



Town of Moraga	Agenda Item
Public Hearings	10. A.

1  
2 **TOWN OF MORAGA**

3 **STAFF REPORT**

4  
5 **To:** Honorable Mayor and Councilmembers  
6  
7 **From:** Afshan Hamid, Planning Director  
8  
9 **Subject:** Proposed Zoning Code and Design Guideline Changes for Moraga  
10 Center Specific Plan Implementation Project  
11  
12

13  
14 1. Consider Waiving the First Reading and Introducing by Title  
15 Only an Ordinance Amending Title 8 of the Moraga Municipal Code  
16 to:

17  
18 A. Adopt a new Zoning Map within the MCSP Area; and  
19

20 B. Amend Title 8 of the Moraga Municipal Code Including  
21 Chapters 8.04 – General Provisions and Definitions; 8.24 –  
22 One, Two, and Three Dwelling Units per Acre Residential  
23 Districts; Renumbers 8.32 – Six Dwellings per Acre Multifamily  
24 Residential District (R-6) to 8.31; 8.34 – Twenty Dwelling Units  
25 per Acre Residential District (R-20); 8.36 – Community  
26 Commercial District; 8.40 – Limited Commercial District; 8.44 –  
27 Suburban Office District; 8.48 – Planned Development District;  
28 8.50 – Planned Development-Commercial (PD-C); 8.52 – MOSO  
29 and Non-MOSO Open Space Districts; 8.56 – Institutional  
30 District; 8.60 – Study District; 8.76 – Off-Street Parking and  
31 Loading; 8.124 - Accessory Dwelling Units; and  
32

33 C. Establish the Following New Chapters within Title 8 of the  
34 Moraga Municipal Code, Chapter 8.32 – MCSP Six Dwellings  
35 Units per Acre Multifamily Residential District (MCSP R-6); 8.33  
36 – Twelve Dwelling Units per Acre Multifamily Residential  
37 District (R-12); Chapter 8.37 – MCSP Commercial District  
38 (MCSP-C); Chapter 8.41 – MCSP Mixed Retail/Residential  
39 District; (12-20 Dwelling Units per Acre) (MCSP MU-RR);  
40 Chapter 8.42 – MCSP Mixed Office/Residential District (12-20  
41 Dwelling Units per Acre) (MCSP MU-OR); Chapter 8.65 –  
42 Moraga Ranch Overlay District; Chapter 8.200 – Moraga Center  
43 Specific Plan Area Regulations.

1  
2       **2. Consider Resolution \_\_\_\_ - 2020 Adopting the Moraga Design**  
3       **Guidelines as Amended to 1) Establish and Incorporate therein a**  
4       **New Chapter 11 Consisting of a Revised Version of Appendix B to**  
5       **the 2010 MCSP (the Moraga Center Specific Plan (MCSP) Design**  
6       **Guidelines along with Minor Modifications) plus the Addition of New**  
7       **Sections Addressing Street Design Standards, and Pedestrian and**  
8       **Bicycle-Friendly Design and Town Square Guidelines); and 2)**  
9       **Implement Other Minor Non-Substantive Changes, and Rescind**  
10      **Resolution 9-2010, 23-2018, and 50-2020**

11  
12      *(CEQA Review: Consistent with the Final Environmental Impact*  
13      *Report for the Moraga Center Specific Plan (SCH 200707212) certified*  
14      *on January 27, 2010; Exempt under CEQA Guidelines Section*  
15      *15061(b)(3))*

16  
17      **Summary**

18  
19      The Town Council is requested to consider introduction of an Ordinance and adoption of  
20      a Resolution to implement the 2010 Moraga Center Specific Plan (MCSP) by adopting  
21      implementing zoning and amending design guidelines. This action will implement the  
22      already adopted MCSP and add clarity to the review process of future applications.

23  
24      On October 14, 2020, the Town Council considered the Moraga Center Specific Plan –  
25      Implementation Project (MCSP-IP). The Council heard the staff presentation, opened  
26      and closed the public comment period, and discussed the proposed zoning code  
27      revisions. After a lengthy discussion of significant issues, Council provided staff with  
28      input and direction and requested this item come back to the Council for action at the  
29      October 28 meeting.

30  
31      **Background**

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33      At the October 14 Council meeting staff provided an overview of the MCSP-IP including  
34      review of the new and revised definitions, the new zoning districts (MCSP R-6, R-12,  
35      MCSP Commercial, Mixed Retail/Residential, and Mixed Office/Residential), the  
36      proposed development standards, design requirements, Town Square provisions,  
37      street, trail and bridge requirements, and creek setbacks. The October 14, 2020  
38      agenda packet is attached as a link (see Attachment E).

39  
40      Town Council discussed major issues such as evacuation, the Moraga Center area  
41      development potential, the traffic study completed for the MCSP Environmental Impact  
42      Report and subsequent analysis to confirm there are no significant changes or impacts  
43      since that analysis, preservation of the pear orchard, height limits, the requirement for  
44      commercial use on the bottom floor in the mixed use districts, creek setbacks, the  
45      Moraga Ranch Overlay District, setbacks on scenic corridors, Town Square, sideyard  
46      setbacks, and the new temporary use language.

1 Town Council also provided input on the Moraga Design Guidelines which are being  
2 updated to include MCSP Design Guidelines as a new Chapter 11.

3

#### 4 **Discussion**

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6 The Town Council requested the following revisions which have been incorporated into  
7 the proposed zoning ordinance.

8

9       **Chapter 8.65 - Moraga Ranch Overlay District.** The Additional Design  
10 Requirements were updated to reflect the language in the MCSP and the  
11 discretionary Planning Commission review process was removed.

12

13       **Chapter 8.148.050 - Temporary Use.** Language was added to clarify that  
14 engaging in a temporary use or the granting of a temporary use permit shall not  
15 affect any future determination as to whether a temporary use or conditional use  
16 permit should be issued for the same use.

17

18 Staff has continued to review the proposed zoning revisions based on community and  
19 Council input and is proposing minor non-substantive revisions as well as the following  
20 changes:

21

22       **Section 8.04.020 – Definitions.** The “Compact Single Family Housing” definition  
23 was updated to mean attached or detached residential dwelling units of smaller  
24 size developed to accommodate members of the community, such as students,  
25 teachers, and public safety employees, who otherwise cannot find housing in the  
26 area.

27

28       **Sections 8.32.050 MCSP R-6 Development Standards and 8.33.050 – R-12  
29 Development Standards.**

30

31       • A maximum lot area of 4,500 square feet and the FAR for “Compact  
32 Single-Family Dwelling 1 unit per lot” was added.

33       • The minimum lot area for “1 dwelling unit per lot” was decreased to 8,000  
34 square feet with a 70 feet minimum lot width and 90 feet lot minimum lot  
35 depth.

36       • The pre-subdivision FAR was further defined to read “Floor Area Ratio  
37 (FAR). The maximum gross floor area for dwelling units shall be in  
38 accordance with MCSP Table 4-11: Residential Floor Area Ratio. As  
39 stated in MCSP Table 4-10, the maximum FAR for a subdivision should be  
40 calculated on a pre-subdivision basis. In other words, the FAR multiplier  
41 identified for an entire parcel prior to its subdivision shall likewise be deemed  
42 to be the FAR multiplier applicable to each individual lot created by the subdivision of that parcel.”

