IP-C1 Development Review

IP-C2 Development Review for Emergency Services

plus application of standard traffic engineering principles

C3.2 Traffic Volume Impacts. Utilize the Specific Plan process as well as the development review process to consider and address potential traffic impacts from new commercial development, in accordance with policies C1.2, C1.3 and C1.4. As one possible mitigation measure for commercial developments, consider establishing time restrictions on commercial deliveries to prohibit deliveries during peak traffic hours.

Implementing Programs:

IP-B4 Traffic Impacts Ordinance

IP-C1 Development Review

IP-C5 Traffic Impact Studies

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

IP-G2 Traffic Monitoring Program

IP-II Transportation Systems Management Plan

IP-K1 Moraga Center Area and Rheem Park Area Specific Plans

C3.3 Commercial Area Parking. Maintain sufficient, convenient, free parking within all commercial areas to accommodate actual and anticipated parking needs.

Implementing Programs:

IP-C1 Development Review

plus application of standard traffic engineering principles

C3.4 Through Traffic. Discourage traffic from traveling through the commercial centers.

Implementing Programs:

IP-C1 Development Review

IP-II Transportation Systems Management Plan

C4 Pedestrians, Bicycles and Transit

GOAL: Encourage Moragans to walk, bike, take transit or rideshare as a means of reducing traffic trips, improving environmental quality, and maintaining a healthy lifestyle.

- C4.1 Pedestrian Circulation. Provide a safe, continuous and connected system of pedestrian pathways through the Town, including sidewalks, paths, trails and appropriate crosswalks along all principal streets, to link residential neighborhoods, commercial areas, community facilities such as schools and parks, and other important destinations. Link this network as appropriate with the regional trails system.

Implementing Programs:

IP-K2 Pedestrian, Bicycle and Trails Master Plan

- C4.2 Bicycle Circulation. Develop a complete bicycle system with direct, continuous, interconnected pathways between residential and commercial areas, community facilities, commuter corridors and transit hubs.

Implementing Programs:

IP-G3 Pavement Management Program

IP-K2 Pedestrian, Bicycle and Trails Master Plan

- C4.3 Transit. Encourage the use of transit to and from the Lamorinda BART stations by providing:
- Efficient, comfortable, frequent and reliable bus service;
 - Roadways that are properly designed to accommodate bus maneuvering, stopping and parking;
 - Adequate, free, convenient all-day 'park and ride' facilities at major transit stops in the Town;
 - Public information programs to make the public aware of the service and promote its use;
 - Comfortable, safe and attractive amenities at bus stops.

Implementing Programs:

IP-L8 Transit Improvements

- C4.4 Trip-Reduction Strategies. Encourage development patterns and other strategies that may help reduce traffic trips, especially during the morning and afternoon peak hours. For example:

- Encourage home-based occupations and telecommuting;
- Encourage mixed use, small office, and live-work developments in centrally located areas of the Town (i.e., in the Specific Plan areas);
- Encourage higher density housing to locate near transit facilities;
- Encourage young people to bike, walk or take the school bus to school; and
- Encourage ridesharing.

Implementing Programs:

IP-C1 Development Review

IP-C5 Traffic Impact Studies

IP-B4 Traffic Impacts Ordinance

IP-K2 Pedestrian, Bicycle and Trails Master Plan

IP-L7 Lamorinda Transportation Planning

IP-L8 Transit Improvements

IP-M3 Traffic Safety Education Program



7 OPEN SPACE and CONSERVATION

OS1 Open Space Preservation

GOAL: Preservation of as much open space land as possible, including protection of all major and minor ridgelines and lands that help meet residents' recreational needs.

OS1.1 Open Space Preservation. Preserve open space to the maximum extent possible, using tools such as acquisition, lease, dedication, easements, donations, regulation or tax incentive programs.

Implementing Programs:

IP-A1 General Plan Diagram

IP-B1 Zoning and Subdivision Ordinances

IP-B2 Moraga Open Space Ordinance

IP-J1 Open Space Preservation Program

OS1.2 Major Ridgelines. Moraga's major ridgelines are highly visible throughout the Town and are included within areas designated as MOSO Open Space on the General Plan Diagram.

Implementing Programs:

IP-A1 General Plan Diagram

IP-B2 Moraga Open Space Ordinance

OS1.3 Development Densities in Open Space Areas. Any use of or development on lands designated on the General Plan Diagram or by the Moraga Open Space Ordinance as 'Public Open Space-Study' or 'Private Open Space' (now designated as MOSO Open Space in the General Plan Diagram) shall be limited to a maximum density of one (1) dwelling unit per twenty (20), ten (10), or five (5) acres, but in no case shall density on such lands exceed one (1) dwelling unit per five (5) acres. Areas identified as 'High Risk' areas, as defined by the Moraga Open Space Ordinance, shall be limited to a maximum density of one (1) dwelling unit per twenty (20) acres. Transfers of Development Rights (referred to as 'Density Transfer' as in MOSO) from any open space designation to other lands shall be encouraged; provided that in no event shall

dwelling units be transferred to another open space designation or to 'High Risk' areas. The Town Council shall identify 'High Risk' areas after taking into account soil stability, history of soil slippage, slope grade, accessibility, and drainage conditions.¹

Implementing Programs:

IP-A1 General Plan Diagram

IP-B3 Zoning and Subdivision Ordinances

IP-B2 Moraga Open Space Ordinance

IP-C1 Development Review

- OS1.4 Private Ownership and Use of Open Space Areas. Areas designated on the General Plan Diagram as MOSO Open Space or Non-MOSO Open Space may be retained in private ownership, may be used for such purposes as are found to be compatible with the corresponding open space designation and may or may not be accessible to the general public.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

- OS1.5 Development on Slopes and Ridgelines in Open Space Lands. In MOSO Open Space, development shall be prohibited on slopes with grades of twenty percent (20%) or greater and on the crests of minor ridgelines. The Town Council shall reduce the allowable densities on slopes of less than twenty percent (20%) through appropriate means such as requiring proportionally larger lot sizes or other appropriate siting limitations. For the purposes of this paragraph the term 'minor ridgeline' means any ridgeline, including lateral ridges, with an elevation greater than 800 feet above mean sea level, other than a major ridgeline.²

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-B2 Moraga Open Space Ordinance

IP-C1 Development Review

- OS1.6 Transfer of Development Rights (TDRs). Encourage the transfer of development rights from Open Space lands to centrally located 'receiving areas.' In no event shall

¹ Wording taken from Section 3.a of the Moraga Open Space Ordinance.

² Wording taken from Section 3.b of the Moraga Open Space Ordinance. MOSO Open Space is identified as Open Space Lands in the Ordinance.

dwelling units be transferred to Open Space lands or to ‘High Risk’ areas, as identified by the Town Council based on soil stability, slope considerations, accessibility and drainage conditions.

Implementing Programs:

IP-J2 Transfer of Development Rights Program

- OS1.7 Receiving Areas for TDRs. Designate the two specific plan areas—the Moraga Center Area and Rheem Park Area—as ‘receiving areas’ for the transfer of development rights.

Implementing Programs:

IP-J2 Transfer of Development Rights Program

IP-K1 Moraga Center / Rheem Park Area Specific Plans

- OS1.8 Open Space Access and Recreational Use. Where appropriate and consistent with other General Plan goals and policies, areas with a MOSO Open Space or Non-MOSO Open Space designation on the General Plan Diagram should be made available to the public for recreational use.

Implementing Programs:

IP-J3 Open Space Management Plan

IP-K2 Pedestrian, Bicycle and Trails Master Plan

- OS1.9 Open Space Management. Maintain and manage public-use open space areas in keeping with community priorities, relevant deed restrictions, budget constraints, hazard and risk considerations, and best management practices. Develop management plans for open space areas as necessary, including the Mulholland Ridge open space area.

Implementing Programs:

IP-J3 Open Space Management Plan

- OS1.10 Open Space for Grazing. Allow use of open space land for farm animals when such use does not have adverse impacts upon adjacent residential areas, wildlife, or the land itself.

Implementing Programs:

IP-J3 Open Space Management Plan

OS2 Environmental Quality

GOAL: Environmental quality in the future that is as good or better than today.

OS2.1 Protection of Wildlife Areas. Prohibit development in locations where it will have a significantly adverse effect on wildlife areas. When development is permitted in the vicinity of wildlife areas, require implementation of appropriate mitigation measures to reduce any adverse impact upon the wildlife.

Implementing Programs:

IP-C1 Development Review

IP-C3 Design Review

IP-C6 CEQA / Environmental Impact Reports

OS2.2 Preservation of Riparian Environments. Preserve creeks, streams and other waterways in their natural state whenever possible.

Implementing Programs:

IP-C1 Development Review

IP-C3 Design Review

IP-J1 Open Space Preservation Program

OS2.3 Natural Carrying Capacity. Require that land development be consistent with the natural carrying capacity of creeks, streams and other waterways to preserve their natural environment.

Implementing Programs:

IP-C6 CEQA / Environmental Impact Reports

OS2.4 Areas of Natural Significance. Preserve and protect, insofar as possible, areas that are recognized as having natural significance. These areas include but are not limited to:

- a) The Lake LaSalle area for its scenic value and wildlife habitat.
- b) Flicker Ridge for its significant contribution to the wildlife of the area and because it represents a unique knob-cone pine forest.
- c) Remaining laguna environment of Laguna de los Palos Colorados.

Implementing Programs:

IP-J1 Open Space Preservation Program

OS2.5 Wildlife Corridors. To the extent possible, connect open space areas so that wildlife can have free movement through the area, bypass urban areas and have proper access to adjacent regional parks and related open space systems.

Implementing Programs:

IP-J1 Open Space Preservation Program

OS2.6 Reintroduction of Wildlife Species. Consider reintroduction into the natural environment of those wildlife species that could survive, would not be detrimental to the urban development, and which could be economically accomplished.

Implementing Programs:

IP-J3 Open Space Management Plan

OS2.7 Reintroduction of Native Plant Species. Consider reintroduction into the natural environment of plant species that are indigenous to the area and encourage programs to manage, reduce or eliminate the use and proliferation of non-native, invasive species. Encourage the use of native plant species in new landscaping plans.

Implementing Programs:

IP-C3 Design Review

IP-J3 Open Space Management Plan

OS2.8 Tree Preservation. Preserve and protect trees wherever they are located in the community as they contribute to the beauty and environmental quality of the Town.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-B17 Moraga Tree Ordinance

IP-G6 Tree Planting Program

IP-J1 Open Space Preservation Program

OS2.9 Tree-covered Areas. Preserve or substantially maintain in their present form certain tree-covered areas, especially with respect to their value as wildlife habitats, even if development in those areas is permitted. Give preference to the retention of original growth over replanting. These areas include, but are not limited to:

d) Mulholland Hill (both northeast and southwest slopes)

e) Indian Ridge

f) Bollinger Canyon

- g) Sanders Ranch properties
- h) St. Mary's Road northeast of Bollinger Canyon Road
- i) The "Black Forest" area located northerly of the terminus of Camino Ricardo
- j) Coyote Gulch west of St. Mary's Road, to the north
- k) Wooded area to the east and south of St. Mary's Gardens
- l) Wooded area behind Donald Rheem School
- m) Wooded area on the ridge south of Sanders Drive.

Implementing Programs:

IP-J1 Open Space Preservation Program

IP-G6 Tree Planting Program

- OS2.10 Quarrying. Prohibit quarrying and similar activities that tend to erode the terrain or otherwise damage ecologically sensitive areas.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-C6 CEQA / Environmental Impact Reports

- OS2.11 Recycling and Source Reduction. Enhance the long-term viability of natural resources and reduce the volume of material sent to solid waste sites by continuing source reduction and recycling programs, encouraging participation of all residents and businesses.

Implementing Programs:

IP-M4 Information on Resource Conservation...

OS3 Water Quality and Conservation

GOAL: Protection of water resources through protection of underground water aquifers and recharge areas; maintenance of watercourses in their natural condition; and efficient water use.

- OS3.1 Sewer Connections. Require all development to be connected to a sewage system, with exceptions granted only in those areas where it is demonstrated that a sewer connection is not feasible *and* it has been confirmed by a competent technical counsel that septic system effluent will not infiltrate underground aquifers.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-C1 Development Review

IP-C6 CEQA / Environmental Impact Reports

- OS3.2 Polluting Materials. Prohibit the accumulation and dumping of trash, garbage, vehicle lubricant wastes and other materials that might cause pollution.

Implementing Programs:

IP-D2 Building Inspection, Code Enforcement, Hazard Abatement

- OS3.3 Street and Gutter Maintenance. Maintain streets and gutters to prevent accumulation of debris and litter.

Implementing Programs:

IP-G4 Storm Drain Management Program

- OS3.4 Watercourse Capacity. Ensure that the design capacity of watercourses is not exceeded when approving new development.

Implementing Programs:

IP-C1 Development Review

IP-C6 CEQA / Environmental Impact Reports

- OS3.5 Watercourse Preservation. Whenever possible, preserve and protect natural watercourse areas that will reflect a replica of flora and fauna of early historical conditions.

Implementing Programs:

IP-J1 Open Space Preservation Program

- OS3.6 Run-off from New Developments. Engineer future major developments to reduce peak storm runoff and non-point source pollution to local creeks and streams, taking into consideration economically viable Best Management Practices (BMPs) in the design of the project as well as factors such as the physical constraints of the site, the potential impact on public health and safety and the practicability of possible mitigation measures.

Implementing Programs:

IP-C1 Development Review

IP-C6 CEQA / Environmental Impact Reports

- OS3.7 Water Conservation Measures. Encourage water conservation in new building construction and retrofits,

through measures such as low-flow toilets and drought-tolerant landscaping.

Implementing Programs:

IP-C1 Development Review

IP-C3 Design Review

IP-D1 Building and Grading Codes

- OS3.8 Water Recycling. When and where feasible and appropriate, encourage the use of recycled water for landscape irrigation purposes.

Implementing Programs:

IP-C1 Development Review

IP-B16 Recycled Water Ordinance

- OS3.9 East Bay MUD Lands. Encourage the preservation of East Bay Municipal Utility District Lands for watershed use.

Implementing Programs:

IP-L12 Coordination with Utility Providers

OS4 Air Quality

<i>GOAL: Preservation and maintenance of air quality.</i>

- OS4.1 Development Design. Conserve air quality and minimize direct and indirect emissions of air contaminants through the design and construction of new development. For example, direct emissions may be reduced through energy conserving construction that minimizes space heating, while indirect emissions may be reduced through uses and development patterns that reduce motor vehicle trips generated by the project.

Implementing Programs:

IP-C1 Development Review

IP-C6 CEQA / Environmental Impact Reports

IP-G7 Air Quality Management Program

- OS4.2 Development Approval and Mitigation. Prohibit development projects which, separately or cumulatively with other projects, would cause air quality standards to be exceeded or would have significant adverse air quality effects through direct and/or indirect emissions. Such projects may only be approved if, after consulting with the Bay Area Air Quality Management District (BAAQMD),

the Town Council explicitly finds that the project incorporates feasible mitigation measures or that there are overriding reasons for approving the project.

Implementing Programs:

IP-C1 Development Review

IP-C6 CEQA / Environmental Impact Reports

IP-G7 Air Quality Management Program

- OS4.3 Development Setbacks. Provide setbacks along high intensity use roadways to reduce resident exposure to air pollutants.

Implementing Programs:

IP-C1 Development Review

IP-C6 CEQA / Environmental Impact Reports

IP-G7 Air Quality Management Program

- OS4.4 Landscaping to Reduce Air Quality Impacts. Encourage the use of vegetative buffers along roads to assist in pollutant dispersion.

Implementing Programs:

IP-C1 Development Review

IP-C6 CEQA / Environmental Impact Reports

IP-G6 Tree Planting Program

IP-G7 Air Quality Management Program

- OS4.5 Alternate Transportation Modes. Encourage transportation modes that minimize motor vehicle use and the resulting contaminant emissions. Alternate modes to be encouraged include public transit, ride-sharing, combined motor vehicle trips to work and the use of bicycles and walking.

Implementing Programs:

IP-G7 Air Quality Management Program

IP-K2 Pedestrian, Bicycle and Trails Master Plan

IP-L8 Transit Improvements

- OS4.6 New Transportation Technologies. Encourage use of new transportation technologies such as alternative fuel vehicles that may provide environmental benefits such as reduced air pollution, lower energy consumption, and less noise.

Implementing Programs:

IP-G7 Air Quality Management Program

- OS4.7 Trip Reduction Programs. Encourage employers to foster employer-based transportation control measures such as ride-sharing, use of public transportation, bicycling and walking to work.

Implementing Programs:

IP-G7 Air Quality Management Program

IP-K2 Pedestrian, Bicycle and Trails Master Plan

IP-L8 Transit Improvements

- OS4.8 Smoking in Public Areas. Discourage smoking in enclosed public places and work places.

Implementing Programs:

IP-B17 Non-smoking Ordinance

- OS4.9 Public Information on Air Pollution. Encourage public education programs that demonstrate the benefits of reduced air pollution.

Implementing Programs:

IP-M4 Information on Resource Conservation

OS5 Energy Conservation

GOAL: Lower levels of energy consumption and use of more environmentally friendly energy alternatives.

- OS5.1 Building Standards. Require that all new buildings and additions be in compliance with the energy efficiency standards of the California Building Standards Code (Title 24, California Code of Regulations).

Implementing Programs:

IP-C1 Development Review

IP-D1 Building and Grading Codes

IP-D2 Building Inspection, Code Enforcement and Hazard Abatement

IP-E2 Residential Design Guidelines

- OS5.2 Energy Conservation Measures. Encourage energy conservation in new construction and through retrofitting of existing buildings, utilizing passive solar design, use of alternative energy systems, solar space and water heating, adequate insulation, and other measures where feasible and cost effective.

Implementing Programs:

IP-C1 Development Review

IP-E2 Residential Design Guidelines

- OS5.3 Trip Reduction. Encourage energy conservation through measures that reduce automobile trips, such as transit-supportive development, provisions for pedestrian and bicycle circulation, and promotion of home-based offices and telecommuting.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-G7 Air Quality Management Program

IP-K2 Pedestrian, Bicycle and Trails Master Plan

IP-L8 Transit Improvements

OS6 Noise

GOAL: A peaceful and tranquil community.
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- OS6.1 Acoustical Standards. Develop acoustical standards that properly reflect acceptable sound emission levels.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-D1 Building and Grading Codes

- OS6.2 Noise Levels. Ensure that noise from all sources is maintained at levels that will not adversely affect adjacent properties or the community, especially during evening and early morning hours. Reasonable exceptions may be made in the interest of public safety.

Implementing Programs:

IP-C1 Development Review

IP-G8 Noise Monitoring Program

- OS6.3 Noise Sensitive Uses. Locate uses where they will be most acoustically compatible with elements of the man-made and natural environment.

Implementing Programs:

IP-B1 Zoning and Subdivision Ordinances

IP-G8 Noise Monitoring Program

- OS6.4 Noise Impacts of New Development. Ensure that new development will not raise noise levels above acceptable levels on the Town's arterials and major local streets.

