

Hillside Regulations Update Scope of Work

Revised 1/16/13

TASK A. Project Initiation

1. KICKOFF MEETING

The Planning Center | DC&E team will attend a kickoff meeting with Town staff to review the project approach, schedule, products, and key issues for the Hillside Regulations Update.

2. BACKGROUND DATA REVIEW

The Planning Center | DC&E team will assemble and review GIS and other background data, including the MOSO Ordinance and Guidelines, relevant Municipal Code sections, the Town General Plan, and recent development project applications. Town staff will provide these materials in hard or electronic copy, based on an itemized list from The Planning Center | DC&E. As part of this review, we will determine initial data needs and gaps.

3. STAKEHOLDER MEETINGS

On the same day as the Steering Committee meeting (described below), The Planning Center | DC&E will meet with groups of stakeholders to receive input on key hillside development issues. We assume that we will meet with up to four separate groups, with each meeting lasting for one hour. Potential members for stakeholder groups include open space advocates, property owners, architects and engineers, and other residents. The Planning Center | DC&E will work with Town staff to identify participants and set the agenda. Town staff will be responsible for inviting participants.

4. STEERING COMMITTEE MEETING #1

The Planning Center | DC&E team will facilitate a Steering Committee meeting to review the purpose, process, and schedule for the Hillside Regulations Update. At this meeting, we will also develop a preliminary list of key issues to address in the project. We expect that key issues will relate to the following topics:

- ◆ Slope calculation methodology
- ◆ Minimizing visual impacts
- ◆ Required permits
- ◆ Grading restrictions
- ◆ Hazard avoidance and remediation
- ◆ Ridgeline protection

5. OPEN TOWN HALL (OPTIONAL TASK)

As an optional task, The Planning Center | DC&E will provide a moderated online public engagement service for the Hillside Regulation Update project. This service, known as Open Town Hall, will help to broaden participation beyond the usual few. Open Town Hall will supplement in-person meetings and workshops. We anticipate that we will use Open Town Hall to receive public input on the following questions:

- ◆ What concerns do you have about hillside and ridgeline development in Moraga? (Task A)
- ◆ Do you have any comments on the draft background maps of hillside conditions in Moraga? (Task B)
- ◆ What key issues should this project focus on and work to resolve? (Task B)
- ◆ What approaches do you like best to address these issues? (Task C)

- ◆ Do you have any comments on the draft regulations, guidelines and other materials prepared to address these issues? (Task D)

TABLE 1 WORK PROGRAM SUMMARY	
Task A: Project Initiation	
1. Kickoff Meeting	4. Steering Committee Meeting #1
2. Background Data Review	5. Open Town Hall (Optional Task)
3. Stakeholder Meetings	6. Public Workshop #1
Task B: Background Analysis	
1. Mapping Updates	6. Steering Committee Meeting #2
2. Geological Hazards Maps	7. Public Workshop #2
3. Background Map Public Input	8. Town Council/Planning Commission Meeting #1
4. Visual Resource Inventory	
5. Background Report	
Task C: Hillside Regulation Options	
1. Preliminary Draft Options	4. Public Workshop #3
2. Steering Committee Meeting #3 and 4	5. Town Council/Planning Commission Meeting #2
3. Hillside Regulations Options Report	
Task D: Draft Regulations	
1. Draft Regulations	3. Town Council/Planning Commission Meeting #3
2. Steering Committee Meeting #5, 6 and 7	
Task E: Review and Adoption	
1. Draft Final Regulations	2. Final Regulations

Residents will use Open Town Hall to comment on these questions, and read opinions from other residents. Town officials will use this input to help guide preparation of project materials. Guidelines for civility, which stipulate acceptable online content, will be proposed by The Planning Center | DC&E team and approved by the Town of Moraga. We will review all content for compliance to those guidelines and resolves any problems directly with the statement. Through authentication of user registrations, each participant is limited to one statement per topic to ensure that no one person dominates the forum.

6. PUBLIC WORKSHOP #1

The Planning Center | DC&E team will facilitate a public workshop to introduce the Hillside Regulation Update and receive initial public input on key issues. We will begin the workshop with an introductory presentation followed by a town hall style public forum. The town hall approach will enable all participants to voice their opinions about hillside development in Moraga at the very beginning of the project.