43

44 The Zoning Ordinance and the Design Guidelines reflect consistency with the General  
45 Plan, Housing Element and the 2010 MCSP. It is important to note that to the extent  
46 potential inconsistencies exist between the general narrative of the MCSP and the more  
47 specific maps and/or tables incorporated within the MCSP, all inconsistencies are  
48 resolved by referring to the most specific applicable reference(s). Staff proposes to

1 continually monitor the adopted Zoning Ordinance and Design Guidelines and provide  
2 updates to Town Council as needed.

3

4 **Recommendation**

5

6 1. Consider Waiving the First Reading and Introducing by Title Only an Ordinance  
7 Amending Title 8 of the Moraga Municipal Code to:

8

9 A. Adopt a new Zoning Map within the MCSP Area; and

10

11 B. Amend Title 8 of the Moraga Municipal Code Including Chapters 8.04 –  
12 General Provisions and Definitions; 8.24 – One, Two, and Three Dwelling  
13 Units per Acre Residential Districts; Renumber 8.32 – Six Dwellings per  
14 Acre Multifamily Residential District (R-6) to 8.31; 8.34 – Twenty Dwelling  
15 Units per Acre Residential District (R-20); 8.36 – Community Commercial  
16 District; 8.40 – Limited Commercial District; 8.44 – Suburban Office  
17 District; 8.48 – Planned Development District; 8.50 – Planned  
18 Development-Commercial (PD-C); 8.52 – MOSO and Non-MOSO Open  
19 Space Districts; 8.56 – Institutional District; 8.60 – Study District; 8.76 –  
20 Off-Street Parking and Loading; 8.124 - Accessory Dwelling Units; and

21

22 C. Establish the Following New Chapters within Title 8 of the Moraga  
23 Municipal Code, Chapter 8.32 – MCSP Six Dwellings Units per Acre  
24 Multifamily Residential District (MCSP R-6); 8.33 – Twelve Dwelling Units  
25 per Acre Multifamily Residential District (R-12); Chapter 8.37 – MCSP  
26 Commercial District (MCSP-C); Chapter 8.41 – MCSP Mixed  
27 Retail/Residential District; (12-20 Dwelling Units per Acre) (MCSP MU-  
28 RR); Chapter 8.42 – MCSP Mixed Office/Residential District (12-20  
29 Dwelling Units per Acre) (MCSP MU-OR); Chapter 8.65 – Moraga Ranch  
30 Overlay District; Chapter 8.200 – Moraga Center Specific Plan Area  
31 Regulations.

32

33 2. Consider Resolution \_\_\_\_ - 2020 Adopting the Moraga Design Guidelines as  
34 Amended to 1) Establish and Incorporate therein a New Chapter 11 Consisting of  
35 a Revised Version of Appendix B to the 2010 MCSP (the Moraga Center Specific  
36 Plan (MCSP) Design Guidelines along with Minor Modifications) plus the Addition  
37 of New Sections Addressing Street Design Standards, and Pedestrian and  
38 Bicycle-Friendly Design and Town Square Guidelines); and 2) Implement Other  
39 Minor Non-Substantive Changes, and Rescind Resolution 9-2010, 23-2018, and  
40 50-2020

41

42

43 **Reviewed by:** **Cynthia Battenberg, Town Manager**  
44 **Michelle Kenyon, Town Attorney**

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## Attachments:

- A. Ordinance \_\_\_ for Zoning Code Amendments
  - Revised Exhibit A Draft Zoning Map
  - Revised Exhibit A Draft Zoning Code October 28, 2020 Clean Version
- B. Resolution \_\_\_ - 2020 Design Guidelines
  - Revised Exhibit A Draft Moraga Design Guidelines October 28, 2020 Clean Version
- C. Draft Zoning Code October 28, 2020 Redline-Strikeout Version
- D. Draft Moraga Design Guidelines October 28, 2020 Redline-Strikeout Version
- E. Staff Packet October 14, 2020 [link](#)
- F. Public Comments Received

## **ATTACHMENT A**

Ordinance \_\_\_ for Zoning Code Amendments  
Revised Exhibit A Draft Zoning Map  
Revised Exhibit A Draft Zoning Code:  
October 28, 2020 - Clean Version

BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of:

Amending Title 8 of the Moraga Municipal )  
Code to Adopt an Ordinance to: )  
 )  
1) Adopt a new Zoning Map within the MCSP )  
Area; and )  
 )  
2) Update Title 8 of the Moraga Municipal )  
Code by Amending Chapters 8.04 – General )  
Provisions and Definitions, 8.24 – One, Two, )  
and Three Dwelling Units per Acre )  
Residential Districts; 8.32 – Six Dwellings )  
per Acre Multifamily Residential District (R- )  
6); 8.34 – Twenty Dwelling Units per Acre )  
Residential District (R-20); 8.36 – )  
Community Commercial District; 8.40 – )  
Limited Commercial District; 8.44 – )  
Suburban Office District; 8.48 – Planned )  
Development District; 8.50 – Planned )  
Development-Commercial (PD-C); 8.52 – )  
MOSO and Non-MOSO Open Space )  
Districts; 8.56 – Institutional District; 8.60 – )  
Study District; 8.76 – Off-Street Parking and )  
Loading; 8.124 - Accessory Dwelling Units; )  
and )  
 )  
3) Establish the Following New Chapters )  
within Title 8 of the Moraga Municipal Code, )  
Chapter 8.33 – Twelve Dwelling Units per )  
Acre Multifamily Residential District (R-12); )  
Chapter 8.37 – MCSP Commercial District )  
(MCSP-C); Chapter 8.41 – MCSP Mixed )  
Retail/Residential District; (12-20 Dwelling )  
Units per Acre) (MCSP MU-RR); Chapter )  
8.42 – MCSP Mixed Office/Residential )  
District (12-20 Dwelling Units per Acre) )  
(MCSP MU-OR); Chapter 8.65 – Moraga )  
Ranch Overlay District; Chapter 8.200 – )  
Moraga Center Specific Plan Area )  
Regulations )

Ordinance No. \_\_

**WHEREAS**, on June 4, 2002, the Town of Moraga adopted a General Plan with Guiding Principle 4: Create a community “focal point” in the vicinity of the Moraga Center shopping area and Moraga Commons; and

**WHEREAS**, the General Plan sets forth Policy LU3.1 Moraga Center Area Specific Plan (MCSP), which requires the Town to “Undertake a specific planning process for the area designated on the General Plan Diagram as the “Moraga Center Area Specific Plan”; and

**WHEREAS**, the General Plan sets forth Policy CD6.5 Moraga Center Area, which requires that the Town “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; and

**WHEREAS**, after issuing a Notice of Preparation on July 30, 2007 to prepare a California Environmental Quality Act (CEQA) Initial Study, on June 17, 2008 the Town published the MCSP DEIR with a public comment period from June 17, 2008 to August 1, 2008, and held public hearing on July 7, 2008 (Planning Commission), July 8, 2008 (Park and Recreation Commission), July 9, 2008 (Town Council), and July 22, 2008 (Town Council) to solicit oral comments on the MCSP DEIR; and