*Implementing Programs:**IP-C1 Development Review**IP-C6 CEQA / Environmental Impact Reports*

- OS6.5 Acoustical Data with Development Applications. Require the submittal of acoustical data, when and where appropriate, as part of the development application process so that the noise impacts of proposed uses can be properly evaluated and mitigated.

*Implementing Programs:**IP-C1 Development Review**IP-C6 CEQA / Environmental Impact Reports*

- OS6.6 Temporary Noise Sources. Permit temporary noise-generating activities such as construction only for the shortest reasonable duration and in locations that will have the least possible adverse effect.

*Implementing Programs:**IP-G8 Noise Monitoring Program*

- OS6.7 Vehicle Noise. Require that vehicles, including those used for recreational purposes, be used in such a manner that they will not intrude on the peace and quiet of residential areas. Reasonable exceptions may be made in the interest of public safety.

*Implementing Programs:**IP-G8 Noise Monitoring Program*

- OS6.8 Public Information on Noise Pollution. Whenever appropriate, use public information programs to educate the public on the value of an environment that is free of noise pollution.

*Implementing Programs:**IP-M5 Information on Noise Pollution*



8 PUBLIC SAFETY

PS1 General Public Safety

GOAL: A semi-rural environment that is relatively free from hazards and as safe as practicable.

PS1.1 Assessment of Risk. Include an environmental assessment of natural hazard risks in development proposals to permit an adequate understanding of those risks and the possible consequent public costs in order to achieve a level of ‘acceptable risk.’ Public costs should be expressed in terms of effect on life and property.

Implementing Programs:

IP-C6 CEQA / Environmental Impact Reports

PS1.2 Public Review of Risk Data. Include appropriate cost-effective data in the evaluation of existing and potential hazards and make that data available for citizen review and comment in order to determine what public resources should be allocated to mitigate risk conditions.

Implementing Programs:

IP-C6 CEQA / Environmental Impact Reports

PS1.3 High Risk Areas. Prohibit development in ‘high risk’ areas, which are defined as being (1) upon active or inactive slides, (2) within 100 feet of active slides, as defined in Figure 4 of the Safety Element Appendix, or (3) at the base of the centerline of a swale, as shown on the Town’s Development Capability Map.

Implementing Programs:

IP-B5 High Risk Areas Zoning Overlay

IP-C1 Development Review

PS1.4 Moderate Risk Areas. Avoid building in ‘moderate risk’ areas, which are defined as being (1) those areas within 100 yards of an active or inactive landslide, as defined by the Town’s Landslide Map, or (2) upon a body of colluvium, as shown in Figure 2 of the Public Safety Element background information. Where it is not possible to avoid building in such areas entirely, due to parcel size and configuration, limit development accordingly through

density regulations, subdivision designs that cluster structures in the most stable portions of the subdivision, site designs that locate structures in the most stable portion of the parcel, and specific requirements for site engineering, road design, and drainage control.

Implementing Programs:

IP-B6 Moderate Risk Areas Zoning Overlay

IP-C1 Development Review

- PS1.5 Control of Nuisances and Unsafe Conditions. Identify any structures and conditions that are unsafe or constitute nuisances, and take measures to make them conform to appropriate safety codes or remove them.

Implementing Programs:

IP-D2 Building Inspections, Code Enforcement, Hazard Abatement

- PS1.6 Public Safety Improvements. Give high priority to those public improvements that are related to public safety.

Implementing Programs:

IP-A2 Annual Town Budget

- PS1.7 Federal and State Aid. Utilize available Federal and State sources of economic and technical aid to supplement local resources when problems exist that are directly related to public health and safety.

Implementing Programs:

IP-G15 Federal Insurance Qualifications

IP-L4 Inter-jurisdictional Public Safety Programs

- PS1.8 Hazardous Wastes. Require permits in accordance with State and Federal regulations any time that hazardous materials are proposed to be transmitted into, out of, or through the Town.

Implementing Programs:

IP-G9 Hazardous Waste Management Program

PS2 Police and Emergency Services

GOAL: A community environment that is free from crime and prepared for any potential disaster.

PS2.1 Police Services. Provide police services to maintain the peace, respond to localized emergencies and calls for service, and undertake crime prevention within the Town.

Implementing Programs:

IP-A2 Annual Town Budget

PS2.2 Address Visibility. Encourage the placement of residential and business addresses so that they can be easily seen from the street.

Implementing Programs:

IP-D1 Building and Grading Codes

IP-D2 Building Inspection, Code Enforcements, Hazard Abatement

IP-E5 Public Safety Guidelines

PS2.3 Public Safety and Design. Develop guidelines for the design and siting of buildings to reduce the opportunity for crime, and apply such considerations in the review of development proposals. Provide related information to the public to educate them on the benefits of appropriate home designs and other preventive steps they can take to reduce the incidence of crime in their neighborhood.

Implementing Programs:

IP-E5 Public Safety Guidelines

IP-M10 Information on Public Safety

PS2.4 Disaster Preparedness. Participate, to the extent feasible, in programs relating to multi-jurisdictional disaster preparedness and cooperate with the County Office of Emergency Services and other appropriate agencies to revise and update the Town's Disaster Preparedness Plan.

Implementing Programs:

IP-G10 Earthquake Emergency and Disaster Preparedness Plans

IP-L4 Inter-jurisdictional Public Safety Programs

PS3 Fire Safety and Emergency Services

GOAL: A high level of fire and life safety.

PS3.1 Cooperation with the Moraga-Orinda Fire District. Cooperate with the Moraga-Orinda Fire District in developing standards, guidelines and local ordinances to assure provision of adequate fire protection and emergency medical service for all persons and property in the community.

Implementing Programs:

IP-L4 Inter-jurisdictional Public Safety Programs

PS3.2 Fire Stations. Maintain two fire stations in the Town. Work with the Moraga-Orinda Fire District to support its ongoing facility improvement program, including but not limited to the relocation of Station 42 from Rheem Boulevard to Moraga Road (as indicated on the General Plan Diagram).

Implementing Programs:

IP-L4 Inter-jurisdictional Public Safety Programs

PS3.3 Response Times. Provide a maximum emergency response driving time of 3 minutes and/or a travel distance of not more than 1.5 miles for response vehicles from the closest fire station to arrive and effectively control fires and respond to medical and other emergencies in the community.

Implementing Programs:

IP-L4 Inter-jurisdictional Public Safety Programs

PS3.4 Fire Flows. Deploy the fire-fighting forces of the Moraga-Orinda Fire District to deliver a minimum fire flow in accordance with the adopted standards of the Moraga-Orinda Fire District. Major fires requiring fire flows in excess of the adopted standards will exceed the initial fire attack capability of local fire-fighting forces and structures involved in such fires are expected to incur major fire damage unless protected by fire resistive interiors and fire sprinkler systems.

Implementing Programs:

IP-B8 Fire Safety Ordinance

IP-C2 Development Review for Emergency Services

IP-L4 Inter-jurisdictional Public Safety Programs

- PS3.5 Development Review for Emergency Response Needs. Evaluate new development proposals to ascertain and mitigate problems associated with emergency response needs.

*Implementing Programs:**IP-C2 Development Review for Emergency Services*

- PS3.6 Fire Vehicle Access. Provide access for fire-fighting vehicles to all new developments in accordance with fire access standards of the Moraga-Orinda Fire District and Town of Moraga Ordinances.

*Implementing Programs:**IP-B1 Zoning and Subdivision Ordinances**IP-B8 Fire Safety Ordinance**IP-C2 Development Review for Emergency Services*

- PS3.7 Preemptive Devices at Traffic Signals. Equip all new traffic signals with preemptive devices for emergency response services. Existing traffic signals significantly impacted by new developments shall be retrofitted with preemptive devices at developer's cost.

*Implementing Programs:**IP-B4 Traffic Impacts Ordinance**IP-C2 Development Review for Emergency Services**IP-II Transportation Systems Management Plan*

- PS3.8 Fire Safety Devices in Buildings. Require the installation of appropriate fire safety devices in all structures at the time of original construction, additions, or remodeling, in accordance with adopted building codes and standards.

*Implementing Programs:**IP-C2 Development Review for Emergency Services**IP-D1 Building and Grading Codes**IP-D2 Building Inspection, Code Enforcements, Hazard Abatement*

- PS3.9 High Occupancy Residential Buildings. Require approved built-in fire protection systems in new construction in high occupancy residential buildings (such as multi-story/multi-unit structures, group quarters, etc.) in accordance with Moraga-Orinda Fire District standards. For each new building or addition exceeding 5,000 square feet of fire

area in high occupancy residential buildings, a comparable amount of existing fire area shall be equipped with approved built-in fire protection systems.

Implementing Programs:

IP-B8 Fire Safety Ordinance

IP-C2 Development Review for Emergency Services

IP-D1 Building and Grading Codes

IP-D2 Building Inspection, Code Enforcements, Hazard Abatement

- PS3.10 Fire Protection Systems. Cooperate with the Moraga-Orinda Fire District to enforce requirements for built-in fire protection systems as required by ordinance, including specialized built-in fire protection systems that may be required based upon building size, use or location.

Implementing Programs:

IP-B8 Fire Safety Ordinance

IP-C2 Development Review for Emergency Services

IP-D1 Building and Grading Codes

IP-D2 Building Inspection, Code Enforcements, Hazard Abatement

- PS3.11 Development Review by the Moraga-Orinda Fire District. Require proposed construction projects that meet criteria established by the Moraga-Orinda Fire District (MOFD) to be reviewed by the MOFD at the beginning of the Town review process and before permits are issued. The MOFD shall submit conditions of approval for such projects to ensure that they meet adopted fire safety standards.

Implementing Programs:

IP-C2 Development Review for Emergency Services

- PS3.12 Hazardous Fire Areas. Apply special fire protection standards to all new developments in hillside, open space, and wildland interface areas. Fire prevention measures such as removal of dry grass and brush, landscaping with fire and drought-resistant vegetation, provision of adequate water supplies and access for fire-fighting vehicles shall be required to reduce the risk of wildland fires. All new structures located in hazardous fire areas shall be constructed with fire resistant exterior materials consistent with applicable building codes and standards.

Implementing Programs:

IP-B8 Fire Safety Ordinance

IP-C2 Development Review for Emergency Services
IP-D1 Building and Grading Codes
IP-D2 Building Inspection, Code Enforcements, Hazard Abatement
IP-G11 External Hazard Control Program

- PS3.13 Dry Grass and Brush Control. Require that all properties be maintained so as to preclude the existence of dry grass and brush that would permit the spread of fire from one property to another. Encourage preventive measures by homeowners to reduce fire risks.

Implementing Programs:
IP-G11 External Hazard Control Program
IP-M10 Public Safety Information

- PS3.14 Fire Retardant Roofing. Require fire retardant roofing of Class B or better in all new construction and when replacing roofs on existing structures.

Implementing Programs:
IP-B8 Fire Safety Ordinance
IP-C2 Development Review for Emergency Services
IP-D1 Building and Grading Codes
IP-D2 Building Inspection, Code Enforcements, Hazard Abatement

- PS3.15 Fire Roads and Trails. Require adequate fire access to open space areas in accordance with Moraga-Orinda Fire District standards.

Implementing Programs:
IP-B8 Fire Safety Ordinance
IP-C2 Development Review for Emergency Services

PS4 Seismic and Geologic Hazards

GOAL: Minimal risk to lives and property due to earthquakes and other geologic hazards.

- PS4.1 Development in Geologic Hazard Areas. Prohibit development in geologically hazardous areas, such as slide areas or near known fault lines, until appropriate technical evaluation of qualified independent professional geologists, soils engineers and structural engineers is completed to the Town's satisfaction. Allow development only where and to

the extent that the geologic hazards have been eliminated, corrected or mitigated to acceptable levels.

Implementing Programs:

IP-B10 Geologic Hazards Abatement District Ordinance

- PS4.2 Development Review for Geologic Hazards. Require development proposals to address geologic hazards, including but not limited to landslide, surface instability, erosion, shrink-swell (expansiveness) and seismically active faults. Technical reports addressing the geologic hazards of the site shall be prepared by an independent licensed soil engineer, geologist and/or structural engineer, approved by the Town and at the expense of the developer. All technical reports shall be reviewed by the Town and found to be complete prior to approval of a development plan.

Implementing Programs:

IP-B10 Geologic Hazards Abatement District Ordinance

IP-C1 Development Review

IP-C4 Seismic Safety Checklist

IP-C7 Geotechnical Reports

- PS4.3 Development Densities in Hazard Areas. Minimize the density of new development in areas prone to seismic and other geologic hazards.

Implementing Programs:

IP-B7 Hillside Zoning Overlay

IP-B10 Geologic Hazards Abatement District Ordinance

IP-C1 Development Review

- PS4.4 High Occupancy Structures. Do not locate community buildings or other structures designed to accommodate large numbers of people near fault lines or any area where seismically induced slides are possible.

Implementing Programs:

IP-B7 Hillside Zoning Overlay

IP-B10 Geologic Hazards Abatement District Ordinance

IP-C1 Development Review

IP-C7 Geotechnical Reports

- PS4.5 Public Facilities and Utilities in Landslide Areas. Prohibit the financing and construction of public facilities or utilities in potential landslide areas.

*Implementing Programs:**IP-B7 Hillside Zoning Overlay**IP-B10 Geologic Hazards Abatement District Ordinance**IP-C1 Development Review**IP-C7 Geotechnical Reports*

- PS4.6 Construction Standards. Ensure that all new construction and applicable remodeling/reconstruction projects are built to established standards with respect to seismic and geologic safety.

*Implementing Programs:**IP-C1 Development Review**IP-C4 Seismic Safety Checklist**IP-C7 Geotechnical Reports**IP-D1 Building and Grading Codes*

- PS4.7 Construction Oversight. Adopt and follow procedures to ensure that the recommendations of the project engineer and the design and mitigating measures incorporated in approved plans are followed through the construction phase.

*Implementing Programs:**IP-C1 Development Review**IP-C4 Seismic Safety Checklist**IP-D2 Building Inspections, Code Enforcement, Hazard Abatement*

- PS4.8 Unsafe Structures. Properly disclose information pertaining to structures and facilities found to be unsafe and remove or rebuild such structures and facilities to adequate construction standards.

*Implementing Programs:**IP-B9 Seismic Safety Ordinance**IP-K6 Seismic Safety Study*

- PS4.9 Water Storage Reservoirs. Permit properly designed storage reservoirs for domestic water supply only in those locations that will pose no hazard to neighboring development.

*Implementing Programs:**IP-B9 Seismic Safety Ordinance;**IP-C1 Development Review**IP-C7 Geotechnical Reports*

PS4.10 Grading. Grading for any purpose whatsoever may be permitted only in accordance with an approved development plan that is found to be geologically safe and aesthetically consistent with the Town's Design Guidelines. Land with a predevelopment average slope of 25% or greater within the development area shall not be graded except at the specific direction of the Town Council and only where it can be shown that a minimum amount of grading is proposed in the spirit of, and not incompatible with, the intention and purpose of all other policies of the General Plan. The Town shall develop an average slope limit beyond which grading shall be prohibited unless grading is required for landslide repair or slope stabilization.

Implementing Programs:

IP-C1 Development Review

IP-C7 Geotechnical Reports

IP-D1 Building and Grading Codes

PS4.11 Retaining Walls. Discourage the use of retaining walls and other man-made grading features to mitigate geologic hazards, permitting them only when:

- Required to decrease the possibility of personal injury or property damage;
- Designed to blend with the natural terrain and avoid an artificial or structural appearance;
- Appropriately screened by landscaping;
- Designed to avoid creating a tunnel effect along roadways and to ensure unrestricted views for vehicular and pedestrian safety; and
- Designed to ensure minimal public and/or private maintenance costs.

Implementing Programs:

IP-C1 Development Review

IP-C3 Design Review

IP-C7 Geotechnical Reports

IP-D1 Building and Grading Codes

PS4.12 Maintenance of Hillside Areas. Facilitate successful long-term maintenance of hillside areas held as common open space.

Implementing Programs:

IP-J3 Open Space Management Plan

- PS4.13 Public Information on Seismic and Geologic Safety. Educate the general public regarding methods to improve seismic safety, with specific information targeted to hillside homeowners on ways to minimize landslide and erosion hazards.

Implementing Programs:

IP-M6 Seismic Safety Information

IP-M7 Landslide Information

PS5 Flooding and Streambank Erosion

GOAL: Minimal risk to lives and property due to flooding and streambank erosion.

- PS5.1 Public Information on Flood Hazard Mitigation. Educate streamside property owners regarding potential flooding and streambank erosion hazards, their responsibilities for streambank maintenance and repair, and mitigation measures that may be used to address potential hazards.

Implementing Programs:

IP-M8 Information on Streamside Guidelines and Flood Insurance

- PS5.2 Development in Floodways. Restrict new development in floodways in accordance with FEMA requirements.

Implementing Programs:

IP-B12 Flood Control Ordinance

IP-C1 Development Review

- PS5.3 New Structures in Flood Hazard Areas. Avoid placing new structures within potentially hazardous areas along stream courses.

Implementing Programs:

IP-B12 Flood Control Ordinance

IP-C1 Development Review

- PS5.4 Existing Structures in Flood Hazard Areas. Require the rehabilitation or removal of structures that are subject to flooding or streambank erosion hazards.

Implementing Programs:

IP-B12 Flood Control Ordinance

Streambank Maintenance and Repair Responsibilities

Private property owners are responsible for all long- and short-term maintenance on natural creeks and drainage facilities located on or across their property. The only exceptions are those areas where the Town has specifically accepted maintenance responsibility.

IP-C1 Development Review
IP-F2 Stream Channel Standards

PS5.5 Streambank Erosion and Flooding Potential. Reduce the potential for future streambank erosion and flooding by requiring appropriate mitigation measures.

Implementing Programs:
IP-B12 Flood Control Ordinance
IP-C1 Development Review
IP-F2 Stream Channel Standards

PS5.6 On-site Storm Water Retention. Require on-site storm water retention for new developments.

Implementing Programs:
IP-B12 Flood Control Ordinance
IP-C1 Development Review

PS5.7 Flood Control. Utilize flood control measures where appropriate to avoid damage to sensitive and critical slope areas, coordinating with the County Flood Control and Water Conservation District to evaluate watersheds and design flood control projects.

Implementing Programs:
IP-B12 Flood Control Ordinance
P-C1 Development Review
IP-L4 Inter-jurisdictional Public Safety Programs



9 COMMUNITY FACILITIES and SERVICES

FS1 Town Administration

GOAL: Efficient and effective management of the Town, including maximum economies from the expenditure of public monies and involvement of citizens as human resources to research problems and recommend solutions.