TASK B. Background Analysis

1. MAPPING UPDATES

The Planning Center | DC&E will prepare GIS-based maps that display the following information:

- ◆ Open space (MOSO and non-MOSO)
- ◆ Ridgelines (MOSO major, MOSO minor, MOSO-adjacent on which development is prohibited)
- ◆ High slope areas (20 percent and 25 percent)

- ◆ Elevation
- ◆ “High risk” and “moderate risk” areas as described in MOSO
- ◆ Wildland fire hazard areas
- ◆ Geological hazard areas (see Task B.2)
- ◆ Designated scenic corridors
- ◆ Visible hillside areas from scenic corridors
- ◆ Zoning districts
- ◆ General Plan designations
- ◆ Identified biological resources, including tree-covered areas
- ◆ Existing development patterns within and adjacent to MOSO lands (roads, parcels, buildings)
- ◆ Major hydrology and drainage patterns
- ◆ Open space lands available for public use

These maps will present the necessary data for an informed discussion of key project issues and options. To maximize value to the Town, map preparation will rely on existing datasets to the greatest extent feasible.

Mapping will be based upon spatial data available from the Town and will be updated to reflect the most recent open space areas and the most accurate elevation data available. Elevation and slope maps will be based on the 2008 Contra Costa County LiDAR (Light Detection And Ranging) data, which offer an exceptional level of precision and accuracy. Using ESRI’s ArcGIS suite, raw LiDAR data will be processed into relevant elevation, slope, visibility, and viewshed data for analysis and graphical display.

2. GEOLOGICAL HAZARDS MAPS

Cotton, Shires and Associates (CSA) will prepare a landslide map of the MOSO areas utilizing primarily stereoscopic aerial photograph analysis methods. In addition, existing landslide and slope instability hazard maps will be compiled for consideration during the mapping process. Approximately 50 to 60 hours of air photo interpretation will be completed. Landslides will be separated into shallow and deep earthflow/rotational categories and debris flows will potentially be considered as a separate delineated category. Limited field checking will be conducted of select areas to confirm accuracy. Mapping will be presented on a LiDAR topographic base map using GIS shapefiles.

3. BACKGROUND MAP PUBLIC INPUT

After Town staff review, The Planning Center | DC&E will share the draft maps with a group of Town residents and property owners with special knowledge of hillside conditions in Moraga. The general public may also comment on the draft maps using Open Town Hall. Town staff will review comments from the public and provide The Planning Center | DC&E team direction on any additional revisions needed to the maps based on these comments.

4. VISUAL RESOURCE INVENTORY

The Planning Center | DC&E will prepare a hillside and ridgeline visual resource inventory, as well as visual resource guidelines for the Hillside Regulation Update. The inventory will cover Moraga’s undeveloped open space lands visible from designated scenic corridors and up to eight viewpoints.

The Planning Center | DC&E will use a combination of geospatial data and ground reconnaissance to establish viewsheds and areas of high visibility. Using high-quality elevation data, the inventory will create and draw from a baseline GIS dataset that reflects the relative degree of visibility from key scenic corridors and viewpoints. Once the areas of greatest visibility are

established, more subjective criteria will be applied to identify and prioritize the most critical visual resources, specifically, the seven scenic quality factors used for the U.S. Bureau of Land Management Visual Resource Inventory methodology:

- ◆ Landform
- ◆ Vegetation
- ◆ Water
- ◆ Color
- ◆ Adjacent scenery
- ◆ Scarcity
- ◆ Human modifications

The inventory will include map of identified visual resources and a discussion of these resources relative to the seven scenic quality factors. We will also include photographs of key visual resources and a description of the inventory methodology.

5. BACKGROUND REPORT

The Planning Center | DC&E team will prepare a concise Background Report for the Hillside Regulation Update. We anticipate the report will contain the following sections:

- ◆ An introduction describing the Hillside Regulation Update project and this background report.
- ◆ A summary of Moraga's existing hillside development policies and regulations.
- ◆ Updated maps related to hillside development (from Task 1 and 2 above).
- ◆ The visual resources inventory (from Task 3 above).
- ◆ A preliminary list of key issues to address in the Hillside Regulation Update.
- ◆ A detailed description of the methodology, assumptions, and data sources for the mapping and visual resource analysis.