**WHEREAS**, on March 26, 2009 the MCSP Final EIR (FEIR) was published with public hearings on March 26, 2009 (Design Review Board), April 6, 2009 (Planning Commission and Park and Recreation Commission), and April 20, 2009 (Planning Commission) to consider the adequacy of the FEIR; and

**WHEREAS**, on January 27, 2010, the Moraga Town Council adopted Resolution 14-2010 certifying the EIR; and

**WHEREAS**, on January 27, 2010, the Town Council also adopted the Moraga Center Specific Plan (MCSP) to establish a focused mixed commercial and residential neighborhood in the area in and around the existing Moraga Center Shopping Center. The MCSP allows for higher density infill and mixed use (residential, commercial and office) development that is well connected by transit, pedestrian and bicycle facilities. The Moraga Center area has been designated as a Priority Development Area (PDA) by the Association of Bay Area Governments and Metropolitan Transportation Commission, making it eligible for priority grant funding; and

**WHEREAS**, the January 28, 2015 adopted Housing Element under II. Housing Plan, Implementation Programs has IP-H4 Adopt Zoning for the Moraga Center Specific Plan. The Town shall adopt conforming zoning designations for all properties within the Moraga Center Specific Plan Area in order to implement the Plan; and

**WHEREAS**, in 2014 the Town of Moraga was awarded a \$150,000 grant by the Contra Costa Transportation Authority (CCTA) for the “Moraga Center Specific Plan Implementation Project.” The goal of the project was to develop zoning code

amendments and design standards that will effectively implement the policies and vision set forth in the Specific Plan; and

**WHEREAS**, the Town of Moraga selected consultant team Opticos Design for the completion of the project. In late 2015 Opticos Design team produced a "Vision Concept" for the creation of detailed zoning standards to guide implementation of the Specific Plan. Work on the project was suspended in October 2017 due to lack of funds; and

**WHEREAS**, in March 2018 the Town of Moraga was awarded a grant of \$140,000 through Metropolitan Transportation Commission (MTC) as part of its Priority Development Area (PDA) funding grant program; and

**WHEREAS**, on June 12, 2019 the Town of Moraga hired a consultant team, PlaceWorks, for the preparation of the draft zoning, development standards and design guidelines as part of the MCSP Implementation Project; and

**WHEREAS**, the Town of Moraga held four meetings of the MCSP-IP Citizens Advisory Committee to gather public input on the draft zoning, development standards, and design guidelines on July 8, 2019, September 4, 2019, September 19, 2019 and October 1, 2019; and

**WHEREAS**, on June 3, 2020 the Town of Moraga held a Technical Advisory Committee meeting with representatives from MTC, the Contra Costa Transportation Commission, Fehr & Peers transportation consultant, PlaceWorks and Town staff to obtain input on the Design Scenarios, Streetscape, Parking, and Roadway Specifications and the draft Zoning Provisions and Development Standards; and

**WHEREAS**, on July 20, 2020 at a duly noticed public hearing, the Planning Commission considered the proposed amendments, received public testimony, and provided direction to staff on the proposed draft amendments, and continued the item to August 17, 2020; and

**WHEREAS**, on August 17, 2020, the Planning Commission considered the proposed amendments, considered evidence submitted into the public record in the form of the staff report, staff presentation, public comments and adopted Planning Commission Resolution No. 15-2020 for the Zoning Ordinance and Zoning Map recommending the Town Council adopt the proposed amendments, and continued the discussion of the Design Guidelines to September 21, 2020; and

**WHEREAS**, on September 2, 2020, the Town held a Community Meeting via webinar and took in public input and feedback where no action was taken; and

**WHEREAS**, on September 21, 2020, the Planning Commission considered the proposed amendments, considered evidence submitted into the public record in the form of the staff report, staff presentation, public comments and adopted Planning

Commission Resolution No. 16-2020 recommending the Town Council adopt the proposed amendments to the Design Guidelines; and

**WHEREAS**, on October 2, 2020, the Town published a public hearing notice in the East Bay Times, a newspaper of general circulation, to advertise the Town Council hearing on October 14, 2020 in accordance with California Government Code Section 65091; and

**WHEREAS**, on October 14, 2020, the Town Council held a duly noticed public hearing, took testimony in the form of staff report, staff presentation and public comments, and provided staff with feedback to modifications bring back modifications on October 28, 2020.

**WHEREAS**, on October 19, 2020, the Town published a public hearing notice in the East Bay Times, a newspaper of general circulation, to advertise the Town Council hearing on October 28, 2020 in accordance with California Government Code Section 65091; and

**WHEREAS**, on October 28, 2020, the Town Council held a duly noticed public hearing, took testimony in the form of staff report, staff presentation and public comments, and considered waiving the First Reading and Introducing by Title Only an Ordinance Amending Title 8 of the Moraga Municipal Code.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF MORAGA DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** Pursuant to California Environmental Quality Act (CEQA), the Town prepared an Environmental Impact Report (EIR) (SCH 200707212) to address the potentially significant adverse environmental impacts associated with the planning, construction, or operation of the Moraga Center Specific Plan (MCSP) and to identify appropriate and feasible mitigation measures and alternatives that may be adopted to significantly reduce or avoid the impacts identified in the EIR. The City certified the Final EIR for Moraga Center Specific Plan project on January 27, 2010. The proposed zoning Ordinance will not result in additional environmental effects not previously evaluated in the EIR. The proposed zoning Ordinance implements provisions of the MCSP, such as including development standards and zoning districts consistent with the MCSP and already analyzed in the EIR. Further, the proposed zoning Ordinance allows for development consistent with the MCSP and analyzed in the EIR. Therefore, there are no new significant environmental effects. In addition, any development project proposed in the MCSP will be required to comply with the Mitigation Monitoring and Reporting Plan adopted in connection with the EIR, as well as go through site-specific environmental review.

Additionally, CEQA Guidelines section 15162 provides that “no subsequent EIR shall be prepared” for a project unless the lead agency determines that (1) “substantial changes are proposed in the project which will require major revisions of the previous EIR”; (2)

“substantial changes occur with respect to the circumstances under which the project is undertaken”; or (3) “new information of substantial importance … shows” one or more significant effects not discussed in the original EIR, greater severity to previously-identified substantial effects, or newly-found feasible mitigation measures that would substantially reduce significant effects. As there will not be any changes to the proposed project or to the previously identified effects and mitigation measures, and there is no new information of substantial importance, no additional environmental review is necessary.

Further, it can be seen with certainty under CEQA Guidelines section 15061(b)(3) that there is no possibility the proposed zoning Ordinance may have a significant effect on the environment. As noted above, the proposed zoning Ordinance implements the existing MCSP and allows for development consistent with and allowed under the MCSP. The Ordinance does not create any new standards or regulations that could impact the environment.