Town Facilities

The Town of Moraga owns and manages the following community facilities:

- Moraga Commons Park
- Rancho Laguna Park
- Hacienda de las Flores

The Town also owns, but leases, two other community facilities:

- Moraga Library
- Mullberry Tree Preschool

FS1.1 Efficient Town Services. Operate the Town to achieve maximum efficiency in its service delivery, utilizing a minimum number of permanent service employees and keeping capital expenditures and operating costs to a minimum while responding to community needs and priorities. Continue to seek improved methods of governmental administration that will be as cost-effective as possible, and avoid the incremental growth of government service except for urgent short-term situations

*Implementing Programs:
IP-A2 Annual Town Budget*

FS1.2 Contract Services. Encourage the continuation of Moraga as essentially a contract service Town when it is cost-effective, contracting out all work that is beyond the capability of Town staff.

*Implementing Programs:
IP-A2 Annual Town Budget*

FS1.3 Town Library. Continue to work closely with the Contra Costa County Library Commission, County Librarian, Lamorinda Library Board and the Friends of Moraga Library to improve and enhance library services, including additional library hours.

*Implementing Programs:
IP-L6 Library Services*

FS1.4 Citizen Expertise. Solicit and utilize citizen expertise in non-paid committee and special service functions, using citizens committees as an extension of staff whenever possible. Strive for broad numbers in terms of numbers and diversity.

Implementing Programs
IP-A6 Citizen Participation

- FS1.5 Annual General Plan Review and Town Budget. Conduct the annual review of the General Plan (IP-A4) prior to initiating the Town Budget process.

Implementing Programs:
IP-A2 Annual Town Budget
IP-A4 Annual General Plan Review

- FS1.6 Areas of Potential Annexation. Consider annexation of areas within Moraga's Sphere of Influence that will receive services from the Town or other urban service providers (water, sanitation, etc.).

Implementing Programs:
IP-K5 Annexation Review

FS2 Schools

GOAL: Continued high quality schools.

- FS2.1 Population Growth and School Capacity. Ensure that potential impacts on school facilities are considered when reviewing and approving development proposals, working with the Moraga School District and Acalanes Union High School District to determine potential impacts and establish appropriate mitigations, as necessary.

Implementing Programs:
IP-C1 Development Review
IP-L11 Coordination with the School Districts

- FS2.2 Pace of Growth. Control the timing and location of new residential development in a way that allows the Moraga School District and Acalanes Union High School District to plan and finance facility expansion in an orderly fashion.

Implementing Programs:
IP-C1 Development Review
IP-L11 Coordination with the School Districts

- FS2.3 School Impact Fees. Cooperate with the School Districts to assess an impact fee on new subdivision developments to offset the costs of facility expansion and other school

impacts resulting from those developments, in accordance with State law.

Implementing Programs:

IP-C1 Development Review

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

IP-L11 Coordination with the School Districts

- FS2.4 Cooperation with Schools. Maintain an ongoing collaborative working relationship with the Moraga School District, the Acalanes Union High School District, and private schools in the Town to address growth, facility planning, neighborhood impacts, and other issues of mutual concern.

Implementing Programs:

IP-L11 Coordination with the School Districts

- FS2.5 Schools and Schoolyards as Neighborhood Places. *See Policy CD2.4.*

Implementing Programs:

IP-L11 Coordination with the School Districts

FS3 Parks and Recreation

GOAL: Parks and recreational facilities that respond to community needs and priorities and are consistent with Town resources.

- FS3.1 Parks and Recreation Commission. Continue to appoint and support the Parks and Recreation Commission to advise the Town Council on parks and recreation matters. The Parks and Recreation Commission shall:
- Advise the Town Council concerning the establishment, implementation and evaluation of goals and policies relating to Parks and Recreation facilities and services.
 - Maintain and biennially review and update the master plans for individual parks.
 - Evaluate the need for additional park and recreation facilities.
 - Review development proposals for adequacy of parks and recreation facilities and open space requirements.
 - Advise the Town Council regarding the acceptance of park dedication funds and/or facilities.

Implementing Programs:

IP-A7 Citizen Commissions

- FS3.2 Parks and Recreation Facilities in New Developments. Ensure that adequate recreation facilities are provided in areas of new residential development as a condition of development approval. Recreation facilities may include but need not be limited to amenities such as playgrounds, drinking fountains, trails, restrooms, picnic tables, play fields, and natural areas.

*Implementing Programs:**IP-C1 Development Review*

- FS3.3 Park Dedication Requirements. Require residential and business developments to make appropriate provisions for park land dedication, trails, trail easements and/or in-lieu fees as part of the planning and development process. Land and/or facilities provided by the developer can be considered for credit toward the park dedication requirement.

*Implementing Programs:**IP-C1 Development Review*

- FS3.4 Facility Maintenance. Provide a high level of maintenance at all park and recreation facilities.

*Implementing Programs:**IP-G14 Facility Management*

- FS3.5 Maintenance and Operation Costs. Strive to achieve self-sustaining parks and recreation activities through appropriate fee structures.

*Implementing Programs:**IP-A6 Citizen Participation**IP-G12 Recreation Programs**IP-G14 Facility Management*

- FS3.6 Access for People of All Abilities. Design and manage park and recreation facilities, including trail facilities, so that people of all abilities can access and enjoy Moraga's recreational opportunities, consistent with the requirements of the Americans with Disabilities Act (ADA).

*Implementing Programs:**IP-A Annual Town Budget**IP-G14 Facility Management*

FS3.7 Parking at Parks and Recreation Facilities. Strive to ensure adequate parking at all parks and recreation facilities.

Implementing Programs:
IP-G13 Facility Master Plans

FS3.8 Hacienda de las Flores. Continue to use Hacienda de las Flores as a recreation center, botanical garden and historical complex.

Implementing Programs:
IP-G12 Recreation Programs
IP-G13 Facility Master Plans

FS3.9 Moraga Commons. Continue to use Moraga Commons as the central site for community events.

Implementing Programs:
IP-G12 Recreation Programs
IP-G13 Facility Master Plans

FS3.10 Land Management. Manage parks, open space lands and trails in accordance with recognized land management principles.

Implementing Programs:
IP-G14 Facility Management
IP-J3 Open Space Management Plan

FS3.11 Mulholland Ridge Use and Management. Develop a plan for use and management of the Mulholland Ridge area as a community open space, involving Moraga residents in the planning process.

Implementing Programs:
IP-J3 Open Space Management Plan

FS3.12 Recreation Programs. Develop recreation programs consistent with the carrying capacities of available park lands and facilities.

Implementing Programs:
IP-G12 Recreation Programs
IP-G14 Facility Management

- FS3.13 Age-Appropriate Activities. Provide a range of recreational facilities and programs to meet the needs of all age groups.

Implementing Programs:
IP-G12 Recreation Programs
IP-G13 Facility Master Plans
IP-G14 Facility Management

- FS3.14 Neighborhood Compatibility. Ensure that recreational facilities and activities are compatible with the neighboring environment.

Implementing Programs:
IP-G12 Recreation Programs
IP-G13 Facility Master Plans
IP-G14 Facility Management

- FS3.15 Recreational Use of School Facilities. Consider school properties for recreational programming and joint facilities development to the extent feasible.

Implementing Programs:
IP-G12 Recreation Programs
IP-L11 Coordination with the School Districts

- FS3.16 Recreation Programs, Activities and Events. Encourage the development and coordination of recreational facilities, activities, programs and special events, independently or with other governmental agencies, service organizations, local schools and businesses.

Implementing Programs:
IP-G12 Recreation Programs
IP-L5 Inter-jurisdictional Recreation Planning

- FS3.17 Joint Programs with Saint Mary's College. Encourage joint recreational programs between the Town of Moraga and Saint Mary's College.

Implementing Programs:
IP-G12 Recreation Programs
IP-L10 Coordination with Saint Mary's College

- FS3.18 Community Education Activities. Encourage activities from which Moraga residents can learn about the community, its history, resources and residents.

Implementing Programs:
IP-G12 Recreation Programs

FS3.19 Recreation Staff. Hire local residents as leaders and instructors whenever possible.

Implementing Programs:

IP-A6 Citizen Participation

IP-G12 Recreation Programs

FS3.20 Trails Master Plan. Implement the Moraga Trails Master Plan through ownership and easements to establish and maintain a comprehensive trails network in the Town. Adjust the plan as necessary to take advantage of any new trail opportunities that may arise.

Implementing Programs:

IP-A2 Annual Town Budget

IP-C1 Development Review

IP-K2 Pedestrian, Bicycle and Trails Master Plan

FS3.21 Trail Design and Maintenance. Consider the following when planning, designing, implementing and maintaining trail facilities:

- *Environmental Impacts.* Design trails for a minimum adverse environmental impact.
- *Fiscal Impacts.* Consider the fiscal impacts of accepting ownership and maintenance responsibility of trail facilities.
- *Safety.* Separate trail routes from motor vehicle routes whenever possible.
- *Use of Fire Trails.* In undeveloped areas, improve existing fire trails for trail use in cooperation with landowners.

Implementing Programs:

IP-A2 Annual Town Budget

IP-C1 Development Review

IP-K2 Pedestrian, Bicycle and Trails Master Plan

IP-J3 Open Space Management Plan

FS3.22 Regional Trail System. Encourage and cooperate with other jurisdictions and agencies to develop and maintain a unified regional trail system, including hiking, biking and equestrian trails. Support development of regional trail projects such as the Bay Ridge Trail.

Implementing Programs:

IP-K2 Pedestrian, Bicycle and Trails Master Plan

IP-L5 Inter-jurisdictional Recreation Planning



10 GROWTH MANAGEMENT

GM1 Growth Management

GOAL: Maintenance of approved Performance Standards for Town facilities, services and infrastructure.

GM1.1 Purpose of the Growth Management Element. Establish policies and standards for traffic levels of service and performance standards for fire, police, parks, sanitary facilities, water and flood control to ensure that public facilities are provided consistent with adopted standards.

GM1.2 Authority to Adopt the Element and ‘Measure C’ Consistency. Adopt the Growth Management Element pursuant to the authority granted to local jurisdictions by Section 65303 of the Government Code, and ensure consistency with the requirements of the Contra Costa Transportation Improvement and Growth Management Program (Measure C), approved by Contra Costa voters in 1988.

GM1.3 Implementation of the Growth Management Element. Establish a comprehensive long-range program that will match the demands for public facilities generated by new development with plans, capital improvements, and development programs.

Implementing Programs:

- IP-A2 Annual Town Budget*
- IP-C1 Development Review*
- IP-C5 Traffic Impact Studies*
- IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing*
- IP-L7 Lamorinda Transportation Planning*

GM1.4 Traffic Service Standards. Establish the LOS standard for all Moraga roads, urban and suburban, as a ‘high C’ (0.75 to 0.79 vehicle to capacity ratio).

GM1.5 Other Performance Standards. Establish the following performance standards for other Town facilities, services and infrastructure. These standards pertain to the development review process and should not be construed as applying to existing developed lands. Proposed developments must include mitigation measures to assure

‘Levels of Service’ (LOS)

To evaluate circulation standards, traffic conditions are described in terms of Levels of Service, or LOS. A range of ‘A’ to ‘F’ indicates the service level, ‘A’ being effective, and continuing to ‘F’ being the worst. Level of Service can be measured in terms of the percentage of capacity under which a particular roadway operates. When a road segment is operating at 100 percent of capacity, LOS ‘F’ has been reached.

Roadway Classifications

The Contra Costa Transportation Authority has differentiated between Basic Routes and routes of Regional Significance. All of Moraga’s roadways are Basic Routes and all can be classified as Suburban Roads with the exception of Moraga Road and Moraga Way, which are designated Urban.

that these standards or their equivalent are maintained. Modifications to these standards may be accomplished by a resolution of the Town Council.

Parks. Five acres of parkland per 1000 residents.

Fire. A fire station within 1.5 miles of all residential and nonresidential development in the Town, in the absence of appropriate mitigation measures.

Police. Maintain a three-minute response time for all life-threatening calls and those involving criminal misconduct. Maintain a seven-minute response time for the majority of non-emergency calls.

Sanitary Facilities. The capacity to transport and treat residential and non-residential wastewater as indicated by the Central Contra Costa Sanitary District.

Water. The capacity to provide sufficient water to all residents and businesses in the Town as indicated by the East Bay Municipal Utility District.

Flood Control. Containment of the 100-year flood event (as determined by FEMA) by the flood control/drainage system.

- GM1.6 Development Impacts and Share of Costs. Require all new development to contribute to or participate in the improvement of traffic service, parks, fire, police, sanitary, water and flood control systems in proportion to the demand generated by project occupants and users.

Implementing Programs:

IP-C1 Development Review

IP-C5 Traffic Impact Studies

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

- GM1.7 Development Review and Approval. Approve development projects only after making findings that one or more of the following conditions are met:
- a) Standards for traffic level of service and facility/service performance will be maintained following project occupancy;
 - b) Mitigation measures are available and will be required of the applicant in order to insure maintenance of standards;

- c) Capital projects planned by the Town or by a special district will result in maintenance of standards.

Implementing Programs:

IP-A2 Annual Town Budget

IP-C1 Development Review

IP-C5 Traffic Impact Studies

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

IP-L1 Development Review Referral

IP-L7 Lamorinda Transportation Planning

- GM1.8 Transportation System Improvements. Implement actions in the Lamorinda Action Plan for which the Town is responsible.

Implementing Programs:

IP-II Transportation Systems Management Plan

- GM1.9 Concurrency. Require that improvements to traffic service and/or other Town facilities and services that are a condition of project approval be implemented and in place at the time of project completion and occupation.

Implementing Programs:

IP-A2 Annual Town Budget

IP-C1 Development Review

IP-C5 Traffic Impact Studies

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

- GM1.10 Findings of Consistency. The Contra Costa Transportation Authority requires that projects estimated to generate over 100 peak-hour vehicle trips to conduct a traffic impact study. In addition, the Lamorinda Project Management Committee (LPMC) is required to review projects that are expected to add an additional 50 peak-hour trips. In such instances, the approval body must make Findings of Consistency with the adopted Level of Service standards and approved action plans in order to approve the project; unless mitigations are programmed to be completed within five years or Findings of Special Circumstances have been made.

Implementing Programs:

IP-C1 Development Review

IP-C5 Traffic Impact Studies

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

IP-L7 Lamorinda Transportation Planning

- GM1.11 Reviewing and Monitoring Performance Standards.
Periodically review and monitor all performance standards.

Implementing Programs:
IP-A4 Annual General Plan Review

- GM1.12 Conflict Resolution. Follow the Contra Costa
Transportation Authority's conflict resolution process to
resolve disputes related to the Action Plans and other parts
of the regional Growth Management Program (Measure C).

Implementing Programs:
IP-A9 Conflict Resolution

*See also policies C2.1, Regional Collaboration and Problem-solving (page
6-4) and C2.2, Regional Transportation Improvements (page 6-5).*

11 ACTION PLAN

This chapter presents a comprehensive list of the implementing programs for the Moraga 2002 General Plan, as referenced for each policy in Chapters 3 through 10. These are the programs that put the Plan's goals and policies into action.

The programs are organized by type, including:

- A General Programs
- B Ordinances
- C Development Review
- D Codes and Enforcement
- E Design Guidelines
- F Other Guidelines and Standards
- G Ongoing Programs
- H Housing Specific Programs
- I Circulation Specific Programs
- J Open Space Specific Programs
- K Special Plans and Projects
- L Intergovernmental Coordination
- M Public Information And Education

Appendix F provides a summary matrix identifying the Town department(s) responsible for implementing each program, schedule for implementation (highlighting programs to be implemented in the coming year), financing sources (when other than or in addition to Town funds), and, where applicable, quantified objectives for the production of housing units affordable to various income levels (in accordance with State law requirements). Quantified objectives are also summarized at the end of the Housing Element (Chapter 5).

The Action Plan, in keeping with Implementing Program IP-A4, should be revisited on an annual basis as part of the General Plan Annual Review to report on the status of each implementing program and revise the schedules to reflect implementation priorities for the coming year.

A. General Programs

IP-A1 General Plan Diagram

Use the General Plan Diagram to guide land use planning activities in the Town and its Sphere of Influence area. Use the Circulation System of the General Plan Diagram to guide activities related to goods movement, emergency vehicle routes, street closures and other activities that affect the transportation system, local businesses and residents. Review and update the General Plan Diagram as part of the annual General Plan review process.

IP-A2 Annual Town Budget

Prepare, review and adopt an Annual Budget to identify and fund ongoing Town programs, services, activities, and projects, including capital improvement projects needed to maintain and enhance the community's character, quality and livability. Capital improvement projects shall include park and recreation facility improvements; public safety improvements; and improvements to the circulation system that are necessary to maintain and improve traffic operations and/or levels of facility performance, identifying funding sources (Town funds and other) as well as intended project phasing.

IP-A3 Annual Needs Assessment

Conduct an annual assessment of service levels in relation to community needs as part of the Town budget process.

IP-A4 Annual General Plan Review

Conduct an annual review of the General Plan prior to initiating the Town budget process, reporting on the status of the Plan's implementing programs and revising the schedules for implementation accordingly to reflect implementation priorities for the coming year and ensuring linkage between implementation priorities and the Town's annual budget. Additionally, the review should identify current issues in need of attention and recommend new or revised goals, policies or implementing programs, as appropriate, including proposed General Plan amendments.

IP-A5 Public Opinion Surveys

Conduct periodic surveys of public opinion on the Town's various programs and activities.

IP-A6 Citizen Participation

Continue to encourage citizen participation in all Town activities, including ongoing review and management of the General Plan and development decision-making. Other areas in which to emphasize citizen participation include:

- *Recreation Programs.* Encourage resident participation in community events and activities, including recreation programs, both as participants and as leaders, instructors or coaches.
- *Public Safety Activities.* Involve residents, businesses and service organizations in citizen task forces to study special areas of safety concern, and in safety education activities, such as neighborhood watch, drug awareness, disaster preparedness, and similar programs.

IP-A7 Citizen Commissions

Continue to appoint and support Moraga residents to serve on commissions related to the Town's planning and development and service delivery. Commissions include the Planning Commission, Design Review Board, Parks and Recreation Commission, and Youth Involvement Committee. Each Committee shall have a designated charge and shall be involved in the review and discussion of relevant issues, making recommendations as appropriate to staff and the Town Council.

IP-A8 Homeowner Assistance

Provide long-term technical assistance to homeowner associations to address public safety issues and concerns, for an appropriate fee or assessment. Assistance shall also be provided in the form of public information and education programs.

IP-A9 Conflict Resolution

Participate in the Contra Costa Transportation Authority's conflict resolution process as needed to resolve disputes related to the development and implementation of policies described in the Growth Management Element.

IP-A10 Private Sector Support

Encourage the donation of funds, goods and services by the private sector according to the established guidelines and policies of the Town.