6. STEERING COMMITTEE MEETING #2

The Planning Center | DC&E team will facilitate a Steering Committee meeting to present and receive feedback on the Background Report. At this meeting we will also discuss plans for Public Workshop #1.

7. PUBLIC WORKSHOP #2

The Planning Center | DC&E team will facilitate a public workshop to introduce the Hillside Regulation Update and receive input on key issues. We will focus on communicating complete and accurate information and receiving broad input on key issues. One possible workshop approach is as follows:

- ◆ Open house with poster-sized maps from Background Report displayed for public view (20 minutes).
- ◆ Presentation with information on the project and the Background Report (20 minutes).
- ◆ Questions and Answers (20 minutes).
- ◆ Continued open house with participants commenting on and adding to the list of key issues presented in the Background Report (45 minutes).
- ◆ Concluding remarks, focusing on participant comments on key issues (15 minutes).

We will prepare a written summary of the workshop following the event.

8. TOWN COUNCIL/PLANNING COMMISSION MEETING #1

The Planning Center | DC&E team will facilitate a joint Town Council/Planning Commission study session to review workshop input and receive direction on key issues to address in the Hillside Regulation Update. We will spend up to four hours to

assist with the preparation of a staff report for this meeting and all other Town Council meetings in this scope of work. We will prepare all necessary presentations, graphics, and background materials presented at these meetings.

This meeting will also include a review of the remaining project scope and authorization to proceed with Tasks C through E. Based on this input, we will revise our project scope if needed.

Task C. Hillside Regulation Options

Note: The scope of work for tasks C through E is preliminary and subject to revision. If the scope is revised, the budget will also be revised to reflect these changes.

1. PRELIMINARY DRAFT OPTIONS

The Planning Center | DC&E will develop a preliminary list of options for how Moraga can address its key hillside development issues. Some options may be a minor revision to existing language. Other options may involve more fundamental changes to Town policy. All options will reflect best practices for hillside regulation, including approaches successfully used in communities similar to Moraga. We will present these options to Town staff in a matrix format for review and comment.

2. STEERING COMMITTEE MEETING #3 AND 4

The Planning Center | DC&E will attend two Steering Committee meetings to present and receive feedback on the draft options.

3. HILLSIDE REGULATIONS OPTIONS REPORT

Based on feedback received at the Steering Committee and Town Council/Planning Commission meetings, The Planning Center | DC&E will prepare a report that presents policy and regulatory options to address key hillside development issues. This report will provide Moraga with the necessary information to determine how best to amend the Town's existing hillside development policy and regulation.

For each identified issue, this report will:

- ◆ Describe the issue and explain why it needs to be addressed.
- ◆ Present two or more options for how Moraga could address the issue.
- ◆ Identify how other communities have successfully addressed the issue.
- ◆ Evaluate the different options relative to the four principles of Smart Regulation.
- ◆ Provide figures, diagrams, photographs, and other graphic materials to illustrate options.

The report may also identify recommended options if desired by Town staff. The report will contain a technical appendix to present data sources and methodologies, as needed.

4. PUBLIC WORKSHOP #3

The Planning Center | DC&E will facilitate a public workshop to receive public input on the hillside regulation options. One possible workshop approach is as follows:

- ◆ Introductory presentation that summarizes the Policy Options Report (20 minutes).
- ◆ Questions and Answers (10 minutes).
- ◆ Facilitated small group discussions to identify preferred options for each issue (60 minutes).

- ◆ Small groups report back on their preferred options (15 minutes).
- ◆ Concluding remarks, focusing on areas of consensus and disagreement (15 minutes).

We will prepare a written summary of the workshop following the event.

5. TOWN COUNCIL/PLANNING COMMISSION MEETING #2

The Planning Center | DC&E team will facilitate a joint Town Council/Planning Commission meeting to review workshop input and receive direction on preferred options to address key issues.

Task D. Draft Regulations

1. DRAFT REGULATIONS

Based on outcomes of prior tasks, The Planning Center | DC&E will prepare amendments to Moraga’s hillside regulations and policies. These amendments will implement the preferred options to address key issues identified at the second Town Council/Planning Commission meeting (Task C.5).