**SECTION 2.** Pursuant to Moraga Municipal Code Section 8.12.100, the Town Council hereby finds as follows with respect to the proposed zoning map and Ordinance:

- a. **The change proposed is consistent with the objectives, policies, general land uses and programs specified in the general plan and applicable specific plan;** in that one of the Town of Moraga General Plan’s Guiding Principles 4: Create a community “focal point” in the vicinity of the Moraga Center shopping area and Moraga Commons. The proposed MCSP zoning Ordinance advances the community goals with an environmentally sensitive approach to development that calls for the creation of a mixed-use village with local serving commercial development and a range of residential opportunities. The General Plan sets forth Policy LU3.1 Moraga Center Area Specific Plan (MCSP), which requires the Town to “Undertake a specific planning process for the area designated on the General Plan Diagram as the “Moraga Center Area Specific Plan.” The MCSP Ordinance implements an already adopted Moraga Center Specific Plan on January 27, 2010 through purpose, applicability, density and development standards. The General Plan sets forth Policy CD6.5 Moraga Center Area, which requires that the Town “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. The MCSP Ordinance implements the General Plan policy through zoning districts and a zoning map that establishes distinct districts for mixed retail/residential, mixed office/residential, MCSP Commercial, Planned Development Areas, Residential R020A, Residential R-20B, Residential R-3, Residential R-6, Residential R-12, Open Space, Moraga Ranch Overlay District which allow for more community focal points, mixed use activity center for businesses and higher density residences to allow for a variety of housing choices.

- b. In case of a general land use regulation, the change proposed is compatible with the uses authorized in, and the regulations prescribed for, the land use district which it is proposed. The proposed Zoning amendments implement and are consistent with the General Plan Map **Figure 4-2 MCSP Illustrative Land Use and Circulation Plan**. The amendments would apply to proposed Town MCSP area for residential and commercial zoning districts that are intended to accommodate a broad range of businesses offering consumer goods and services that meet the everyday and specialized needs of Moraga and the surrounding communities. The proposed amendments are intended to provide an economically viable, environmentally sensitive approach to development with mixed-uses village with local serving commercial development and a range of residential opportunities uses consistent with the overall vision of creating a Village.
- c. **A community need is demonstrated for the changes proposed** as directed by the Town of Moraga's General Plan of 2002 which included Land Use policy LU3.1 as well as Community Design policy CD6.5 which call for development of a 'specific plan' for the area around one of the Town's major shopping and activity centers- the Moraga Center. The MCSP was adopted in 2010, consistent with the aims of the General Plan, to provide a vehicle for ensuring that this area of Town is "planned" in order to address the important community needs such as new growth, housing needs and environmental protection. The MCSP also accommodates future demand for services such as sewer, water, roads etc. and implements goals and policies for directing and managing growth. The proposed zoning map and Ordinance implements the MCSP and adopts and incorporates consistent zoning as required by state law.
- d. **Its adoption of the Ordinance will be in conformity with public convenience, general welfare and good zoning practice** in that the MCSP provides for the economic and physical revitalization of the existing shopping center through reinvestment and increased residential and commercial developments. It implements the needs of residents by providing increasing shopping and dining opportunities and a range of housing options especially senior housing for an aging population. The proposed zoning map and Ordinance implements the MCSP and adopts and incorporates consistent zoning as required by state law. The zoning code amendments allow for districts, purpose, applicability, standards and densities.

**SECTION 3.** The Town Council hereby adopts a revised Zoning Map for the MCSP Area, and deletes, amends and adds individual sections and chapters to Title 8, Planning and Zoning, of the Moraga Municipal Code, consistent with the Moraga Center Specific Plan adopted January 27, 2010, as shown in Exhibit A, attached hereto and incorporated herein by this reference.

**SECTION 4.** Effective Date. This Ordinance becomes effective thirty (30) days after its final passage and adoption.

**SECTION 5.** Publishing/Posting. This Ordinance shall be published and posted according to law and shall take effect and be in force from and after 30 days after its passage and adoption.

**SECTION 6.** Severability. If any provision of the Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provisions or applications of the Ordinance. To this end, the provisions of this Ordinance are severable. This Town Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

The foregoing Ordinance was introduced at a regular meeting of the Town Council of the Town of Moraga, California, held on October 28, 2020, and was adopted and ordered published at a regular meeting of the Town Council held on \_\_\_\_\_, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