B. Ordinances**IP-B1 Zoning and Subdivision Ordinances**

Revise the Town's Zoning Map, Zoning Ordinance and Subdivision Ordinance, as needed, to maintain consistency with the adopted General Plan and, specifically, to achieve the following:

- Incorporate the land use plans of the Moraga Center Area and Rheem Park Area Specific Plans, when completed.
Until such time that the new Specific Plans are completed, the 1990 General Plan designations and existing zoning shall apply in the specific plan areas.
- Retain existing residential zoning and discourage non-residential uses in these zones.
- Provide for density bonuses in residential districts, consistent with State law requirements (California Govt. Code 65915).
- Continue to allow the renting of rooms/quarters in single-family homes as a permitted use in single-family zones.
- Permit emergency and transitional housing in the Community Commercial Zoning District.
- Continue to allow manufactured housing on single-family lots if placed on permanent foundations and subject to compliance with Town Design Guidelines.
- Review the requirements for second units and implement changes, including permitting detached units under certain circumstances.
- Prohibit the creation of new non-MOSO lots unless the after-graded average slope of the proposed development area is less than 25%.

IP-B2 Moraga Open Space Ordinance

Continue to implement the development policies and standards set forth in the Moraga Open Space Ordinance, in accordance with its Interpreting and Implementing Guidelines.

IP-B3 Condominium Conversions Ordinance

Revise the Condominium Conversion Ordinance to exempt limited equity residential cooperatives that meet all of the following requirements to the extent necessary to comply with State Law:

- Minimum of 20 percent of the units as housing affordable to very-low to moderate income households,
- Resale controls to assure long term affordability of the low- and moderate-income units,
- Right of first refusal of purchase of units by occupants, and
- Relocation assistance to low- or moderate-income households who are unable to afford the purchase of units that are converted.

IP-B4 Traffic Impacts Ordinance

Require developers to fund or construct their “fair share” of transportation improvements.

IP-B5 High Risk Areas Zoning Overlay

Establish a zoning overlay district for all high-risk areas. Development may be permitted only if geologic and geotechnical investigations or project mitigations result in a very low level of risk to life and property. If so, require the project geotechnical engineer and the engineering geologist to make explicit findings that this is the case, and require review by the Town’s consulting geotechnical engineer and engineering geologist. Mitigations, if necessary, should be made conditions of project approval.

IP-B6 Moderate Risk Areas Zoning Overlay

Establish a zoning overlay district for all moderate-risk areas and discourage development in areas so designated. Where possible, avoid building in moderate risk areas. Where it is not possible to avoid building in such areas entirely, due to parcel size and configuration, limit development accordingly through density regulations, subdivision designs that cluster structures in the most stable portions of the subdivision, site designs that locate structures in the most stable portion of the parcel, and specific requirements for site engineering, road design, and drainage control.

IP-B7 Hillside Zoning Overlay

Establish a Hillside Zoning Overlay for all hillside sites with greater than 20 percent slope. Regulate densities and require that permitted structures be built in the most stable portion of each parcel. Prohibit the construction of new residences on average slopes of 25 percent or more within the proposed development area of a lot, with the exception of existing lots that were either legally created after March 1, 1951 or specifically approved by the Town Council after April 15, 2002. In the case of existing lots with an average slope of 25% or more within the proposed development area, the design of all new residences shall be subject to design review approval.

IP-B8 Fire Safety Ordinance

Work in conjunction with the Moraga-Orinda Fire District to enact appropriate ordinances to require the use of built-in fire protection systems in all new commercial buildings and in single family residential buildings where water supply and access do not meet fire code requirements or distance to a fire station exceeds 1.5 miles, or square footage exceeds 5,000. The ordinance should also establish guidelines for fire trails and fuel breaks in open space areas, for minimum roofing requirements, and for the design, use and management of Emergency Vehicle Access routes.

IP-B9 Seismic Safety Ordinance

Adopt an ordinance requiring the reinforcement of hazardous buildings. The ordinance should:

- Identify critical facilities such as public facilities and infrastructure, evaluate their seismic safety, and develop a schedule for strengthening those facilities found to be below standard.
- Require critical facilities, such as schools and medical facilities, to meet the highest possible standards.
- Set priorities for non-critical facilities and establish procedures and a schedule for achieving compliance.
- Require basic elements of seismic retrofitting upon transfer of property, including inexpensive and cost-effective measures such as bolting of houses to foundations, reinforcement of chimneys, sheathing of cripple walls and bracing of hot water heaters.
- Include guidelines for post-earthquake decisions regarding evacuation and condemnation of damaged buildings.

IP-B10 Geologic Hazards Abatement District Ordinance

Consider adopting a Geologic Hazards Abatement District Ordinance, in accordance with State enabling legislation.

IP-B11 Transportation Systems Management Ordinance

To attain traffic service standards, adopt and implement a Transportation Systems Management (TSM) ordinance or alternative mitigation program.

IP-B12 Flood Control Ordinance

Establish a flood control ordinance using FEMA guidelines. The ordinance should establish standards for structural setbacks along streams, set standards for property line setbacks, and require that streamside property be owned and managed in common.

IP-B13 Historic Preservation Ordinance

Develop and adopt a Historic Preservation Ordinance to preserve designated historic buildings and sites and to allow owners of designated historic buildings to apply for tax relief through Mills Act Agreements. Issues to address include definition and designation of historic buildings and sites (including historic orchards); demolition procedures and permits; review of structural modifications and use changes; and design and development review criteria and procedures. Establish guidelines for site and building use, rehabilitation, relocation, and adaptive reuse, and implement discretionary design reviews.

IP-B14 Non-smoking Ordinance

Periodically evaluate the effectiveness and scope of the Town's non-smoking ordinance, and revise as appropriate.

IP-B15 Moraga Tree Ordinance

Implement and monitor the Moraga Tree Ordinance to preserve and protect trees in the community as they contribute to the beauty and environmental quality of the Town, with particular attention to designated 'tree-covered areas' (OS2-9) and 'trees of historical significance' (CD7.1), as defined in the Ordinance.

IP-B16 Recycled Water Ordinance

Consider adopting a Recycled Water Ordinance in accordance with State law.

IP-B17 Moraga Grading and Erosion Control Ordinance

Adopt a comprehensive grading and erosion control ordinance. Require all grading on average slopes of 25% or more within the development area to be considered by the Town Council following a recommendation by the Planning Commission. In addition, identify the maximum average slope within a development area that can be graded and prohibit grading of average slopes in excess of the limit. Require natural contour grading of all slopes in excess of 20%.

C. Development Review

IP-C1 Development Review

Undertake development reviews to ensure compliance with applicable local, regional, state, and federal laws and adopted policies. Ensure that developers contribute funding for on-site and off-site improvements that mitigate impacts of development.

Specifically, review development proposals to ensure:

- *Neighborhood Quality.* Continue to examine site and building plans to ensure that layout and design meet Town objectives for neighborhood quality (including minimizing burglary, vandalism, and other crimes).
- *Performance Standards.* Ensure that one or more of the following conditions will be met:
 - Performance standards will be maintained consistent with adopted mitigation programs following project occupancy;
 - Additional mitigation measures are available and will be required of the project sponsor in order to insure maintenance standards; or
 - Capital projects planned by the Town or special districts will result in the maintenance of standards. Improvements should be in place at the time of project implementation.
- *Acceptable Noise Levels.* Discourage the siting of residences adjacent to major arterials unless noise can be reduced to acceptable levels, consistent with State law. Encourage designs that orient sensitive portions of

buildings away from noise sources, utilize the natural terrain to screen structures from major arterials or other noise sources, and use appropriate design techniques to reduce adverse noise impacts.

- *Solar Access.* Discourage the design and siting of buildings in a manner that may reduce solar access for adjacent buildings or properties.
- *Emergency Response.* Appropriate consideration of emergency response planning.
- *Fire Prevention.* Appropriate fire prevention measures, including fire protection systems and fire-retardant roofs in accordance with adopted ordinances and standards.
- *Safe Subdivision Design.* Subdivision design and platting of each parcel so that there is a safe building location.
- *Slope Stability.* Location of development in the most stable portion of each subdivision and/or parcel, with a statement from the project engineering geologist and geotechnical engineer to this effect, subject to review of the Town's consulting geotechnical engineer and engineering geologist.
- *Seismic Safety.* Design and construction according to the seismic standards of the latest edition of the Uniform Building Code, with public buildings, multi-story buildings, office and commercial buildings, and public infrastructure designed to the highest feasible standards of seismic design by a structural engineer according to expected levels of seismic shaking, with review by a qualified structural engineer.

IP-C2 Development Review for Emergency Services

Ensure that developments are designed to provide adequate emergency vehicle access, including alternative emergency vehicle access for all new developments with 40 or more units. Ensure that new subdivisions conform to Town standards and are reviewed by officials at the Moraga-Orinda Fire District.

IP-C3 Design Review

Submit all applicable development proposals to the Design Review Board to ensure consistency with the design goals and policies of the General Plan and the Town Design Guidelines.

IP-C4 Seismic Safety Checklist

Create a checklist of seismic design features to be verified in plan review and building inspection.

IP-C5 Traffic Impact Studies

Conduct a Traffic Impact Study as part of the application review process for projects estimated to generate more than 50 peak hour trips per day, consistent with the technical guidelines published by the Contra Costa Transportation Authority.

IP-C6 CEQA / Environmental Impact Reports

Continue to utilize the CEQA process to evaluate and document the potential environmental impacts of proposed development and avoid environmental degradation, requiring environmental impact analysis and appropriate mitigations as necessary in accordance with applicable laws.

IP-C7 Geotechnical Reports

Require a geotechnical report to accompany building permit applications for all new construction, except minor building additions. For hillside sites with slopes steeper than 20 percent, require an engineering geologic report and retain a geotechnical engineer and engineering geologist to review such reports on behalf of the Town, according to established guidelines and procedures for review and approval. Ensure that all geologic and geotechnical reports are made a part of the public record, organized in such a manner that they will become an evolving source of local geotechnical information.

IP-C8 Fee Waivers/Deferrals and Expedited Permit Processing

- Review the Town's fee structure to ensure that development pays no more than its fair share of providing public service improvements consistent with the General Plan. Provide fee waivers or deferrals for projects that contain low- or moderate-income housing. Fee waivers or deferrals should be commensurate with the percentage and income levels of the affordable units proposed, and should be offered only when necessary to assure the financial feasibility of the project and/or the affordability of the low- or moderate-income units.
- Provide expedited permit processing and permit assistance to developers providing affordable housing to ensure that

unnecessary delays do not occur that could jeopardize project funding or result in substantial increases in project costs.

D. Codes and Enforcement

IP-D1 Building and Grading Codes

Review and revise the Town's building and grading codes, as necessary, to ensure that the highest standards of the geotechnical engineering profession are being followed. Specifically, aim for the highest standards in the areas of:

- Foundation design for expansive soils
- Hillside drainage
- Fill settlement
- Slope stability analysis
- Liquefaction analysis and mitigation
- Landslide repair

In the grading code, require that roads constructed in hillside areas be engineered to standards that facilitate proper emergency access and the delivery of necessary services, while reducing the potential for excessive maintenance and repair costs. Develop an average slope limit beyond which grading shall be prohibited unless grading is required for landslide repair or slope stabilization.

IP-D2 Building Inspection, Code Enforcement and Hazard Abatement

Encourage the County to continue to respond to complaints of substandard property conditions by inspecting properties and enforcing applicable building, health and safety codes. Regularly inform elected and appointed officials regarding code compliance and enforcement issues.

For critical structures and development in risk areas, encourage the County to implement a pro-active program of building inspection, code enforcement, and hazard and nuisance abatement. Specifically:

- *Substandard Structures.* Inspect and vacate or condemn structures that are damaged or are in imminent peril, using public nuisance abatement powers.
- *Hazards in Town Buildings.* Reduce non-structural hazards in all Town buildings.

- *Continuing Education for Seismic Safety.* Require inspectors to attend continuing education programs to ensure their familiarity with principles of seismic design and with seismic code requirements.
- *Grading and Foundation Inspections.* Establish inspection procedures to ensure that all grading and foundation work is observed and documented at specific critical stages. For sensitive sites, require periodic grading and foundation inspection by the Town's engineering geologist and/or geotechnical engineer.
- *Inspection of Critical Public Buildings.* For particularly critical public buildings, require periodic inspection by the Town's structural engineer for seismic safety.

E. Design Guidelines

Review and update the Town Design Guidelines to implement the goals and policies of the General Plan, including its Community Design Element. Specific areas to address include:

IP-E1 Scenic Corridor Design Guidelines

Review and update design guidelines and development standards for the Town's designated Scenic Corridors to provide consistent landscaping, design features, and development controls. Guidelines should address:

- Street tree selection and spacing and, where appropriate, median trees and groundcover plantings.
- View protection, especially to ridgeline and hillside areas.
- Signage and/or graphic systems to identify the two commercial centers and important community facilities.
- Private signage (location, size and materials).
- Building setbacks, heights and architectural features.
- Landscaping in setback areas, yards and planted courtyards visible from the street.
- Provisions for drought-tolerant species, use of recycled water, and other water conservation measures.
- Pedestrian-oriented lighting.
- Sidewalk design, along the frontage of residential and commercial areas.

Particular attention should be given to the Scenic Corridors in the Moraga Center Area and Rheem Park Area, establishing points of entry and reinforcing the special design character of these two areas.

IP-E2 Residential Design Guidelines

Review and update design standards and guidelines to address residential design issues in existing and potential future single-family residential developments, including:

- *Subdivision Design* to encourage lot and street configurations adapted to topography and natural features.
- *Street Design* to discourage closed loop streets.
- *Landscape Character*, to encourage street trees and landscaping and retain significant views, with provisions for drought-tolerant species, use of recycled water, and other water conservation measures.
- *Pedestrian Environment* to create interconnected sidewalk/pathway linkages to adjacent neighborhoods, commercial centers and community facilities such as parks and schools; provide for pedestrian-oriented lighting; and, where feasible, encourage landscape strips between the sidewalk and curb to buffer pedestrians from automobiles.
- *Home Design* to encourage home designs that are consistent with existing residential character, with appropriate height, scale and setback requirements; and to discourage the visual dominance of garages on streets by limiting the frontage (by percentage and by location) occupied by garage doors.
- *Energy Efficiency* to encourage home designs and retrofitting conserve energy through use of active and/or passive solar energy systems, ceiling insulation, ceiling fans, low-energy appliances, and/or other measures.
- *Equipment Screening* to encourage appropriate screening of mechanical equipment, solar collectors, satellite dishes, communication devices and similar devices, with special attention given to buildings whose roofs are viewed from higher elevations.
- *Infill Development* to promote more sensitive building additions and infill projects that preserve the scale and character of the existing neighborhood.

- *Public Places* to provide facilities and amenities appropriate to the neighborhood, such as neighborhood parks, childcare centers, schools and churches, ensuring appropriate siting and design.
- *Clustering* to preserve natural features and open spaces and minimize grading.
- *Landscaping in Hillside Areas* to address issues such as fire resistance, erosion control, drought tolerance, and visual buffering for privacy.
- *Estate Housing* to address issues specific to large-lot developments in outlying areas.

IP-E3 Multi-Family Residential Design Guidelines

Review and update design standards and guidelines to address issues specific to the planning, design and management of multi-family residential developments, including:

- *Site Design* to encourage developments that are oriented towards the public street rather than to an internal parking area.
- *Density and Housing Type Mix* to encourage a variety of housing types and discourage too high a concentration of any one unit or building type in a single area.
- *Building Design* to encourage buildings that reflect the scale and quality of their surroundings and which fit the character of existing residential neighborhoods.
- *Landscaping* to encourage developments that blend with the natural setting, with provisions for drought-tolerant species and fire resistive plant species, use of recycled water, and other water conservation measures.
- *Sense of Entry and Individuality* to provide a public entry point and a 'sense of address' toward the street or directly to an open space on the site.
- *Outdoor Spaces and Amenities* to encourage garden spaces and outdoor play spaces on the site.
- *Pedestrian Environment* to create a place where it is pleasant and safe to walk, orienting buildings towards public sidewalks and providing yards and landscaped setbacks.

- *Pedestrian and Bicycle Linkages* to encourage walking and biking to nearby community facilities and commercial centers.
- *Automobile Access and Parking* to minimize large parking areas or garage door openings along public streets, encouraging screened parking areas, side-yard parking, and/or 'alleys' to access parking at the rear of developments.
- *Public Places* to provide facilities and amenities appropriate to the development and neighborhood, such as park space or childcare centers, ensuring appropriate siting and design.

IP-E4 Commercial Design Guidelines

Review and update design standards and guidelines for Moraga's commercial centers as part of the Moraga Center Area and Rheem Park Area Specific Plans. Issues to address include:

- *Building Design* to establish appropriate building heights, setbacks and architectural design standards and create a pleasant village-like atmosphere with a strong 'sense of place.'
- *Visual Environment* to create a more pleasing and inviting visual environment by locating and screening storage yards, parking areas, service areas and other ground level paved areas shall be screened from off site views by perimeter and tree canopy planting. Special attention should be given to views from nearby and distant hillside neighborhoods. Large flat-roofed areas and rooftop equipment shall be screened from off-site views.
- *Pedestrian Environment* to create a strong pedestrian orientation, with buildings sited and designed to create a pleasant pedestrian experience along public street frontages and active uses adjacent to the public sidewalk; and to create pedestrian places and amenities such as covered walkways, courtyards, and plazas with appropriate landscaping and lighting.
- *Landscaping* to provide consistent tree planting along all major streets and pedestrian paths; encourage more extensive on-site landscaping, including use of drought

tolerant and fire resistive plant species, use of recycled water, and other water conservation measures.

- *Traffic Access and Circulation* to minimize the number of driveway openings on major public streets, encourage side street access when feasible, and create a grid or modified grid of streets similar to traditional town or village streets.
- *Redesigned Parking Areas* to create a stronger pedestrian orientation, with parking lots divided into smaller ‘parking courts’ alternated with building frontages.’
- *Pedestrian and Bicycle Linkages* to promote walking and biking between residential neighborhoods and nearby commercial services.
- *Signage* to improve consistency of appearance and wayfinding.
- *Transit* to locate transit-supportive uses within close proximity of transit stops, incorporate stops in convenient locations in commercial areas, and provide linkages between commercial areas and regional destinations.

IP-E5 Public Safety Guidelines

Develop planning and design guidelines for implementation of design ideas that can help prevent or reduce crime (e.g., through attention to sight-lines to front doors and windows and from front windows to the street).

IP-E6 Historic Resource Design Guidelines

Establish guidelines for the design and review of rehabilitation, retrofit, and new construction projects in or adjacent to historic buildings, sites and other resources as designated by the Town. The guidelines shall address issues related to preservation and conservation (CD7.2), infill development (CD7.3), ‘Spanish Heritage’ design (CD7.4) and landscaping (CD7.5).

F. Other Guidelines and Standards

Develop and implement guidelines and standards to address issues of special concern in the community, particularly in relation to public safety. Specific areas to address include:

IP-F1 Guidelines for Development in Swales

Prepare siting and engineering guidelines to control development at the base of swales, as shown on the Town's Development Capability Maps. These should address location of structures, setbacks, and need for special drainage or diversionary structures.