We expect that amendments will include changes to a number of existing documents, including the following:

- ◆ MOSO Guidelines
- ◆ Moraga Municipal Code Section 8.128 (Slope Density)
- ◆ Moraga Municipal Code Section 8.136 (Ridgeline Protection)
- ◆ Moraga Municipal Code Title 14 (Grading)
- ◆ General Plan policies and definitions related to hillside development

Implementing the preferred options from Task C may also include the creation of new regulatory tools. For example, the Town may choose to add a new hillside overlay zone to the Zoning Code. The Town may also decide to adopt new grading and hazard remediation guidelines for hillside development projects. Our cost estimate assumes that we will prepare new visual resource guidelines with criteria, guidelines, and standards for evaluating and responding to the visual impacts of hillside development. Such standards could include restrictions on development in the most sensitive areas, screening requirements, and treatments for building massing and architecture. These guidelines will provide the Town more objective criteria to use when assessing the visual impacts of proposed hillside development

We are flexible on the exact type of regulation or materials to be prepared, provided that we can prepare them within the available budget for this task.

2. STEERING COMMITTEE MEETINGS #5 ,6 AND 7

The Planning Center | DC&E will attend three Steering Committee meetings to receive feedback on the draft regulations.

3. TOWN COUNCIL/PLANNING COMMISSION MEETING #3

The Planning Center | DC&E team will facilitate a joint Town Council/Planning Commission meeting to receive feedback on the draft regulations.

Task E. Review and Adoption

1. DRAFT FINAL REGULATIONS

Based on feedback received during Task D, The Planning Center | DC&E will prepare draft final regulations for review and adoption. Our scope and budget assumes that we will not attend Planning Commission and Town Council hearings on the final regulations.

2. FINAL REGULATIONS

The Planning Center | DC&E will prepare final versions of the adopted regulations.

Meeting Attendance

Our proposed scope of work includes attendance at the following meetings and workshops:

- ◆ Kickoff Meeting
- ◆ Stakeholder Meetings (four in one day)
- ◆ Steering Committee Meetings (7)
- ◆ Public Workshops (3)
- ◆ Joint Town Council/Planning Commission Meetings (3)

Project Manager Ben Noble will attend all meetings and workshops.

Senior Designer Van Smith will attend four meetings or workshops.

Geotechnical Engineer Ted Sayre will attend four meetings or workshops.

Principle-in-Charge David Early will attend the following meetings and workshops:

- ◆ Public Workshops (3)
- ◆ Joint Town Council/Planning Commission Meetings (3)

We are available to attend additional meetings on a time-and-materials basis.

Assumptions

This scope of work and cost estimate assumes that:

- ◆ Billing rates for this project are guaranteed through June 2015. Billing rates are subject to an increase of up to 6 percent on July 1, 2015, and in each subsequent year thereafter. A budget increase would be necessary to cover costs incurred after July 1, 2015.
- ◆ All products will be submitted to The Town of Moraga in electronic (PDF) format.
- ◆ Town staff will be responsible for meeting logistics, including schedule coordination, printing notices, mailing costs, room reservations, and room set-up and take-down.
- ◆ DC&E will send an invoice for work completed each month. The invoice will show hours worked by labor category, billing rate, and total by labor category plus subconsultants and reimbursable expenses. Special invoicing requirements may necessitate an additional fee.

- ◆ Town staff will act as a clearinghouse for comments on all administrative draft documents, and will provide The Planning Center | DC&E with a single, internally reconciled set of comments on each administrative draft.
- ◆ There will be a single round of intensive review and revision to each administrative draft product prior to the screencheck draft. If Town staff feels that a second administrative draft is needed, a contract amendment allowing additional work will be necessary.
- ◆ Revisions to screencheck drafts will focus on typographical errors, formatting and other minor edits. Such revisions will not include content changes.
- ◆ Multiple changes from Town staff about how to proceed will require a contract amendment to allow completion of the additional work.
- ◆ The Planning Center | DC&E will use Microsoft Word and/or Adobe InDesign for page layout of reports, plans and similar documents. Additional software such as Adobe Illustrator, Adobe Photoshop, ArcGIS and AutoCAD will be used to create illustrations, maps, diagrams and other graphics.
- ◆ The Planning Center | DC&E will provide up to three facilitators for the public workshops. Additional facilitators will be drawn from Town staff or other local organizations. The Planning Center | DC&E will provide training for facilitators immediately before each workshop.
- ◆ The Planning Center | DC&E will design notices for public workshops. Town staff will be responsible for printing and mailing notices, if desired.