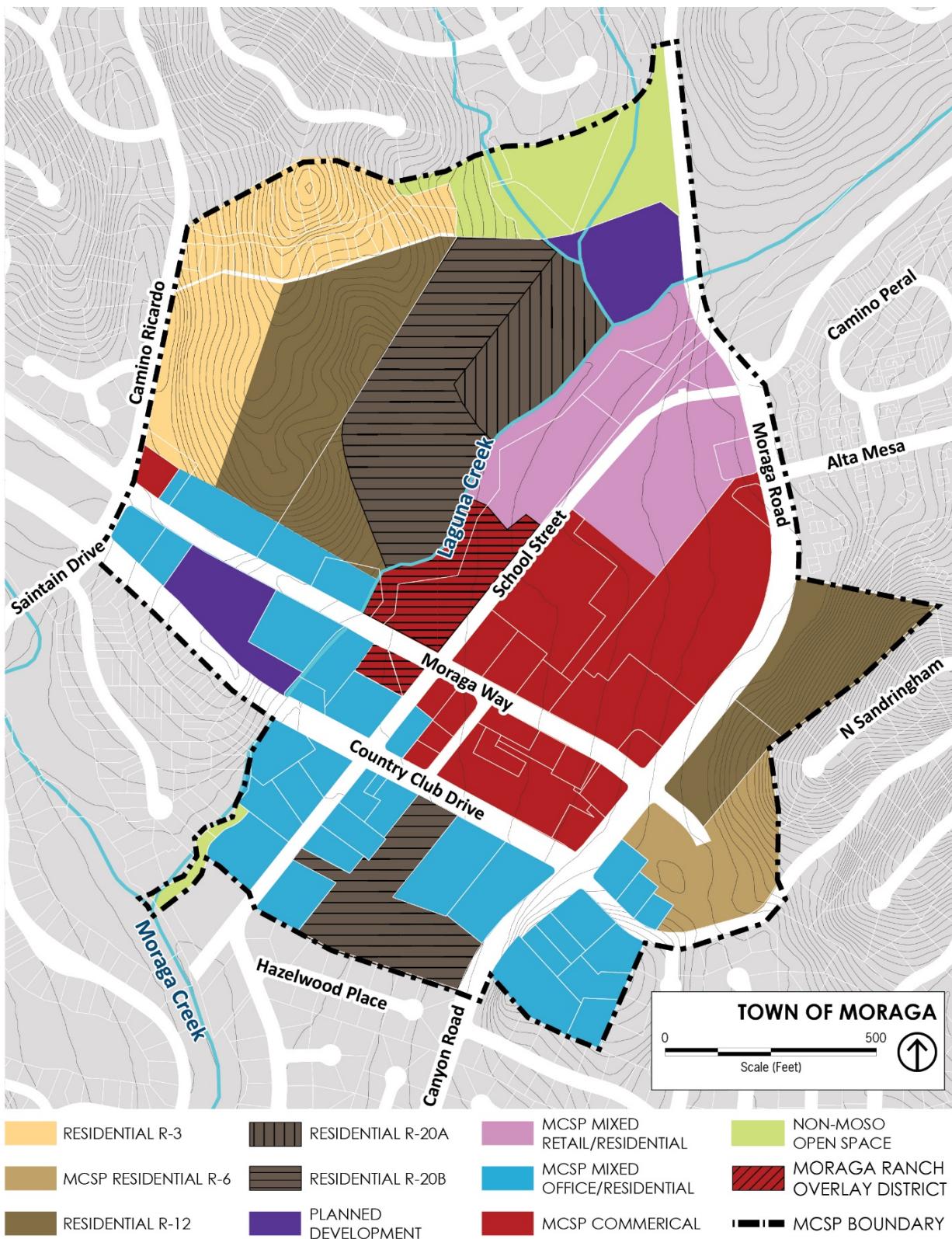
**ABSENT:**

**AFFIRMED:**

\_\_\_\_\_  
Kymberleigh N. Korpus, Mayor

**ATTEST:**

\_\_\_\_\_  
Marty C. McInturf, Town Clerk



**1. Addition of Definitions**. The following definitions are hereby added to Section 8.04.020, Definitions, of Title 8, Planning and Zoning:

“Accessory Dwelling Unit”, or “ADU,” means a residential dwelling unit attached to or detached from an existing primary unit, or entirely enclosed within an existing building, which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel where the existing primary unit is situated. An accessory dwelling unit also includes the following:

- A. An efficiency unit, as defined in Section 17958.1 of the California Health and Safety Code.
- B. A manufactured home, as defined in Section 18007 of the California Health and Safety Code.

“Adjacent to the parking spaces for the existing primary unit” means within fifteen (15) feet of the nearest edge of the parking structure (garage or carport) including any storage areas within the parking structure; or within fifteen (15) feet of a legal, uncovered parking space for the existing primary unit.

“Adult Day Care Center” means a state-licensed facility that provides nonmedical care and supervision for dependent adult clients for periods of less than 24 hour per day for any client.

“Adult (Sex-oriented) Business” means a business establishment or concern which as a regular and substantial course of conduct offers, sells or distributes adult-oriented material or sexually oriented merchandise, or which offers to its patrons materials, products, merchandise, services or entertainment characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas.

“Animal Services” means any of the following:

- A. “Boarding, Kennel” means a commercial establishment that provides overnight boarding for household pets as a paid service and/or breeding services. This classification does not include animal hospitals that provide 24-hour accommodations for animals receiving medical services. (See also “Hospital, veterinary clinic” under “Animal Services.”)
- B. “Dog Day Care, Dog Training” means a commercial establishment that provides less than 24-hour keeping, boarding, or training for household pets as a paid service. This classification does not include facilities that provide overnight accommodations.
- C. “Grooming” means a commercial establishment that provides household pet grooming services with no boarding services.
- D. “Hospital, Veterinary Clinic” means office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. (See also “Boarding, Kennel” under “Animal Services.”)

“Antique, Collectible Stores” means a retail establishment that sells antiques, curios, gifts and souvenirs, and collectible items including sports cards and comic books. This classification does not include stores

selling other types of secondhand items, including clothing, household items, or furniture, including consignment stores or pawn shops (see "Restrictions" under "Retail Business").

"Area A" means the 6.135-acre area of the R-20 district designated as Area A on the MCSP Zoning Map in Chapter 8.200.030

"Area B" means the portion of the R-20 district not designated as Area A and designated as Area B on the MCSP Zoning Map in Chapter 8.200.

"Assembly or Meeting Facility" means a facility for public or private meetings, including community centers, civic and private auditoriums, Grange halls, union halls, meeting halls for clubs, lodges and other membership organizations. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use that are typically used only by on-site employees and clients, and occupy less floor area on the site than the offices they support (see "Offices"). Does not include sports or other commercial entertainment facilities (see "Cultural Institution"; "Theater, Auditorium" and "Fitness Facility, Health Club"). Does not include religious facilities (see "Religious Facilities" and "Major Religious Facilities").

"Attached ADU" means an ADU that does not qualify as a fully contained ADU and that is located at least partially within a newly constructed expansion of, or addition to, an existing primary unit.

"Automobile Services and Repair" means any of the following:

- A. "Car Wash, Attended" means a commercial facility for washing cars where a service attendant washes the vehicle using on-site equipment or the car operator drives through an automated car washing and drying facility. An owner or his representative is on location to participate in the operation of the facility.
- B. "Car Wash, Unattended" means a commercial facility where the car operator uses water hoses, soap dispensers, drying and other on-site equipment to wash the vehicle with no facility owner or representative present during the washing. For example, the customer feeds coins into a machine in order to operate the hoses and drying vacuums for a set period of time.
- C. "Gas Station" means a commercial facility that sells gasoline and/or diesel fuel for the on-site fueling of individual vehicles and may include a small mini-mart, minor maintenance/repair facilities and services, and unattended car wash as incidental uses. This classification does not include vehicle or truck rentals such as U-haul rentals or fleet services. (see "Vehicle and Equipment Facilities.")
- D. "Maintenance Services" means an establishment that provides maintenance services as opposed to repair while customers wait, such as oil changes, tune-ups, smog checks, tire sales and installation, auto radio/electronics installation, auto air conditioning/heater service, and the sale of related parts and accessories. There is no overnight storage and most work is performed within a building or under covered bays.
- E. "Major Repair/Body Work" means an establishment that provides major repair that may require vehicles to be stored on an overnight basis such as body and fender work, vehicle painting, transmission shops, exhaust and suspension systems, engine overhauls involving the removal of

engine blocks, painting and undercoating, glass replacement, upholstery and convertible top service, radiator, transmission, and wheel and axle repair. This classification does not include vehicle dismantling or salvaging and tire retreading or recapping.

- F. "Minor Repair" means an establishment that provides repair, service, alteration, restoration, painting, cleaning, or maintenance of automobiles, light-duty trucks, motorcycles, including the sale, installation, and servicing of parts, where repairs are made or service provided in enclosed bays. Activities could include auto detail or brake and muffler work.
- G. This classification does not include automobile repair when incidental to a new car dealership, and dismantling and salvage yards, or repair of heavy trucks, construction vehicles, motor homes, and recreational vehicles (see "Heavy Vehicle and Large Equipment, Sales/Rental, Service, and Repair" under "Vehicle and Equipment Facilities").

"Banks and Financial Services" means any of the following:

- A. "Bank, Credit Union," which means a financial institution that provides retail banking services. Examples include institutions engaged in the on-site circulation of money, including credit unions. This classification does not include check cashing businesses.
- B. "Bank with Drive-Through Service," which means a facility where banking services may be obtained by motorists without leaving their vehicles.
- C. The above facilities may include automatic teller machines (ATM's).
- D. This classification includes state or federally chartered banks, savings associations, credit unions, or industrial loan companies and retail sellers that cash checks or issue money orders incidental to the main business.

"Banquet Hall" means a space or venue intended for hosting of a party, banquet, wedding or other reception, or other social event.

"Big Box Retail Business" means a retail establishment that is over 80,000 square feet that engages in the sale or rental of retail goods, wares, merchandise, services and other personal or real property.