IP-F2 Stream Channel Standards

Prepare Town standards for the design and maintenance of natural stream channels, addressing:

- Vegetation removal
- Re-vegetation
- Permitted bank and bed stabilization techniques
- Irrigation setbacks from top of bank
- Energy dissipation at outlets
- Design of storm drain inlets and outlets
- Maintenance of culverts and inlets
- Bank modifications

These standards can be used as a guide throughout all stages of the environmental and development review processes, as well as in providing guidelines to common owners of streamside property.

IP-F3 Storm Drain Standards

Develop and adopt standards for storm drain inlets and outlets to reduce potential for erosion or blockage.

IP-F4 Post-Earthquake Reconstruction Guidelines

Prepare guidelines for post-earthquake reconstruction, addressing: identification of risk areas, establishment of a reconstruction authority (similar to redevelopment authority), and determination of where uses and occupancies should be changed to reduce future risk. Require post-earthquake reconstruction to conform to all Town codes and ordinances.

G. Ongoing Programs**IP-G1 Vacant Land Inventory**

Maintain and update an inventory of vacant and under-utilized parcels in the Town, including an assessment of their potential development capacity.

IP-G2 Traffic Monitoring Program

Monitor the traffic levels on major arterial roads and the intersection capacity at the Town's signalized intersections on a bi-annual basis.

IP-G3 Pavement Management Program

Maintain a pavement management program to identify and prioritize maintenance projects in the Town's Annual Budget. Maintenance should also include regular cleaning of bicycle routes to remove debris and poor pavement conditions that discourage bicycle riding.

IP-G4 Storm Drain Management Program

Revise our Storm Drain Management Program to document current storm drain system conditions, define system improvement priorities, and establish ongoing management and maintenance needs and procedures. Utilize the Town's Geographic Information System (GIS) to map and monitor system conditions.

IP-G5 Town Beautification Program

Develop and implement a beautification program to enhance the natural beauty and aesthetic qualities of the Town's scenic corridors, commercial centers, community facilities, and residential neighborhoods.

IP-G6 Tree Planting Program

Develop and implement a comprehensive tree-planting program.

IP-G7 Air Quality Management Program

Refer significant development proposals to the Bay Area Air Quality Management District for review, and maintain consistency with the Bay Area Regional Air Quality Management Plan, as updated from time to time.

IP-G8 Noise Monitoring Program

Monitor noise problems and evaluate complaints regarding new noise sources in order to develop the most practical solutions.

IP-G9 Hazardous Waste Management Program

Develop and implement a Hazardous Waste Management Program to:

- Locate and identify hazardous materials stored in the Town.
- Based on initial evaluation, identify regulations, as appropriate, for the storage of hazardous materials and/or reinforcement of structures.
- Coordinate permitting procedures for the transmission of hazardous or toxic materials into, out of or through the Town, consistent with County, State and Federal regulations.

IP-G10 Earthquake Emergency and Disaster Preparedness Plans

Periodically review and update the Town's Earthquake Emergency and Disaster Preparedness Plans in cooperation with the County Office of Emergency Services.

IP-G11 External Hazard Control Program

Cooperate with the Moraga-Orinda Fire District in development and enforcement of weed abatement and vegetation management programs.

IP-G12 Recreation Programs

Schedule year-round classes in topics such as arts, sports, physical fitness, music, ecology, photography, cooking, drama, video and special interest needs.

IP-G13 Facility Master Plans

Regularly review and amend as necessary the Master Plans for all Town facilities, prioritizing capital improvement projects and maintenance activities as necessary in response to community needs and priorities and in light of resource constraints.

IP-G14 Facility Management

Maintain all Town facilities, including parks and recreational facilities, at the highest standard achievable in light of resource constraints and staff limitations. Repair acts of vandalism as soon as possible.

IP-G15 Federal Insurance Qualifications

Undertake such actions as necessary to become and remain qualified for Federally subsidized flood and mudslide insurance.

H. Housing Specific Programs**IP-H1 Regional Housing Need**

Continue to zone sufficient sites to meet Moraga's regional share of housing need as established by the Association of Bay Area Governments Regional Housing Needs Determination for the period 1999 through 2006.

IP-H2 Housing Partnerships

Work with Saint Mary's College, the Moraga School District, affordable housing developers, and other groups and organizations to define opportunities for collaboration in the development of new affordable housing to meet the needs of local employees and special needs populations. Identify potential sites, financial resources and regulatory mechanisms to facilitate the development of new units that can help meet the Town's 'fair share' housing requirements.

IP-H3 Housing Rehabilitation Program

Participate in the County Housing Authority's Housing Rehabilitation Program which provides low interest loans for the rehabilitation of homes owned or occupied by very-low to moderate income households. Improve citizen awareness of this rehabilitation loan program by making pamphlets on this program available at the Planning Department and the public library.

IP-H4 Affordable Housing Subsidies

Seek to increase the availability of state and federal subsidies for affordable housing in Moraga through the following actions:

- Petition the County Housing Authority for additional Section 8 subsidies if rental dwelling units can be located that are within federal fair market rent guidelines. If necessary, collect documentation on rent levels and need to

substantiate an increase in the number of Section 8 certificates or vouchers.

- Assist developers in accessing funding for the construction of senior housing or other low- or moderate-income housing for which state or federal subsidies are available.
- Participate in future issuances of mortgage revenue bonds or mortgage tax credit programs by Contra Costa County to support home ownership opportunities for low- and moderate-income Moraga residents.
- Support a waiver exemption of Lamorinda Fee and Financing Authority (LFFA) Impact Fees for affordable housing development.
- Encourage future development to consider a fair share affordable housing component for work force housing.

IP-H5 Affordable Housing Trust Fund

Establish an Affordable Housing Trust Fund to which financial contributions can be directed to support affordable housing development in Moraga. Establish procedures and criteria for determining how the Fund's proceeds are to be managed and expended to support affordable housing development in the Town.

IP-H6 Homeless Services and Referral

Provide referrals to private and public agencies that offer assistance and shelter to homeless individuals and families, and participate with designated inter-agency organizations to address homeless needs.

IP-H7 Equal Housing Opportunities Coordinator and Information

Facilitate fair and equal housing opportunity by designating the Planning Director as the Town's Equal Opportunity Coordinator with responsibility to refer complaints to a district office of the California Department of Fair Employment and Housing. Provide information to the public regarding equal housing opportunity laws and the Town's Equal Housing Opportunities Coordinator. Prepare and distribute a pamphlet on equal housing opportunity to the public at Town Administration offices.

IP-H8 Nondiscrimination Clauses

Continue to provide nondiscrimination clauses in rental agreements and deed restrictions for affordable housing constructed pursuant to this Element.

IP-H9 Accessible Housing Information and Referral

Provide information to developers, homeowners and other interested parties on the needs and techniques for producing adaptable and accessible housing for people with disabilities. Encourage consideration of such techniques in both new and rehabilitated housing, and provide referrals for people with disabilities who desire specially designed housing to meet their needs.

I. Circulation Specific Programs**IP-I1 Transportation Systems Management Plan**

Review and Update the Town's Transportation Systems Management Plan to identify/define:

- Level-of-service standards for traffic operations, reflecting service levels for all street users (i.e., cars, buses, pedestrians, and bicycles);
- Designated routes for commercial trucks, transit, and emergency evacuation;
- Street design guidelines for improving arterial corridors and streets within commercial areas and residential neighborhoods; and
- Priority improvements to the existing arterial network to accommodate current and anticipated future traffic.
- Traffic monitoring program.

J. Open Space Specific Programs**IP-J1 Open Space Preservation Program**

Develop and adopt a program to preserve and/or protect important open space lands and natural resource areas in accordance with the Moraga Open Space Ordinance (MOSO).

Areas to protect include:

- Major and minor ridgeline areas
- Steep slope areas

- Significant wildlife and waterway areas
- Agricultural lands
- Scenic areas

The program should identify priority preservation areas not already protected under MOSO, and strategies to achieve preservation goals. Potential preservation strategies include but are not limited to:

- Acquisition through use of Town funds, formation of an assessment district, participation in a land trust, or other means;
- Transfer of development rights;
- Long-term leases;
- Dedication, easements, or donations of land through development agreements or other means;
- Development and use regulations;
- Tax incentive programs.

***IP-J2* Transfer of Development Rights Program**

Review and update a Transfer of Development Rights (TDR) program to define both sending and receiving sites, transfer ratios, incentive strategies, and application and approval procedures.

***IP-J3* Open Space Management Plan**

Develop and adopt an Open Space Management Plan to establish management practices for the Town's natural habitat and open space areas. For open space areas under public ownership or control, clearly delineate public access and use areas, and those areas to be protected from human disturbance. Establish appropriate use controls and, where appropriate, provide compatible support facilities for activities such as hiking and picnicking while ensuring public safety and protection of adjacent private property.

K. Special Plans and Projects

***IP-K1* Moraga Center Area and Rheem Park Area Specific Plans**

Undertake a coordinated specific plan process to address planning issues in the Town's two centrally located mixed use areas (the Moraga Center Area and Rheem Park Area, as shown on the General Plan Diagram) in accordance with the goals and policies of the General Plan.

IP-K2 Pedestrian, Bicycle and Trails Master Plan

Review, update and expand upon the Town's 'Trails Master Plan' to provide a comprehensive plan for addressing pedestrian and bicycle circulation issues as well as recreational trail use. The updated and expanded Plan should:

- Actively involve the public in the review and update process.
- Designate trails according to their intended use, by pedestrians, bicycles and/or equestrians.
- Establish annual priorities for trail construction as well as pedestrian and bicycle improvements, and identify the resources to build them.
- Review pedestrian circulation issues to identify constraints to walking, develop improvement plans at constrained locations, and incorporate pedestrian enhancement projects into the Town's Annual Budget, with particular attention to pedestrian connections between residential areas, commercial areas, and community facilities such as schools.
- Address bicycle circulation issues in compliance with the thirteen elements outlined in the California Bicycle Lane Account (BLA) to open the opportunity for state funding of local and regional bicycle transportation improvements. Elements of the plan should include design standards for bicycle facilities; bicycle education and outreach; and bicycle enhancement projects for the Town's Annual Budget.

IP-K3 Town Center Project

Continue to support the Town Center assessment and planning process to consolidate Town offices (including a new police station) and develop a multi-use community facility.

IP-K4 Corporation Yard

Evaluate the corporation yard location and consider alternate sites.

IP-K5 Annexation Review

Consider annexation of areas within Moraga's Sphere of Influence when and if property owners in those areas request connection to the water and sanitation systems.

IP-K6 Seismic Safety Study

Consider appointing a Technical Seismic Advisory Committee to develop a detailed assessment of risk in public and community buildings, recommend a comprehensive action program in conjunction with adoption of the Seismic Safety Ordinance, and research State and Federal sources of economic aid related to public safety concerns. The assessment should include an inventory of potentially hazardous buildings, such as unreinforced masonry buildings, tilt-up buildings, and buildings with soft stories, focusing on buildings with the highest occupancy. At a minimum, hazardous unreinforced masonry buildings must be identified according to the requirements of the Unreinforced Masonry Law of 1986 (Government Code, Section 8875).

IP-K7 Bollinger Canyon Special Study

Coordinate with property owners in the Bollinger Canyon area to support their effort in preparing a special study for the Bollinger Canyon area, as shown on the General Plan Diagram, in accordance with the goals and policies of the General Plan.

The Bollinger Canyon Special Study may include the following:

a) *A 'Opportunities and Constraints' Analysis.* Supplementing the information already collected in the General Plan Update and EIR process, as well as in previous Town planning efforts, an analysis of opportunities and constraints will be conducted and a summary prepared for review by Town staff, officials, and residents. This document shall summarize data on the site and surrounding areas as they relate to development and potential development impacts in the following areas:

- *Environmental Quality*, including wildlife, vegetation, water quality, air quality, noise and view.
- *Safety*, including seismic and geologic hazards (including slope stability), grading, flooding, streambank erosion, fire safety, and public safety (police) issues.
- *Traffic*, including site access and circulation, potential traffic impacts on adjacent areas as well as on roadways connecting the site to regional transportation corridors, and opportunities for pedestrian, bicycle and transit access from the site to the Town center.
- *Infrastructure*, including existing capacity of water, sewer, storm drains, electric and gas utilities to support development at the site, as well potential impacts of development on public facilities such as schools and parks.

- *Housing Affordability*, demonstrating how development at the site could contribute to helping the Town meet its need for housing affordable to low and very low income households.
- b) *A Conceptual Development and Conservation Plan..* Based on information contained in the Opportunities and Constraints Analysis, a Conceptual Development and Conservation Plan will be developed to illustrate how the site could be developed in a manner consistent with the goals and policies of the Town's General Plan. The plan will include:
- *Illustrative Site Plan*, showing proposed development parcels and uses, building footprints, road alignments, easements, and grading.
 - *Proposed Land Use Designations*, including both parcels proposed for development and areas proposed for conservation.
 - *Impacts*, summarizing the impacts to be expected from development at the scale, type and configuration proposed.
 - *Mitigations and Conservation Plan*, demonstrating how the site's environmental qualities will be protected and its significant natural features conserved.
 - *General Plan Consistency* demonstrating that the proposed development is consistent with the goals and policies set forth in the Moraga General Plan.
 - *Proposed General Plan Amendments* that may be needed to ensure ongoing consistency between the proposed development and the Moraga General Plan.

Additional requirements for the Conceptual Plan may be established by the Town, consistent with requirements typically expected of similar development proposals. This may include a requirement to provide an opportunity for input by Town residents regarding the Opportunities and Constraints Analysis and the conceptual development plan.

- c) *A General Plan Amendment to Implement the Conceptual Development and Conservation Plan in Town Policies.* Upon review, refinement and approval of the Conceptual Development and Conservation Plan by the Town Council, a General Plan Amendment should be proposed by the property owner group working with Town staff to establish a policy framework for implementation of the plan. This would include adoption of appropriate land use designations for the subject properties, and any other goal and policy revisions or amendments deemed necessary for implementation.

L. Intergovernmental Coordination

Coordinate with other relevant jurisdictions and agencies to address issues of mutual concern. Specific programs of intergovernmental coordination should include the following:

***IP-L1* Development Review Referral to Adjacent Jurisdictions**

Refer all subdivisions of more than ten (10) lots or within one (1) mile of an adjacent jurisdiction to that neighboring jurisdiction for review and comment.

***IP-L2* Agenda Referral to Adjacent Jurisdictions**

Refer all Town Council, Planning Commission, and Design Review Board agendas to adjacent jurisdictions to encourage inquiry regarding proposals deemed to be of interest to the adjacent jurisdiction.

***IP-L3* County Housing Programs**

Continue a cooperative relationship with Contra Costa County in the administration of housing programs that benefit Moraga residents. Provide interested residents and developers with information about housing programs available through the County.

***IP-L4* Inter-jurisdictional Public Safety Programs**

Coordinate with the Office of Emergency Services of Contra Costa County, the Moraga-Orinda Fire District, schools districts, adjacent jurisdictions and other agencies to address public safety issues and concerns.

***IP-L5* Inter-jurisdictional Recreation Planning**

Cooperate with Orinda, Lafayette, the County, East Bay Regional Park District, and other jurisdictions, agencies, and service organizations to provide recreational activities for Moraga and surrounding communities.

***IP-L6* Library Services**

Cooperate with the Contra Costa County Library Commission, County Librarian, and the Friends of Moraga Library to

improve and enhance library services, including additional library hours.

IP-L7 Lamorinda Transportation Planning

Participate in multi-jurisdictional transportation planning by taking part in activities of regional transportation agencies and cooperating with other jurisdictions to alleviate substandard roadway conditions. Specifically, coordinate with Lafayette, Orinda, and the County to undertake the following actions:

- Attract state/federal funding for transportation projects in Contra Costa County through work with the Lamorinda Project Management Committee and CCTA.
- Support regional and/or sub-regional transportation fees on new development to address traffic impacts on the regional road system between the Town of Moraga and State Route 24.
- Pursue joint efforts to address major traffic problems where Moraga traffic contributes significantly to such problems.
- Consider establishing a program of ‘trip rights’ or similar mechanism to link development approvals in the three Lamorinda communities with the available traffic capacity on the major roadways leading to State Route 24.
- Encourage expanded Travel Demand Management Programs that reduce single-occupant driving.
- Support CCCTA bus service expansion between Moraga and the Lamorinda BART stations.
- Support BART strategies that enhance transit ridership, encourage casual carpools for one-way BART ridership, and reduce parking impacts at Lamorinda BART stations.
- Seek to expand and enhance pedestrian and bike corridor connections with adjacent jurisdictions.
- Review General Plan Amendments to ensure that proposed developments do not violate multi-jurisdictional agreements.
- Support improvements to the regional transportation system such as State Route 24, Interstate 680, and Interstate 80.

IP-L8 Transit Improvements

Work with the Contra Costa County Transportation Authority (County Connection) to identify and implement improvements to the local bus system to increase transit patronage. In particular, explore opportunities to increase daily service, coordinate park-and-ride lots adjacent to transit stops, and provide transit-friendly amenities like benches, bike racks, and transit route information.

IP-L9 Underground Utilities Program

Work with Pacific Gas and Electric, Pacific Bell, and other utility providers to convert overhead utility lines to underground lines, with priority given to lines located in scenic corridors. Utilize the Public Utility Commission's 'Rule 20' to fund Underground Utility District Projects, and require underground utilities in all new development.

IP-L10 Coordination with Saint Mary's College

Work collaboratively with Saint Mary's College to:

- Coordinate calendars of events.
- Regularly communicate on plans in progress and upcoming opportunities.
- Encourage Saint Mary's employees residing in Moraga to serve on local boards and committees.
- Create a process to address proposals and issues of mutual concern in an expeditious manner.
- Meet annually to review the progress of the approved Master Plan's implementation.
- Discuss student housing needs and solutions, as needed. These may include: a) assistance in accessing funding for student housing; b) approving an affordable housing development that includes student units in multifamily residential zones, or c) permitting second units, the renting of rooms, and/or other uses of existing single family properties, consistent with neighborhood quality objectives.

IP-L11 Coordination with School Districts

Work collaboratively with the leadership and staff at the Moraga School District and the Acalanes Union High School District to address school facility planning and use issues, including the coordination of long-range planning and

population growth forecasting; land use and circulation issues in the vicinity of school facilities; review and evaluation of development impacts (and impact fees, as necessary); community use of school facilities; and other issues of mutual concern. The Town will also encourage school district employees residing in Moraga to serve on local boards and committees.

IP-L12 Coordination with Utility Providers

Work collaboratively with utility service providers to support ongoing utility provision, maintenance and service improvements. Also, work with the East Bay Municipal Utility District (EBMUD) to preserve and protect watershed lands adjacent to the Town.

M. Public Information and Education

Provide public information and education materials and programs to raise public awareness about key community issues and encourage resident participation in Town activities and programs. Specific public information and education programs should include:

IP-M1 Information on Town Programs, Events and Activities

Maintain a regular and periodic public information device to disseminate information on the Town's programs, events and activities.