"Building Materials Sales and Services" means an indoor or outdoor establishment selling building and landscaping materials such as cabinetry, fixtures, flooring, glass, lumber, paint, wallpaper, electrical and HVAC equipment, plants and landscaping materials including rock, stone, and masonry products to the general public. Establishments may include stores with indoor service areas and showrooms. Does not include large format retail home stores in buildings over 80,000 square feet (see "Big Box Retail Business"). May include Outdoor Storage.

"Business Support Services" means an establishment that provides goods and services primarily to other businesses. Examples include:

- A. Graphics, and advertising services.
- B. Bookkeeping.
- C. Computer-related services.
- D. Copying and blueprint services.

- E. Office equipment rental and leasing.
- F. Publishing services.
- G. Secretarial, word processing and temporary clerical services.
- H. This classification does not include professional, executive, editorial, or management services. (see "Professional Services")

"Catering Service" means a business that prepares food for consumption on the premises of a client or at any other location separate from where the food was prepared.

"Child Day Care Center" means facilities that provide nonmedical care and supervision of minors for periods of less than 24 hour per day. These facilities, all of which are required to be licensed by the California State Department of Social Services, include the following:

- A. "Family Day Care Home," as defined by Health and Safety Code Section 1596.78, means a home that regularly provides care, protection, and supervision for 14 or fewer children in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, including the following:
  - 1. Small. A day care facility in a single-family dwelling where an occupant of the residence provides childcare for six or fewer children under the age of six or up to eight children when two of the children are at least six years of age, including children under the age of 10 years who reside at the residence.
  - 2. Large. A day care facility in a single-family dwelling where an occupant of the residence provides childcare for seven to 12 children under the age of six or up to 14 children when two of the children are at least six years of age, including children under the age of 10 years who reside at the residence.
- B. "Nursery School, Preschool, Childcare" means a commercial or nonprofit child day care facility designed and approved to accommodate 15 or more children. Examples include nursery schools, preschools, and day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.

"Compact Single-Family Housing" means attached or detached residential dwelling units of smaller size developed to accommodate members of the community, such as students, teachers, and public safety employees, who otherwise cannot find housing in the area.

"Congregate Care Housing", also known as "Residential Care Facility", means housing for senior citizens with individual living units which provides residents with central management, a minimum of one meal per day in a central dining facility, transportation services, recreational activities and facilities, and social activities and facilities. These facilities may also include additional maid and linen service, sundries, beautician, banking and other similar services where they are appurtenant to the congregate care use on the site. Congregate Care Housing may also be conjoined with a nursing and medical facility.

"Contractors, Special Trade" means the following:

- A. "Cabinet Shop" means a facility that provides indoor and outdoor carpentry workspace, as well as areas where finished products are sold.
- B. "Sheet Metal Shop" means a facility that provides indoor and outdoor sheet metal fabrication workspace, as well as areas where finished products are sold.
- C. "Lumber Yard" means a facility that provides outdoor storage facilities operated by, and/or on behalf of, a licensed construction or landscape contractor for the storage of lumber materials and products along with vehicles and equipment commonly used for receiving, processing, storing, and delivering lumber. The facility may include an office and other indoor working or storage space.
- D. "Contractor Office, No Outdoor Storage" means a facility with offices operated by, and/or on behalf of, a licensed construction or landscape contractor. It may include indoor working or storage space for the storage of materials, equipment, vehicles, and other materials commonly used in the individual contractor's type of business including repair and maintenance of the equipment and vehicles, and related buildings or structures for such use. The facility does not include outdoor working or storage space.
- E. "Contractor Yard, with Outdoor Storage" means a facility that provides outdoor storage facilities operated by, and/or on behalf of, a licensed construction or landscape contractor for the storage of materials, equipment, vehicles, and other materials commonly used in the individual contractor's type of business including repair and maintenance of the equipment and vehicles, and related buildings or structures for such use. The facility may include an office and other indoor working or storage space.

"Convenience Store" means a neighborhood serving establishment that sells a range of food and merchandise oriented to daily convenience shopping needs such as limited groceries, prepackaged food, tobacco products, beverages, and other household goods for off-site consumption. A convenience store may be part of a service station or an independent land use and may typically have late hours or 24-hour operation. Convenience stores may include sale of alcoholic beverages.

"Creeks and Drainage Channels" means any creeks, channels, and tributaries shown in the map titled "Moraga Storm Drainage System", as may be amended, on file with the Town of Moraga Public Works Department.

"Cultural Institution" means a public or quasi-public facility that provides displays, entertainment, display of art or science objects, including performing arts centers for theater, dance, and events, museums, historical sites and exhibits, art galleries, and botanical gardens and may include retail uses such as a gift shop, bookshop, or restaurant.

"Density Bonus" means an increase in the established residential density in accordance with Government Code Section 65915 et seq.

"Dependent Senior Residential Dwelling Unit" means a "Residential Dwelling Unit" without provisions for cooking within the unit, provided that one hundred (100) percent of the housing meets the requirements of Section 51.3 of the California Civil Code and that cooking and eating facilities are provided on site.

"Detached ADU" means an ADU that does not qualify as a fully contained ADU and that is located at least partially within new construction that is part of a physical structure which is detached from the existing primary unit. More specifically, a detached ADU is located within a newly and legally constructed separate accessory building, or a newly constructed expansion of, or addition to, a pre-existing legally constructed separate accessory building.

"Discretionary Review Process" means the review processes identified in MMC Chapters 8.72, 8.48 and 8.132, if applicable.

"Eating and Drinking Establishments" means any of the following:

- A. "Bar, Night Club, Lounge" means an establishment that serves beer, wine, and distilled spirits on the premises under a Type 48 License (On-Sale General for Public Premises) issued in accordance with applicable California Department of Alcoholic Beverage Control regulations.
- B. "Micro-Brewery/Micro-Distillery" means a facility for the production and packaging of alcoholic beverages for distribution, retail, or wholesale, on or off premises and which meets all applicable California Department of Alcoholic Beverage Control regulations.
- C. "Restaurant, Full Service" means a restaurant that prepares food, may include alcoholic drinks, and serves seated customers who select food from a menu. Take-out service is optional and may not be available.
- D. "Restaurant, Limited Service" means an establishment that prepares food or sells packaged food for on-site consumption, take-out, or delivery. Typically customers self-serve or are served partially. This classification includes cafeterias, delicatessens, fast-food restaurants, sandwich shops, pizza parlors, snack bars, take-out restaurants, and catering businesses or bakeries that have a storefront restaurant component.
- E. "Restaurant with Drive-In Service" means a restaurant where food or coffee type beverages may be purchased by motorists who remain in their vehicles during the sales transaction.
- F. "Restaurant with Live Entertainment" means a full service or limited service restaurant that also provides live music, a disc jockey, karaoke, dancing to live or recorded music, and/or comedy or theatrical performances to patrons. This classification does not include coin-operated music player machines, i.e., jukeboxes, or other recorded music.
- G. "Tasting Room" means a facility allowing on-site tasting of alcoholic beverages and retail sales directly to the public and possessing the appropriate California Department of Alcoholic Beverage Control license type. The tasting room may be operated within a micro-brewery/micro-distillery facility, accessory to a separate on-site use, or as a stand-alone retail use. Outdoor eating areas shall be permitted as an accessory use to a tasting room consistent with CDC 18.200.190, Sidewalk cafes and outdoor eating areas.
- H. All Eating and Drinking Establishments may include outdoor seating.