IP-M2 Information on Historic Preservation and Resources

Work with the Moraga Historical Society and other groups to support public information and education programs regarding Moraga's history.

IP-M3 Traffic Safety Education Program

Conduct a traffic safety and education program, including an elementary school outreach program to educate children on traffic safety and courteous driving activities; adult outreach program addressing vehicle impacts on the environment, courteous driving behavior and carpool/transit opportunities; senior outreach program addressing traffic safety and changing traffic laws and driving activities; and topical education sheets for the Town newsletter.

IP-M4 Information on Resource Conservation and Environmental Preservation

Provide public information and education materials to encourage recycling, resource conservation, and environmental preservation efforts.

IP-M5 Information on Noise Pollution

Publicize practical mitigation measures that Town residents and businesses can use to help reduce noise.

IP-M6 Information on Seismic Safety

Provide public information to help residents and businesses understand what to expect during an earthquake, how best to respond, and what they can do to prepare themselves. Specifically, provide the following:

- *Community Information.* Provide educational materials to community organizations. Materials should address general earthquake hazards and also describe expected effects within the Town of Moraga, making use of existing materials from the Seismic Safety Commission and the Bay Area Region Earthquake Preparedness Project.
- *Schools Curriculum.* Work with the schools to teach about earthquakes. This would include handouts on family earthquake preparedness in addition to establishing emergency preparedness procedures in the schools.

IP-M7 Information Landslides

Consider preparation and distribution of informational brochures, identifying landslide areas within the Town, describing the causes of landslides and presenting guidelines for property maintenance so as to minimize the potential for earth movement problems.

IP-M8 Information on Streamside Guidelines and Flood Insurance

Consider the distribution of maintenance and property management guidelines to all streamside property owners, and inform all property owners within 200 feet of a creek, to identify stream and drainage areas for which the Town is responsible and those areas for which private property owners are responsible. Educate property owners on their responsibilities for streambank maintenance and repairs, and

make them aware of the availability of flood insurance under the National Flood Insurance Program.

IP-M9 **Information for Homeowners Associations**

Provide information to homeowner associations regarding their responsibilities and to keep them informed regarding Town issues and activities.

IP-M10 **Public Safety Information**

Provide information to the public to promote crime and hazard prevention and general disaster preparedness, including information on public safety design, fire safety devices, and the removal of dry grass and brush that pose fire hazards.

APPENDIXES

APPENDIX A

GENERAL PLAN DIAGRAM

The General Plan Diagram defines the general pattern of future development within the Town boundaries and Sphere of Influence. It is a graphic expression of the General Plan's goals and policies and is the single most important policy implementation measure of the General Plan.

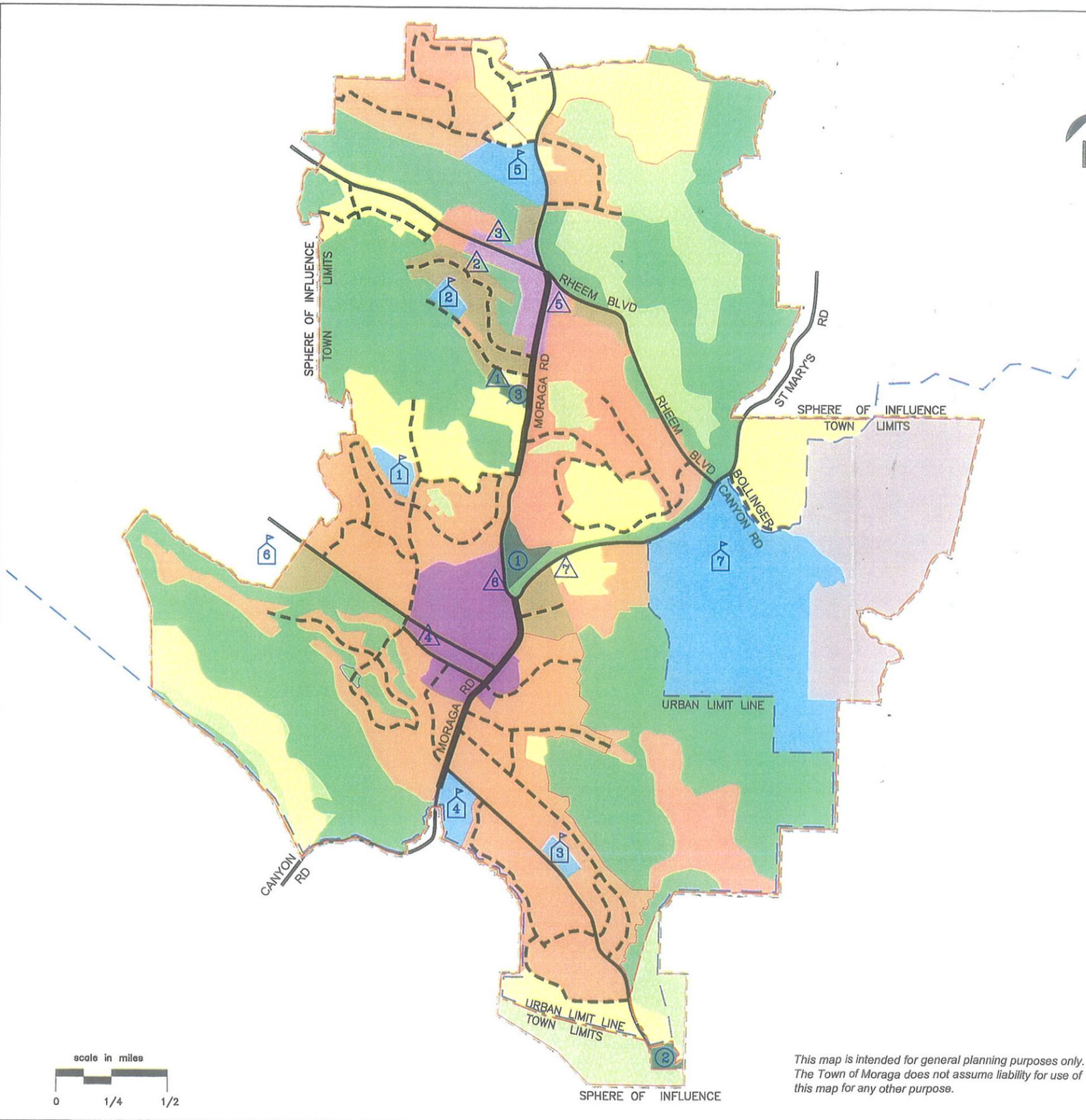
The General Plan Diagram is not a map. Although it may be to scale, the uses or alignments displayed on the Diagram should not be measured directly. Also, the Diagram should not be used interchangeably with the Town's Zoning Map. The Diagram is a long-term planning tool that depicts the desired pattern of future development at a generalized level. The Zoning Map is a current planning tool that depicts permitted uses on a parcel level. In cases where the land use designation of a parcel is unclear based on the General Plan Diagram, the Planning Commission shall make a determination as to the appropriate designation.

The General Plan Diagram presents four general categories of land use: Residential Neighborhoods, Mixed Use Areas, Parks and Open Space, and Community Facilities. It also displays the Town's circulation system.

The General Plan Diagram of the *Moraga 2002 General Plan* is displayed on the following page.

Appendix C provides a summary of the projected residential development potential of remaining undeveloped lands in the Town based on the General Plan Diagram.

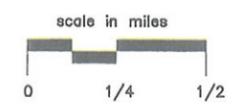
GENERAL PLAN DIAGRAM



LEGEND

- Residential Neighborhoods**
 - Residential 1 du/ac
 - Residential 1.5 du/ac
 - Residential 2 du/ac
 - Residential 3 du/ac
 - Residential 6 du/ac
- Mixed Use Areas**
 - Rheem Park Specific Plan Area
 - Moraga Center Specific Plan Area

(These areas will contain residential land uses at 10 du/ac and 16 du/ac as well as other uses, including other residential densities)
- Parks and Open Space**
 - Open Space
 - MOSO Open Space*
 - Public Parks
- Community Facilities**
 - 1 Moraga Commons
 - 2 Rancho Laguna Park
 - 3 Hacienda de las Flores
- Educational Facilities**
 - 1 Los Perales Elementary
 - 2 Rheem Elementary
 - 3 Camino Pablo Elementary
 - 4 Joaquin Moraga Intermediate
 - 5 Campolindo High School
 - 6 Miramonte High School
 - 7 Saint Mary's College
- Other Facilities**
 - 1 Town Administration Office (at Hacienda de las Flores)
 - 2 Police Station/Planning Dept.
 - 3 Former Site Fire Station 41
 - 4 Fire Station 42
 - 5 Fire Station 41
 - 6 Possible Town Center Site
 - 7 Library
- Circulation System**
 - Collector
 - 2-Lane Arterial
 - 4-Lane Arterial
- Boundary Lines**
 - Contra Costa County Urban Limit Line
 - Town Boundary
 - Sphere of Influence Boundary



This map is intended for general planning purposes only. The Town of Moraga does not assume liability for use of this map for any other purpose.

*per Moraga Open Space Ordinance (MOSO)

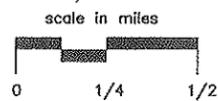
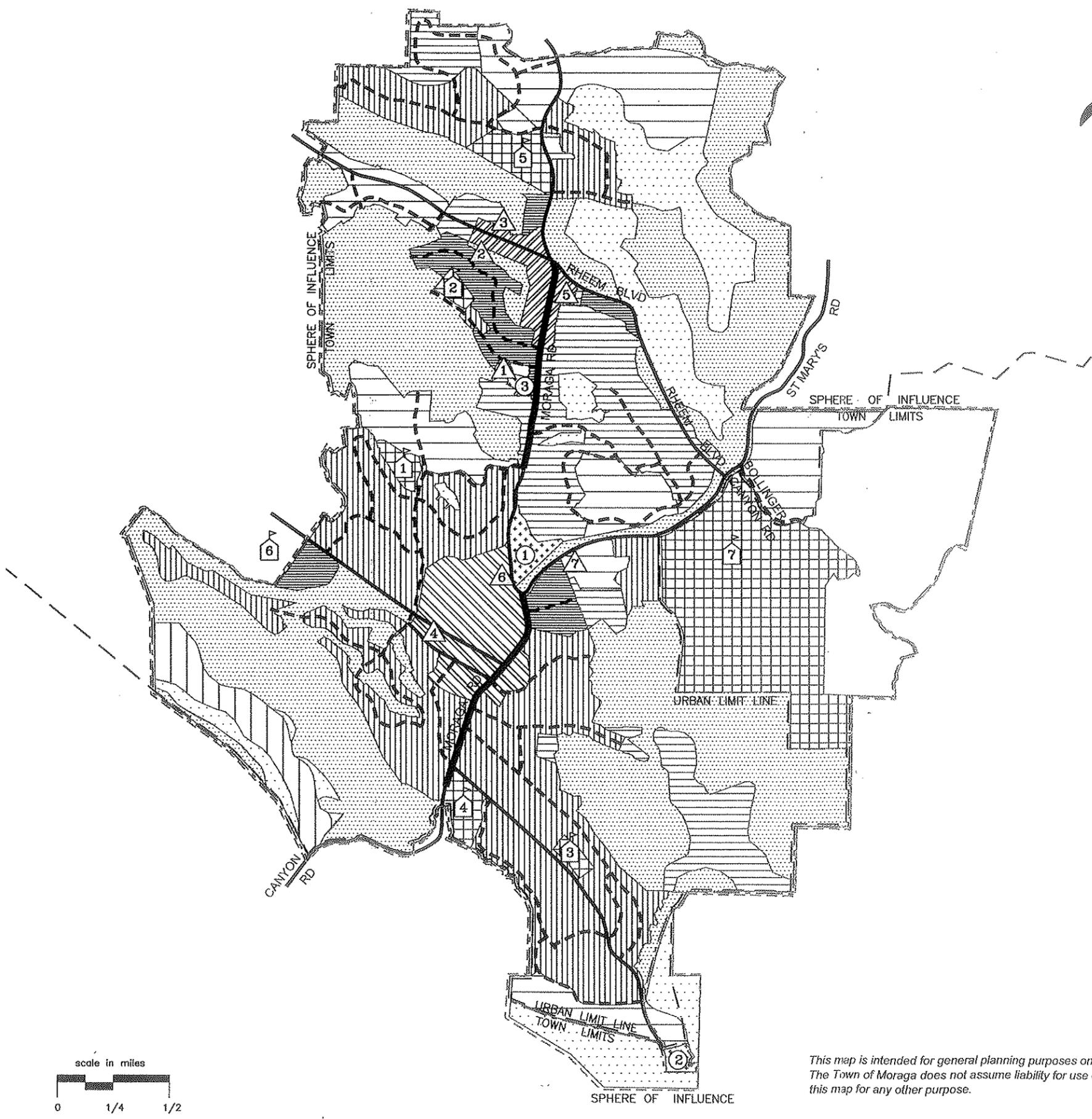
LEGEND

- Residential Neighborhoods**
 - Residential 1 du/ac
 - Residential 1.5 du/ac
 - Residential 2 du/ac
 - Residential 3 du/ac
 - Residential 6 du/ac
- Mixed Use Areas**
 - Rheem Park Specific Plan Area
 - Moraga Center Specific Plan Area

(These areas will contain residential land uses at 10 du/ac and 16 du/ac as well as other uses, including other residential densities)
- Parks and Open Space**
 - Open Space
 - MOSO Open Space*
 - Public Parks
 - ① Moraga Commons
 - ② Rancho Laguna Park
 - ③ Hacienda de las Flores
- Community Facilities**
- Study Area**
- Educational Facilities**
 - 1 Los Perales Elementary
 - 2 Rheem Elementary
 - 3 Camino Pablo Elementary
 - 4 Joaquin Moraga Intermediate
 - 5 Campolindo High School
 - 6 Miramonte High School
 - 7 Saint Mary's College
- Other Facilities**
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 - Collector
 - 2-Lane Arterial
 - 4-Lane Arterial
- Boundary Lines**
 - Contra Costa County Urban Limit Line
 - Town Boundary
 - Sphere of Influence Boundary

*per Moraga Open Space Ordinance (MOSO)

Source: Farallon Geographics, Inc. (base map)



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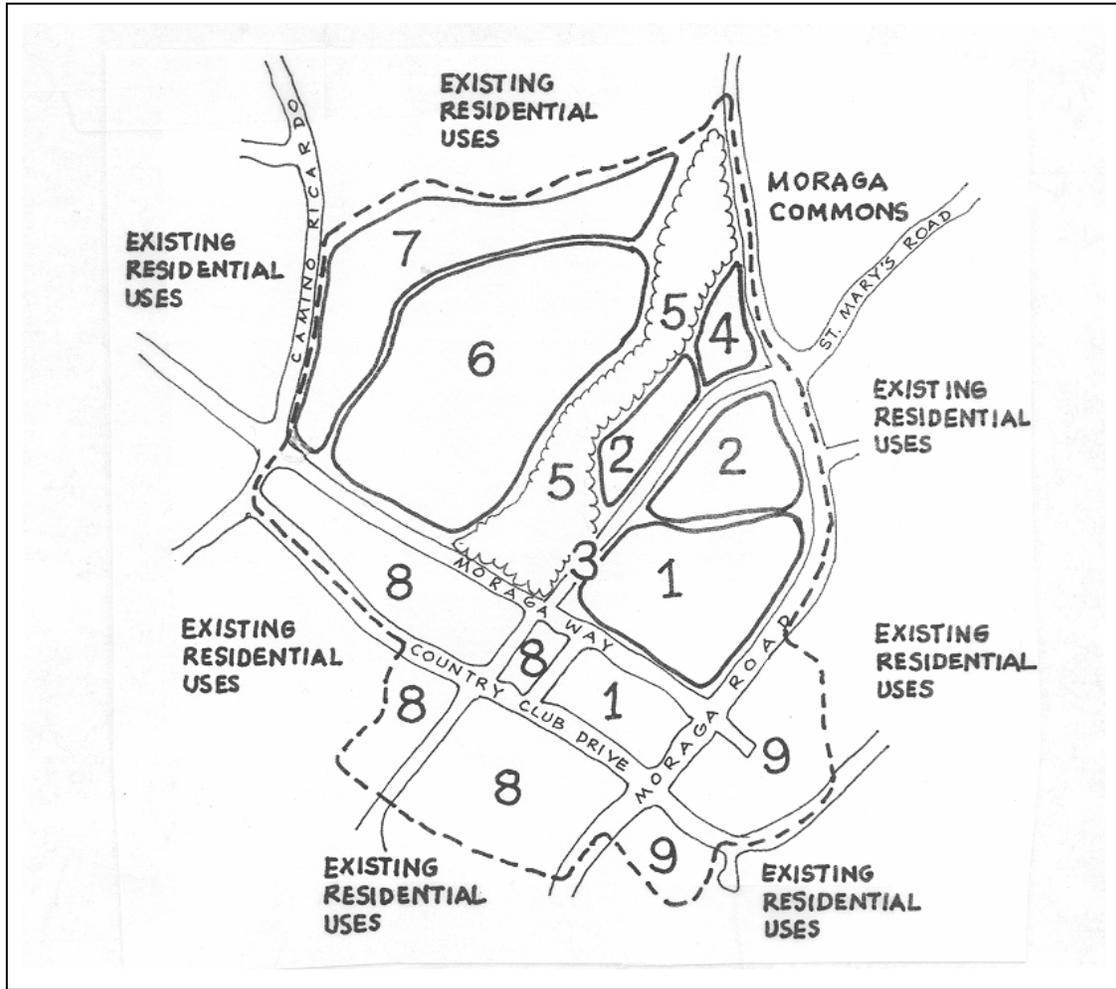
SPHERE OF INFLUENCE

APPENDIX B

SPECIFIC PLAN AREA DIAGRAMS

Land Use policies LU3.1 and LU3.2 as well as Community Design policies CD6.5 and CD6.6 call for development of ‘specific plans’ for the areas around the Town’s two major shopping centers—the Moraga Center and Rheem Park. These policies provide a detailed overview of the intent for each specific plan and desired outcomes. The policies are implemented by action IP-K1, identified as a near-term priority in the Action Plan Summary (Appendix F).

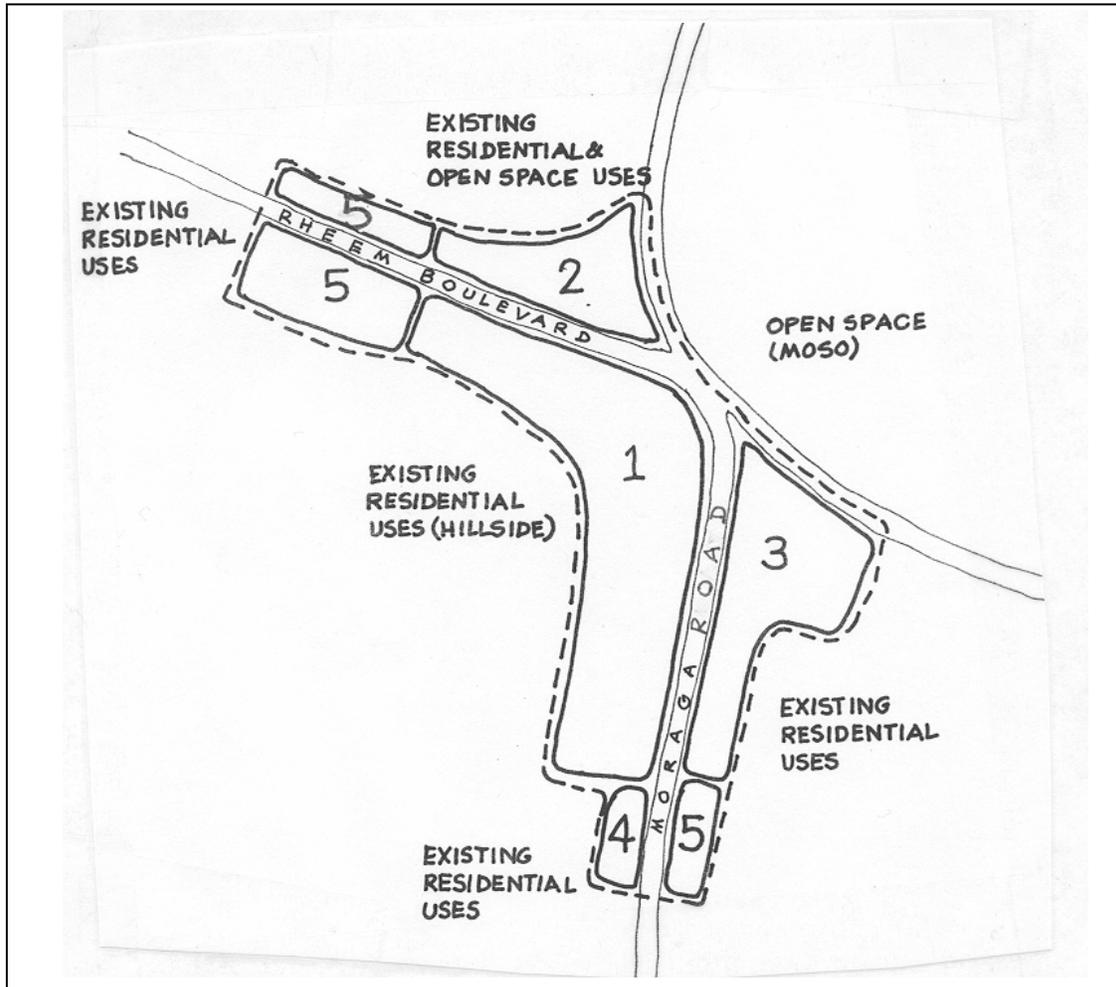
The diagrams on the following two pages identify the specific plan area boundaries, major features, and adjacent uses. The diagrams are provided for illustrative purposes only to show the configuration of the Specific Plan areas and potential opportunities. They are in no way meant to represent an approved plan or policy direction.



Moraga Center Area Specific Plan

Key opportunities and a possible configuration of land uses in the Moraga Center Area.

- 1 Shopping Center – potential redevelopment, redesign, intensification or site improvements to create stronger pedestrian orientation.
- 2 Under-utilized Land –potential for medium and medium-high density housing and/or commercial development
- 3 Potential extension of School Street
- 4 Proposed Town Center Facility Site
- 5 Creek and Moraga Ranch historic structures—development setbacks and potential linear park
- 6 Orchard Area – mixed density housing, clustered to protect some of the orchard areas
- 7 Residential Area (3 units per acre; transition to existing neighborhoods)
- 8 Commercial / Office Areas (including existing assisted care facility, Moraga Barn, etc.) – some infill potential (small offices and/or housing)
- 9 'Limited Commercial' Area – some infill housing potential



Rheem Park Area Specific Plan

Key opportunities and a possible configuration of land uses in the Rheem Park Area.

- 1 Shopping Center – potential redevelopment, redesign, intensification or site improvements to create stronger pedestrian orientation.
- 2 Under-utilized Land – ‘research and development’ overlay district; potential for redevelopment, redesign, intensification or site improvements
- 3 Area of existing commercial development and services, including new commercial space and fire station (under development); opportunity for infill development at vacant bowling alley site and remaining vacant parcel.
- 4 Multi-family housing
- 5 Areas of existing commercial/service development with potential for re-use or redevelopment (including old fire station site)

APPENDIX C

DEVELOPMENT POTENTIAL

The following table summarizes the ‘Theoretical Maximum Development Capacity’ of the Town of Moraga based on the General Plan Diagrams of the 1990 General Plan and the Moraga 2002 General Plan. The 1990 General Plan figures are provided as a point of comparison.

The ‘estimated actual’ development potential for the Moraga 2002 General Plan (shown in the last two columns) reflects assumptions, based on past experience, about the level of development that might be expected once site-specific reviews and considerations are taken into account (which typically result in fewer total units than would be allowed under the ‘theoretical maximum’).

Comparison of Total Development Potential, 1990 General Plan and Moraga 2002 General Plan

	1990 GP Max Potential <i>total</i>	2002 GP Max. Potential <i>total change</i>	2002 GP Estimated Actual* <i>total change</i>
Housing Units			
<i>Existing Units</i>	5,778		
<i>Approved Units (12/99)</i>	265		
<i>Projected New Units</i>	839	698 -17%	558 -33%
<i>Total Units at Build-out</i>	6,882	6,741 -2%	6,601 -4%
Population			
<i>2000 Population</i>	16,290		
<i>Projected Add'l. Pop.</i>	3,691	3,187 -14%	2,826 -23%
<i>Population at Build-out</i>	19,981	19,477 -2%	19,116 -4%

Year 2000 population from the US Census; Population projection based on assumption of 2.75 persons per household from ABAG Projections 2000.

** Most projects are not designed and/or approved at maximum allowed density due to site-specific constraints, environmental review, and other factors. The build-out assessment in this table reflects an assumption of 80% build-out of the maximum capacity on undeveloped (and currently unapproved) sites. This is a conservative assumption (erring on the ‘high side’) based on recent project’s approved densities in relation to maximum potential density. The ‘% change’ column is in comparison to theoretical maximum build-out of the 1990 General Plan. Also, see notes for Table C1.*

APPENDIX D

DEFINITIONS

The following definitions should be used in interpreting and implementing the *Moraga 2002 General Plan*.

Cluster Housing. Cluster housing is defined as single family dwelling units sited on less than the minimum size lots permitted by the General Plan (see Policy LU1.6) to preserve open space.

Critical Facility. Facilities housing or serving many people that are necessary in the event of an earthquake or flood, such as hospitals, fire, police and emergency service facilities; utility ‘lifeline’ facilities such as water, electricity and gas supply; and communications and transportation facilities.

Dedication. The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used. Dedications for roads, parks, school sites, or other public uses often are made conditions for approval of a development by local governments.

Dedication, In lieu of. Cash payments which may be required of an owner or developer as a substitute for a dedication of land, usually calculated in dollars per lot, and referred to as ‘in lieu fees’ or ‘in lieu contributions.’

Defensible Space. ‘Defensible space’ is a term used in relation to both crime prevention and fire prevention. In crime prevention, it describes a physical design approach that helps to deter crime and promote public safety by creating a sense of ownership for local residents over public spaces, encouraging more street activity and ‘eyes on the street’ (though sight lines from homes to the street and features such as front porches) and ensuring that front entryways are clearly visible from the street. In fire prevention, the term ‘defensible space’ is used to describe the area around a home that should be cleared of brush and other dry vegetation to help reduce fire hazards.

Density (Residential). The number of permanent residential units per acre of land. Density may be controlled through zoning in the following ways: use restrictions, minimum lot-size requirements, floor area ratios, setback and yard requirements, minimum house-size requirements, limits on units per acre, and other means. Allowable density is the major distinction between residential districts.

Density Bonus. A density bonus is a specific number of dwelling units that may be added to the Theoretical Residential Holding Capacity of a multi-family residential parcel, designated 6 DU/acre or higher on the General Plan Diagram or in the Moraga Center Area and Rheem Park Area Specific Plans. A density bonus of 25 percent may be awarded when the Town finds that a

project meets the requirements set forth in Policy H2.7 of the Housing Element. A density bonus may not increase the permitted density by more than 25 percent over the Theoretical Residential Holding Capacity.

Development. Development means the placement, discharge or disposal of any material, the grading or removing of any material, the change in the density or intensity of use of land, the subdivision of land, or the construction or erection of a structure. Development does not include (1) work necessary to eliminate or prevent a condition which is determined by the Town to be a menace to life, limb or property or adversely affects the safety, use or stability of a public way or drainage way or channel; (2) establishment of a fire trail approved by the Moraga-Orinda Fire Protection District; or (3) a road together with attendant underground utilities, may cross a ridge, if the Planning Commission finds that the crossing is necessary for the orderly development of the Town and does not conflict with the Municipal Code.

Flood, 100-Year. The magnitude of a flood expected to occur on the average every 100 years, based on historical data. The 100-year flood has a 1/100, or one percent, chance of occurring in any given year.

General Plan Diagram. This is a multicolored map of the planning boundaries of the Town. It is a visual representation of some, but not all, of the elements of the General Plan. The Diagram is not intended to establish precise boundaries of the various sub-areas of the Town but only their general locations. The actual boundaries of each of the land uses, the precise location of the circulation system, and details of the other elements will be determined more precisely by reference to the approved zoning map and/or subdivision proposals which have already been approved and developed, and in the context of consideration of development proposals for particular properties. An understanding of the General Plan Diagram and its relationship to the various elements can be achieved only by reviewing it in conjunction with the text of each of the Elements of the General Plan. The General Plan Diagram for the Draft Moraga 2000 General Plan is contained in Appendix A of the Plan document.

Geologic Hazards. These are geologic conditions that could have an impact on the safety and welfare of the Town, such as, among other things, land flow or creep, surface erosion, creek erosion, fault movement, shrink/swell of soils and sub-surface water conditions.

Hazardous Material. Any substance that, because of its quantity, concentration or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. The term includes, but is not limited to, hazardous substances and hazardous wastes.

High Risk Areas. ‘High Risk Areas’ are areas with a MOSO Open Space designation on the General Plan Diagram and determined to be High Risk in accordance with Part II D. of the “Guidelines for the Interpretation and Implementation of the Moraga Open Space Ordinance – Measure A,”

adopted as Resolution 14-92 by the Town Council on February 12, 1992 in accordance with the Moraga Open Space Ordinance (MOSO).

Housing Affordability. The generally accepted measure for determining whether a person can afford housing means spending no more than 25 to 33 percent of one's gross household income on housing costs, including utilities, principle and interest.

Income Limits. Income limits are updated annually by the US Department of Housing and Urban Development (HUD) for Contra Costa County. For many State and local programs, State Department of Housing and Community Development (HCD) income eligibility limits are used. HCD income limit regulations are similar to those used by HUD. In 2000, the HUD median household income for a family of four in Contra Costa County was \$67,600.

- *Very Low Income Households.* Defined by California Housing Element law as households earning less than 50 percent of the median household income. Thus, for the year 2000 a family of four earning less than \$33,800 per year is considered very low income.
- *Low Income Households.* Defined by California Housing Element law as households earning 50 to 80 percent of the median household income. Thus, for the year 2000 a family of four earning between \$33,800 and \$54,080 per year is considered low income.
- *Moderate Income Households.* Defined by California Housing Element law as households earning 80 to 120 percent of the median household income. Thus, for the year 2000 a family of four earning between \$54,080 and \$81,120 per year is considered moderate income.
- *Above Moderate Income Households.* Defined by California Housing Element law as households earning more than 120 percent of the median household income. Thus, for the year 2000 a family of four earning above \$81,120 per year is considered above moderate income.

Lamorinda Area. This refers to the Lafayette-Moraga-Orinda area, consisting of all three jurisdictions.

Manufactured Housing. A manufactured home is a factory-built, single family structure that is built on a permanent chassis and transportable in one or more sections. This reduces construction costs considerably. Once built, a manufactured home may be difficult to distinguish from a site-built house. California law (Gov Code §65852.3) permits manufactured homes built under federal and state guidelines and on a foundation to be placed on lots zoned for conventional single-family residential dwellings. The homes must conform to the same development standards applied to a conventional single-family residence on the same lot, but may also be subject to three additional architectural requirements (roof overhang, roofing material and siding material) so long as such requirements are in accordance with State regulations (Gov Code §65852.5), do not exceed the standards for site-built homes on the same type of lot, and do not have the effect of precluding manufactured housing.

Moraga Open Space Ordinance (MOSO). Refers to Measure A, a voter approved Initiative adopted at the General Municipal Election held on April 8, 1986. The Initiative regulates the uses and development of lands designated by the Initiative measure, and provides that the Town Council shall not amend or modify any requirement of this Ordinance without approval by the electorate at a general election. The ballot text is attached as Appendix E and made a mandatory requirement of this General Plan.

Multi-Family Residential. Multi-family residential refers to areas that are designated on the General Plan Diagram or in the land use diagrams of the Moraga Center Area and Rheem Park Area Specific Plans as six (6) dwelling units per acre or higher. Such areas may also be used for single-family residential development so long as minimum development densities are met.

Performance Standards. These are quantifiable rules or guidelines that are used to determine compliance with regulations or conditions of approval established by the Town. Examples include noise measurements and traffic levels of service. See Growth Management Policies GM1.4 and GM1.5.

Recreational Facility. A recreational facility is any development, structure, appurtenance or other man made amenity created for the express purpose of providing for leisure-time recreational opportunities.

Region. This refers to the nine-county San Francisco Bay Area, including the counties of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano and Sonoma.

Residual Parcel. A residual parcel is a vacant lot of ten (10) acres or less in an area that is generally bounded by existing development. A residual parcel may have any land use designation. Land Use Element Policies LU1.11 and LU1.12 address issues related to residual parcels.

Ridgelines. A *major ridgeline* means the centerline or crest of the ridges known as Indian Ridge, Sanders Ridge, Mulholland Ridge and Campolindo Ridge, where the crest is above 800 feet above mean sea level and within an area with a MOSO Open Space designation on the General Plan Diagram.

A *minor ridgeline* means the centerline or crest of any ridge other than those identified as 'major ridgelines,' where the crest is above 800 feet above mean sea level and within an area with a MOSO Open Space designation on the General Plan Diagram.

Development shall be prohibited on minor ridgelines immediately adjacent to and extending into MOSO Open Space if slopes exceed twenty percent (20%) and elevation of said ridges is greater than 800 feet above mean sea level.

Second Unit. A self-contained living unit that is in addition to the primary residential unit on a single lot. Typically, the unit may be either attached to or detached from the primary unit (although the current Moraga ordinance

requires that they be attached). Second units are also referred to as accessory units, in-law units, carriage houses or granny flats.

Section 8. This is a rental assistance program operated by the federal Department of Housing and Urban Development. It provides two forms of assistance: 1) certificate rent subsidies to owners of housing units on behalf of very low-income tenants; and 2) vouchers used in rental housing of the tenant's choosing. The assistance is intended to help bridge the gap between the household's income and the 'fair market rate' for rental housing. Section 8 is the largest rental assistance program in the country. Local Section 8 programs are operated by the County Housing Authority.

Senior Housing. Defined by California's Housing Element law as projects developed for, and put to use as, housing for seniors. Seniors are defined as persons at least 62 years of age.

Single Family Dwelling (Attached). A dwelling unit occupied or intended for occupancy by only one household that is structurally connected with at least one other such dwelling unit.

Single Family Dwelling (Detached). A dwelling unit occupied or intended for occupancy by only one household that is structurally independent from any other such dwelling unit or structure intended for residential or other use.

Sphere of Influence. The probable ultimate physical boundaries and service area of a local agency (in this case, the Town) as determined by the Local Agency Formation Commission (LAFCO) of the County.

Subdivision. The division of a tract of land into defined lots, either improved or unimproved, which can be separately conveyed by sale or lease, and which can be altered or developed. 'Subdivision' includes a condominium project as defined in Section 1350 of the California Civil Code and a community apartment project as defined in Section 11004 of the Business and Professions Code. The Subdivision Map Act (Division 2 of the California Government Code) gives local jurisdictions the authority to regulate and control the design and improvement of subdivisions.

Theoretical Residential Holding Capacity. This is a planning tool to identify the potential, although theoretical, number of residential dwelling units that might be developed on a piece of property. The number is determined by multiplying the gross acreage of a property, exclusive of roads, by the residential density indicated on the General Plan Diagram. The number derived from this calculation shall not be the basis for transfer of development rights. The actual amount of acreage that may be subject to development will be determined at the time of the consideration of a development proposal when more precise information is available. The actual number of residential units that may be developed may be greater (due to density bonus or transfer of development rights) or less (due to site constraints or other factors) than the Theoretical Residential Holding

Capacity. The actual number of units that may be developed on a site will be determined based upon information obtained through the appropriate environmental review process, including constraints identified by this General Plan and supporting studies and from the Town's Development Capability Maps and site development standards, as expressed in the Town's adopted ordinances and resolutions.

Town Center Facility. A proposed new facility that would consolidate the Town's administrative and planning offices, provide a new police station, and create a new multi-use community facility. At the time of the Moraga 2000 General Plan Update, the Town had selected a preferred site near the Moraga Center and was exploring options in terms of site acquisition, facility design, and facility financing.

Transfer of Development Rights. Transfer of Development Rights (referred to as 'Density Transfer' in the Moraga Open Space Ordinance) is the process whereby development rights may be transferred from lands on the General Plan Diagram with an open space designation or 1, 2, or 3 dwelling units per acre, but only when the Town Council finds that such a transfer will result in the dedication, protection and preservation of open space and when appropriate guarantees are provided by the developer that the land shall be permanently preserved as open space.

Development rights may be transferred to land residentially designated lands, but such transfer may not increase the Theoretical Residential Holding Capacity determined by the initial calculation (described in the definition for "Theoretical Residential Holding Capacity") by more than 30 percent. Development rights may not be transferred to geologically hazardous areas or to any area with an open space designation on the General Plan Diagram.

Uniform Building Code. A national, standard building code that sets forth minimum building standards for construction.

Zoning. The division of a jurisdiction by legislative regulations into areas, or zones, which specify allowable uses for real property and size restrictions for buildings within these areas. Zoning is a key implementing program for the General Plan. The Zoning Map is a visual display of the geographic distribution of zones in a jurisdiction.

APPENDIX E

TEXT of the MORAGA OPEN SPACE ORDINANCE (MOSO)

The people of the Town of Moraga DO ORDAIN as follows:

SECTION 1. Short Title.

This ordinance shall be known as the "Moraga Open Space Ordinance".

SECTION 2. Findings.