"Existing Primary Unit" means an existing single-family residence with a valid certificate of occupancy.

"Firearm Store" means a retail store or wholesale business that derives its principal income from buying and selling firearms, with or without sale of ammunition and/or firearms accessories.

"Fitness Facility, Health Club" means a large scale fitness center, health, or athletic club with activities and facilities such as fitness centers, fitness classes, gymnasiums, indoor and outdoor sport courts, spa facilities, swimming pools, and other member facilities and services. This classification may include limited retail sales and restaurant facilities. This classification does not include adult entertainment businesses [See "Adult (Sex-oriented) Business"].

"Floor Area Ratio" means the ratio of the building(s) gross floor area (including the garage) divided by the net lot area.

"Food, Beverage Sales" means any of the following:

- A. "Grocery Store" means a retail establishment where the majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the store. This classification includes retail chains that carry a full range of food and household products and have more than one location. Grocery stores may include sale of alcoholic beverages. This also includes retail bakeries where any on-site baking is only for on-site sales. This classification does not include large-scale grocery stores that are combined with a retail store.
- B. "Specialty Food Shops" means a retail establishment that sells specialty foods such as seafood or meat markets, retail bakeries, and similar uses
- C. "Liquor Store" means a retail establishment that sells packaged alcoholic beverages including beer, wine, and distilled spirits. This classification does not include large format retail establishments that have hours of operation similar to retail department stores.

"Fully Contained ADU" means an ADU which is established entirely within the pre-existing building envelope of either (i) an existing primary unit or (ii) any other pre-existing, legally constructed building located upon any lot containing an existing primary unit.

"General Retail Store" means a business establishment that engages in the sale or rental of a broad array of retail goods, wares, merchandise or other personal or real property for profit or livelihood, including grocery stores and pharmacies.

"Government Office" means a facility that provides administrative, clerical, or public contact and/or service offices of a local, state, or federal government agency or service facility. Examples include city halls, post offices, fire stations, and police substations with incidental storage and maintenance of vehicles. This classification does not include facilities such as corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services, and storage facilities for vehicles and equipment. (see "Public Maintenance and Service Facility").

"Hotel" means a facility that provides guest rooms or suites, with or without kitchen facilities, intended or designed for transient lodging and includes any hotel, boutique hotel, motel, inn, guest house, or bed and breakfast at a fixed location. These facilities may include in addition a variety of services such as restaurants, meeting facilities, spas or other personal services, and accessory guest facilities including swimming pools, sport courts, exercise facilities, and accessory retail sales.

"Indoor Entertainment Facility" means a business establishment offering participant and/or spectator/viewer recreation or entertainment within a building, including bowling alleys, billiard halls, movie theaters, karaoke halls, video game arcades and virtual reality gaming cafes. This does not include any establishments or venues offering games of chance, gambling or internet sweepstakes, all of which are prohibited in any zoning district in the town.

"Interior Living Area" means the gross interior horizontal area of a dwelling unit including but not limited to all rooms, hallways, closets, bathrooms and storage areas and specifically including the depth of all walls that divide any interior spaces but excluding the depth of all exterior walls and excluding an enclosed garage.

"Junior Accessory Dwelling Unit," or "JADU," means a residential dwelling unit that provides independent and permanent living facilities for one or more persons (including provisions for living, sleeping, and eating), is no more than 500 square feet in size, and is contained entirely within the pre-existing building envelope of an existing primary unit. A junior accessory dwelling unit shall include either separate sanitation facilities, or sanitation facilities shared with the existing primary unit.

"Licensed Massage Establishment" means a business which offers or administers massage services by massage practitioners holding a current and valid state certificate issued by the California Massage Therapy Council pursuant to California Business and Professions Code §§ 4600 et seq. as amended from time to time, whether as a massage practitioner or therapist, as defined therein.

"Live Entertainment Venue" means a business establishment which offers participant and/or spectator live entertainment, including concert halls, cabarets, dance halls and dinner theaters.

"Lot Coverage" means the portion of a lot that is covered by buildings, including principal and accessory buildings, garages, carports, and roofed porches, but not including unenclosed and unroofed decks, open roofed garden structures such as a gazebo, landings, or balconies.

"Major Religious Facility" means a religious facility that is larger than 5,000 square feet in total building size.

"MCSP" means the Moraga Center Specific Plan, adopted in January 2010, as it may be amended.

"Media Production Facility" means a facility that provides indoor commercial and public communication/telecommunication uses, as well as outdoor sets, backlots, and other outdoor facilities for motion picture, television, video, sound, computer, and other communications media production. Indoor communication uses would include radio and television broadcasting, receiving stations and studios with facilities entirely within buildings. This classification does not include exterior-mounted antennas and transmission towers (see "Utility Facility, Transmission Towers") or transmission and receiving apparatus, antennas and towers (see "Wireless Communications Facility" Section 8.144.020).

"Medical" means any of the following:

- A. "Hospital, Medical Center" means hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds for overnight stays, emergency services, and equipment and facilities to provide complete health care. These facilities may also include accessory uses such as on-site clinics, laboratories, emergency heliports, nursing facilities, extended care facilities, physical therapy, gift shops, retail pharmacies, cafeterias or restaurants, and related uses operated primarily for the benefit of patients, staff, and visitors and on-site ambulance dispatch facilities.
- B. "Medical Services Facility" means a facility, other than a hospital, where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis. A medical services facility use would provide consultation, diagnosis, therapeutic, preventative or corrective treatment services by doctors, dentists, chiropractors, counselors, physical therapists, respiratory therapists, acupuncturists, psychiatrists, psychologists, and similar practitioners of medical and healing arts for humans licensed for such practice by the state of California. This classification does not include counseling services and other services provided by nonmedical or health professionals (see "Offices, Professional" or "Social service facility"), massage therapy (see "Personal Services, General" or "Personal Services, Restricted"), or cannabis-related uses.
- C. "Nursing Facility/Extended Care" means state-licensed residential facilities that provide 24-hour nursing and health-related care as a primary use with inpatient beds. Examples include board and care homes, convalescent hospitals, rest homes, extended care facilities, and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under residential care facility.
- D. "Urgent Care Facility" means a state-licensed facility other than a hospital that provides medical care services and treatment on an outpatient basis, with an emphasis on minor emergency care. These facilities may also include incidental medical laboratories. This classification does not include private medical and dental offices.

"Ministerial Review Process" means the review process identified in Section 8.34.080 of this chapter.

"Offices" means any of the following:

- A. "Administrative, information processing" means an establishment that provides information processing, computer-dependent, and telecommunications-based activities, typically characterized by high employment densities.
- B. Airline, lodging chain, and rental car company reservation centers (no vehicle storage).
- C. Computer software and hardware.
- D. Design and development.
- E. Consumer credit reporting.
- F. Data processing services.
- G. Health management organization (HMO) offices where no medical services are provided
- H. Insurance claim processing.
- I. Mail order and electronic commerce transaction processing.
- J. Wireless communications facility design and management.