The people of the Town of Moraga find and declare the following:

- a. The character and feel of the Town of Moraga is contingent upon the preservation of a substantial amount of open space, the protection of the scenic views of major and minor ridgelines, and the regulation of development in sensitive open space areas.
- b. The Town has experienced significant development pressures in recent years which threaten the amount and quality of open space resources of the Town and which adversely affect the capacity of the Town's public facilities, such as drainage and traffic facilities, and are otherwise altering the character of the community.
- c. It is the intent of the people of the Town to protect the remaining open space resources within the Town in the interest of: (1) preserving the feel and character of the community; (2) ensuring the adequacy of recreational opportunities which are contingent on such open spaces; (3) ensuring the protection of local and regional wildlife resources which are dependent on the habitat provided by such open space; (4) ensuring that development does not occur in sensitive viewshed areas; (5) protecting the health and safety of the residents of the Town by restricting development on steep or unstable slopes; and (6) ensuring that development within the Town is consistent with the capacity of local and regional streets and other public facilities and does not contribute to the degradation of local or regional air quality.
- d. It is the purpose of this Ordinance to revise and augment the policies of the Town recorded in the General Plan and the ordinances of the Town relating to the preservation of open space and protection of ridgelines. This Ordinance is consistent with and implements the policy in General Plan Amendment 3, enacted November 18, 1981, which established a policy of minimum lot size designations of twenty (20), ten (10), and five (5) acres in some open space areas.
- e. In addition to the reasons described above, this Ordinance is necessary to promote the general health, safety and welfare of the residents of Moraga.

SECTION 3. Protection of Open Space

- a. The following policy is added to Goal 1 of the Open Space Element of the General Plan:

"3) Any use of or development on lands designated in the General Plan or by this Ordinance as 'Open Space Private' or 'Public Open Space-Study' (hereinafter 'Open Space Lands') shall be limited to a maximum density of one (1) dwelling per twenty (20), ten (10), or five (5) acres, but in no case shall density on such lands exceed one (1) dwelling unit per five (5) acres. Areas identified as 'high risk' areas, as defined in this Ordinance, shall be limited to a maximum density of one (1) dwelling unit per twenty (20) acres. Density transfers from Open Space Lands to other lands shall be encouraged; provided that in no event shall dwelling units be transferred to Open Space Lands or to 'high risk' areas. The Town Council shall identify 'high risk' areas after taking into account soil stability, history of soil slippage, slope grade, accessibility, and drainage conditions."

- b. Policy Number 1 of Goal 4 of the Open Space Element of the General Plan is revised to read as follows:

"1) Development shall be prohibited on slopes with grades of twenty percent (20%) or greater and on the crests of minor ridgelines. The Town Council shall reduce the allowable densities on slopes of less than twenty percent (20%) through appropriate means such as requiring proportionally larger lot sizes or other appropriate siting limitations. For the purposes of this paragraph, the term 'minor ridgeline' means any ridgeline, including lateral ridges, with an elevation greater than 800 feet above mean sea level, other than a major ridgeline."

- c. The following policy is added to Goal 1 of the Land Use Element of the General Plan:

"8) Notwithstanding any other provision of the General Plan, any development on lands depicted in the General Plan or by this Ordinance as 'Public Open Space-Study' or 'Private Open Space' shall be limited to a maximum density of one (1) dwelling per twenty (20), ten (10), or five (5) acres, but in no case shall density on such lands exceed one (1) dwelling unit per five (5) acres. Areas identified as 'high risk' areas, as defined in this Ordinance, shall be limited to a maximum density of one (1) dwelling unit per twenty (20) acres."

- d. Section 8-3805 is added to chapter 38 of the Zoning Ordinance of the Town of Moraga as follows:

"Section 8-3805. Open Space Density.

"(a) Notwithstanding any other provision of the ordinances of the Town of Moraga: (1) all land within the Town of Moraga designated 'Public Open Space-Study' or 'Private Open Space' (hereinafter referred to as 'Open Space Lands') in the Moraga General Plan as such Plan existed on October 16, 1985, or which is designated such by this Ordinance is hereby zoned 'Open Space' ('OS'); and (2) any development on such Open Space Lands shall be limited to a maximum density of one (1) dwelling unit per twenty (20), ten (10), or five (5) acres, but in no case shall density on such lands exceed one (1) dwelling unit per five (5) acres. Areas identified as 'high risk' areas, as defined in this Ordinance, shall be limited to a maximum density of one (1) dwelling unit per twenty (20) acres. The Town Council may authorize density transfers from Open Space Lands to other lands pursuant to the procedures set forth in Chapter 47 herein; provided that in no event shall dwelling units be transferred to Open Space Lands or to high risk areas. In determining the appropriate density transfer credit applicable

to any such Open Space Lands, the Town Council may authorize the transfer of a net density of no greater than one (1) dwelling unit per ten (10) acres.

"Development shall be prohibited on slopes with grades of twenty percent (20%) or greater and on the crests of minor ridgelines. The Town Council shall reduce the allowable densities on slopes of less than twenty percent (20%) through appropriate means such as requiring proportionally larger lot sizes or other appropriate siting limitations. For the purpose of this Ordinance, the term 'minor ridgeline' means any ridgeline, including lateral ridges, with an elevation greater than 800 feet above mean sea level, other than a major ridgeline.

"(b) Development shall be prohibited on minor ridgelines immediately adjacent to and extending into Open Space Lands if slopes exceed twenty percent (20%) and elevation of said ridges is greater than 800 feet above mean sea level."

- e. Section 8-5702 of Chapter 57 of the Zoning Ordinance of the Town of Moraga is amended as follows:

"(a) Development shall be prohibited within 500 feet of the centerline of a major ridge (as defined in subsection (b)) located in an area designated on the General Plan as 'Private Open Space' or 'Public Open Space-Study' and development shall be subject to strict design review control in all other ridge areas. A road, together with the attendant underground utilities, may cross a ridge, if the Planning Commission finds that the crossing is necessary for the orderly development of the Town and does not otherwise conflict with the Municipal Code.

"(b) For the purpose of this section, the centerline of a major ridge is the line running along the highest portion of the ridge located within those areas designated on the General Plan as 'Private Open Space' or 'Public Open Space Study.'"

- f. Without limiting the generality of the Moraga Open Space Ordinance, General Plan Amendments No. 6, adopted in resolution No. 28-83 on June 15, 1983, and No. 8, adopted in Resolution No. 39-83 on September 7, 1983, are hereby repealed and are of no further force or effect. Such lands as were affected by those amendments are hereby given a General Plan designation of "Public Open Space-Study" and are zoned "Open Space" as provided in Section 3d above.

SECTION 4. Applicability.

The provisions of this Ordinance shall apply to any person who, as of the date of the election has not (a) obtained a building permit for the development project, and (b) incurred substantial construction expenses in good faith reliance on such building permit.

SECTION 5. Implementation; Interim Development Controls; Interpretation.

- a. Promptly after the enactment of this Ordinance, the Town Council shall adopt such revisions to the General Plan and the Zoning Ordinance as may be necessary to fully implement the Moraga Open Space Ordinance or to ensure the internal consistency of the General Plan or the consistency of the Moraga Open Space Ordinance with the General Plan; provided that the Town Council shall not amend or modify any requirement of this Ordinance without approval by the electorate at a general election.

- b. Until the full implementation of the Moraga Open Space Ordinance as contemplated by subsection (a) or until January 1, 1987, whichever occurs first, the Town Council, or any other reviewing authority, shall not issue any permit or otherwise authorize or approve any use or development, including but not limited to divisions of land, with a density greater than one (1) dwelling unit per twenty (20) acres on: (1) any lands designated in the General Plan or by this Ordinance as "Open Space", "Public Open Space-Study" or "Private Open Space", or (2) major or minor ridgelines, or on slopes greater than twenty percent (20%), or on slopes which are unstable or subject to erosion or deterioration. Nothing in this subsection is intended to authorize issuance of any permit or approval of any development except in compliance with Section 3d above.
- c. In the event of any conflict between the Moraga Open Space Ordinance and the Zoning Ordinance, the provisions of the Moraga Open Space Ordinance shall prevail.

SECTION 6. Severability.

If any section, subsection, paragraph, subparagraph, clause or phrase of this Ordinance, or any amendment or revision of this Ordinance is, for any reason, held to be invalid or unconstitutional, the remaining sections, subsections, paragraphs, subparagraphs, clauses and phrases shall not be affected, but shall remain in full force and effect.

APPENDIX F

ACTION PLAN SUMMARY

The following pages provide a summary matrix of the Implementing Programs of the Moraga 2002 General Plan (Chapter 11) as a tool to support ongoing implementation, monitoring and management of plan-related activities.

The summary matrix identifies:

- Schedule for implementation of each program, highlighting implementation priorities for the coming year.
- Responsibility for program implementation, listing the relevant Town officials and/or department(s).
- Financing sources to support program implementation, *when other than or in addition to Town funds*.
- Quantified Objectives, where applicable, for the production of housing units affordable to various income levels (in accordance with State law requirements). Quantified objectives are also summarized at the end of the Housing Element (Chapter 5).

The Action Plan Summary provides a tool to support annual review and updating of the Plan's implementation status. As part of the General Plan Annual Review, the list of implementing programs should be reviewed and evaluated, noting both program achievements and shortcomings. This information can then be used to strengthen the Plan's implementation programs and identify priorities for the subsequent year.

Action Plan Summary: Schedule, Responsibilities, Financing and Quantified Objectives

Ref.	Program Title	Schedule	Responsibility	Financing	Quantified Objectives				
					Very Low	Low	Mod	Above Mod	Total
A. General Programs									
IP-A1	General Plan Diagram	Ongoing; with annual review	TC; Admin; Planning; PW; Police						
IP-A2	Annual Town Budget	Annual	TC; Admin; and All Departments						
IP-A3	Annual Needs Assessment	Annual	Admin						
IP-A4	Annual General Plan Review	Annual	TC; Admin; Planning						
IP-A5	Public Opinion Surveys	As needed	Admin						
IP-A6	Citizen Participation	Ongoing	TC; Admin						
IP-A7	Citizen Commissions	Ongoing	TC; Admin; Planning; Parks and Rec; PW						
IP-A8	Homeowner Assistance	Ongoing	TC; Admin; Police; PW; Planning						
IP-A9	Conflict Resolution	Ongoing	TC; Admin						
IP-A10	Private Sector Support	Ongoing	Admin; Parks and Rec						
B. Ordinances									
IP-B1	Zoning and Subdivision Ordinances	Revise by Dec 2004	Planning						
IP-B2	Moraga Open Space Ordinance	Ongoing implementation	TC; Planning						
IP-B3	Condominium Conversions Ordinance	Revise by 2006	TC; Planning						Depends on number of requests.
IP-B4	Traffic Impacts Ordinance	Adopt by Dec 2005	TC; Planning						
IP-B5	High Risk Areas Zoning Overlay	Establish by Dec 2006	TC; Planning						
IP-B6	Moderate Risk Areas Zoning Overlay	Establish by Dec 2006	TC; Planning						
IP-B7	Hillside Zoning Overlay	Establish by Dec 2006	TC; Planning						
IP-B8	Fire Safety Ordinance	Adopt by Dec 2005	TC; Planning						
IP-B9	Seismic Safety Ordinance	Adopt by Dec 2005	TC; Planning; PW						
IP-B10	Geologic Hazards Abatement District Ord.	Review/consider by 2008	TC; Planning; PW						
IP-B11	Transportation Systems Management Ord.	Adopt by Dec 2005	TC; Planning; PW						
IP-B12	Flood Control Ordinance	Adopt by Dec 2005	TC; Planning; PW						
IP-B13	Historic Preservation Ordinance	Adopt by Dec 2005	TC; Planning						
IP-B14	Non-smoking Ordinance	Ongoing	Planning						
IP-B15	Moraga Tree Ordinance	Ongoing	Planning						
IP-B16	Recycled Water Ordinance	Adopt by Dec 2003	Planning						
IP-B17	Moraga Grading and Erosion Control Ordinance	Adopt by Dec 2004	Planning						
C. Development Review									
IP-C1	Development Review	Ongoing	Planning						
IP-C2	Development Review for Emergency Svcs.	Ongoing	Planning						
IP-C3	Design Review	Ongoing	Planning						
IP-C4	Seismic Safety Checklist	Develop by 2005	Planning						
IP-C5	Traffic Impact Studies	Ongoing	Planning						
IP-C6	CEQA / Environmental Impact Reports	Ongoing	Planning						
IP-C7	Geotechnical Reports	Ongoing	Planning						
IP-C8	Fee Waivers / Deferrals and Expedited Processing	Adopt/implement by Dec 2004	Planning						
D. Codes and Enforcement									
IP-D1	Building and Grading Codes	Ongoing	Planning						
IP-D2	Building Inspection, Code Enforcement and Hazard Abatement	Ongoing	Planning						

Action Plan Summary: Schedule, Responsibilities, Financing and Quantified Objectives

Ref.	Program Title	Schedule	Responsibility	Financing	Quantified Objectives				
					Very Low	Low	Mod	Above Mod	Total
E. Design Guidelines									
IP-E1	Scenic Corridor Design Guidelines	Dec 2005	Planning; PW						
IP-E2	Residential Design Guidelines	Dec 2005	Planning; PW						
IP-E3	Multi-Family Residential Design Guidelines	Dec 2005	Planning; PW						
IP-E4	Commercial Design Guidelines	Dec 2005	Planning; PW						
IP-E5	Public Safety Guidelines	Dec 2005	Planning; Police						
IP-E6	Historic Resource Design Guidelines	Dec 2005	Planning; PW						
F. Other Guidelines and Standards									
IP-F1	Guidelines for Development in Swales	2006	Planning						
IP-F2	Stream Channel Standards	2006	Planning; PW						
IP-F3	Storm Drain Standards	2006	Planning; PW						
IP-F4	Post-Earthquake Reconstruction Guidelines	2007	Planning						
G. Ongoing Programs									
IP-G1	Vacant Land Inventory	Ongoing	Planning						
IP-G2	Traffic Monitoring Program	Bi-annual	Planning						
IP-G3	Pavement Management Program	Ongoing	PW						
IP-G4	Storm Drain Management Program	Ongoing	PW						
IP-G5	Town Beautification Program	Dec 2005; then ongoing	Planning; PW						
IP-G6	Tree Planting Program	Dec 2005; then ongoing	Planning; PW						
IP-G7	Air Quality Management Program	Ongoing	Planning						
IP-G8	Noise Monitoring Program	Ongoing	Planning						
IP-G9	Hazardous Waste Management Program	Ongoing	Planning						
IP-G10	Earthquake and Emergency Prep. Plans	Ongoing	Planning						
IP-G11	External Hazard Control Program	Ongoing	PW						
IP-G12	Recreation Programs	Ongoing	Parks and Rec						
IP-G13	Facility Master Plans	Ongoing	Parks and Rec; Planning; PW						
IP-G14	Facility Management	Ongoing	Parks/PW						
IP-G15	Federal Insurance Qualifications	Ongoing	Planning						
H. Housing Specific Programs									
IP-H1	Regional Housing Need	2002 - 2008	Planning		32	17	45	120	214
IP-H2	Housing Partnerships	Ongoing	Planning						
IP-H3	Housing Rehabilitation Program	Ongoing	Planning	CCC Hsg. Authority (CDBG, HOME)	2	3			5
IP-H4	Affordable Housing Subsidies	Depends on County and developers	Planning	HOME; CA Multi-family Hsg. Prog.; Section 202/231 (senior hsg); State/ Fed. Low-Income Hsg. Tax Credits, Mortg. Bonds/Credit Certificates					
IP-H5	Affordable Housing Trust Fund	Establish by Dec 2004	Planning	New development	5	5	20		30
IP-H6	Homeless Services and Referral	Ongoing	Planning						
IP-H7	Equal Housing Opport. Coord. and Info.	Ongoing	Planning						
IP-H8	Nondiscrimination Clauses	Ongoing	Planning						
IP-H9	Accessible Housing Info and Referral	Ongoing	Planning						
I. Circulation Specific Programs									
IP-I1	Transportation Systems Management Plan	Ongoing	Planning; PW						
J. Open Space Specific Programs									
IP-J1	Open Space Preservation Program	Dec 2004	Planning						
IP-J2	Transfer of Development Rights Program	Dec 2005	Planning						

Action Plan Summary: Schedule, Responsibilities, Financing and Quantified Objectives

Ref.	Program Title	Schedule	Responsibility	Financing	Quantified Objectives				
					Very Low	Low	Mod	Above Mod	Total
IP-J3	Open Space Management Plan	Dec 2006	Planning						
K. Special Plans and Projects									
IP-K1	Moraga Ctr / Rheem Park Specific Plans		Planning						
IP-K2	Pedestrian, Bicycle and Trails Master Plan	Complete by 2004	Planning						
IP-K3	Town Center Project	Ongoing	Planning						
IP-K4	Corporation Yard	Evaluation and decision by 2004	Planning						
IP-K5	Annexation Review	Ongoing	Planning						
IP-K6	Seismic Safety Study	Dec 2005 (w/ Seismic Safety Ord.)	TC; Planning; PW						
IP-K7	Bollinger Canyon Special Study	Complete by December 2004	Property Owners, Planning, TC	Study costs paid by property owners					
L. Intergovernmental Coordination									
IP-L1	Development Review Referral	Ongoing	Planning						
IP-L2	Agenda Referral to Adjacent Jurisdictions	Ongoing	Admin						
IP-L3	County Housing Programs	Ongoing	Planning						
IP-L4	Interjurisdictional Public Safety Programs	Ongoing	TC; Admin; Planning; Police; PW						
IP-L5	Interjurisdictional Recreation Planning	Ongoing	Parks and Recreation						
IP-L6	Library Services	Ongoing	TC; Admin						
IP-L7	Lamorinda Transportation Planning	Ongoing	TC; Admin; Planning; PW						
IP-L8	Transit Improvements	Ongoing	TC; Admin; Planning; PW						
IP-L9	Underground Utilities Program	Ongoing	Planning; PW						
IP-L10	Coordination with Saint Mary's College	Ongoing	TC; Admin; Planning; Parks and Rec						
IP-L11	Coordination with School Districts	Ongoing	TC; Admin; Planning; Parks and Rec						
IP-L12	Coordination with Utility Providers	Ongoing	Planning; PW						
M. Public Information and Education									
IP-M1	Info on Town Programs, Events etc.	Ongoing	Parks and Rec						
IP-M2	Info on Historic Preservation and Resources	Ongoing	Admin; Parks and Rec						
IP-M3	Traffic Safety Program	Ongoing	Police						
IP-M4	Info on Resource Conserv./Environ. Pres.	Ongoing	Admin						
IP-M5	Info on Noise Pollution	Ongoing	Admin; Planning						
IP-M6	Info on Seismic Safety	Ongoing	Admin; Planning						
IP-M7	Info on Landslides	Ongoing	Admin; Planning						
IP-M8	Info on Streamside Guidelines, Flood Ins.	Ongoing	Admin; Planning						
IP-M9	Information for Homeowners Associations	Ongoing	Admin; Planning; PW						
IP-M10	Public Safety Information	Ongoing	Admin; Planning; PW						