- K. Telemarketing.
- L. This classification does not include dispatch offices or offices for service-oriented businesses that have company vehicles or require storage of materials or equipment.

"Outdoor Retail Sales" means the outdoor retail sales facilities that display merchandise that either are incidental to an adjacent indoor retail use or are an independent retail use. Includes news and flower stands. Includes nurseries or garden centers. Does not include the sale of automobiles and recreational vehicles (see "Automobile Sales and Rental/Leasing"), mobile homes, or building or landscape materials (see "Building Materials Sales and Services").

"Outdoor Living Areas" means an area on the exterior of an ADU that is designed for human use or habitation including but not limited to a patio, deck or yard that can accommodate appurtenances including but not limited to a barbecue pit, an outdoor dining table, a hammock, a lounge chair, a bench or a spa.

"Park and Outdoor Recreational Facility" means an outdoor recreation facility that provides a variety of recreational opportunities such as playground equipment, open space areas for passive recreation and picnicking, interpretative facilities and trails, and sport and active recreation facilities. This classification includes related community facilities and accessory commercial facilities that provide visitor services. This classification does not include Sports Recreation Facilities, nor does it include pocket parks.

"Passageway" means a pathway that is unobstructed clear to the sky and extends from the street to one entrance of an ADU.

"Payday Lending Establishment" means a person or entity that offers, originates, or makes a deferred deposit transaction, whereby a person or entity defers depositing a customer's personal check until a specific date, pursuant to a written agreement. "Payday lending establishment" is equivalent to a "deferred deposit originator" as defined in Section 23001(f) of the California Financial Code, as amended from time to time. "Payday lending establishment" does not include a state or federally chartered bank, thrift, savings association, industrial loan company, or credit union.

"Personal Services, General" means an establishment that provides recurrently needed nonmedical services of a personal nature, which may involve the retail sales of products related to the services provided. This classification applies to establishments with a primary focus of household and consumer product repair, as opposed to a retail sales establishment that offers service and repair of their merchandise as an ancillary use. (See "General" under "Retail Business"). Does not include massage services (see "Licensed Massage Establishment"). Examples include:

- A. Barber and beauty shops.
- B. Clothing rental.
- C. Day spas.
- D. Dry cleaning pick-up stores with limited equipment (excludes central dry cleaning plants).
- E. Computer, home electronics and small appliance repair.
- F. Laundromats (self-service laundries).

- G. Parcel delivery.
- H. Pharmacies.
- I. Portrait photography.
- J. Shoe repair shops.
- K. Tailors and seamstresses.
- L. Tanning salons.
- M. Travel agencies.

“Personal Services, Improvement or Instructional” means an establishment that provides instructional services or facilities for personal improvement including fine arts, crafts, dance or music studios, exercise or fitness studios, learning centers, after-school tutoring centers, driving schools, photography, diet centers, and martial arts. This classification does not include vocational training.

“Personal Services, Other” means an establishment that provides personal services that are not covered by “Personal Services, General” or “Personal Services, Improvement or Instructional”. Examples include:

- A. Bail bonds.
- B. Fortune tellers.
- C. Palm and card readers.
- D. Pawn shops.
- E. Psychic readers.
- F. Spas and hot tubs for hourly rental.
- G. Tattoo and body piercing services

“Pocket Park” means a small, privately-owned and privately-managed outdoor space, usually no more than a one-half acre, often located in an area surrounded by buildings or houses on small lots, that can be used for activities such as outdoor recreational purposes, events, leisurely gathering, or other activities serving the immediate vicinity of the pocket park.

“Professional Services” means an establishment that provides professional, executive, editorial or management services. Examples include:

- A. Accounting, auditing, bookkeeping, financial management and investment services, and tax preparation.
- B. Advertising agencies, commercial art and design services.
- C. Design professionals, architects, engineers, landscape architects, urban planners.
- D. Educational, scientific and research organizations.
- E. Employment agencies.
- F. Legal offices.
- G. Management and public relations services.
- H. Nonmedical counseling services. Examples include, but are not limited to, career or life coaching, financial consulting.
- I. Real estate offices.

J. This classification does not include dispatch offices or offices for service-oriented businesses that have company vehicles or require storage of materials or equipment.

“Public Maintenance and Service Facility” means a facility that provides maintenance and repair services for local, state, or federal government agencies or service facilities, including storage of vehicles, equipment, and materials. Examples include corporation yards, equipment service centers, and similar facilities.

“Religious Facility” means a space or venue intended for people to visit and gather for religious activities, including worship, congregation, and other activities affiliated with the religion, but does not include a Major Religious Facility as defined in this Section.

“Research and Development, or Laboratory” means an establishment that performs laboratory work and/or conducts research, development, and controlled production of high-technology electronics, biotechnology, industrial or scientific products or commodities. Laboratory tasks include testing, analysis, medical, dental, or optical laboratory services, and photographic development services. Other typical tasks include limited manufacturing, fabricating, processing, assembly or storage of prototypes, devices, compounds, products or materials, or similar related activities, where such activities are incidental to research, development or evaluation. All activities in this classification occur within a building. This classification may include uses that produce noise, vibrations, illumination, or particulate matter that is perceptible to adjacent land uses, but not offensive or obnoxious.

“Residential Dwelling Unit” means a building or area within a building that provides complete independent living facilities for one or more persons including permanent provisions for living, sleeping, cooking, eating, and sanitation. A motor home, trailer, camper, dormitory room, motel or hotel room, suite or extended stay unit is not a residential dwelling unit.

“Schools” means the following:

- A. “College, University” means public or private institutions of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees or certificates, with associated facilities including conference centers and academic retreats associated with such institutions. This classification does not include business and computer schools, management training, technical and trade schools, and personal instructional services (see “Improvement or Instructional” under “Personal Services” and “Trade school, Vocational Training” under “Schools.”)
- B. “Elementary, Middle, Secondary” means a public or private academic educational institution offering instruction in courses of study required by the California Education Code and maintained in compliance with standards set by the State Board of Education, including elementary (kindergarten through sixth grade), middle and junior high schools (seventh and eighth grades), secondary and high schools (ninth through twelfth grades). Some of these schools also provide room and board.
- C. “Trade School, Vocational Training” means private institutions that provide education and/or training, including vocational training in limited subjects. Examples include:

1. Business, secretarial, and vocational.
2. Computers and electronics.
3. Courses by mail or online.
4. Seminaries/religious ministry training.

D. Does not include preschools and child day care facilities (see "Child Day Care"), smaller-scale facilities offering specialized instruction in arts, ballet, dance, music, languages, and martial arts (see "Personal Services, Improvement or Instructional"), or after-school tutoring to school-age children.

"Secondhand Sales" means an establishment that sells used or new and previously owned goods including jewelry, camera equipment, sound/viewing equipment and tools, often for the purpose of raising funds to benefit religious, educational, hospital or charitable purposes. Goods are generally obtained on consignment, in a trade, and often as a donation.

"Self-Storage Facility, Mini-Storage" means a facility that provides individual storage spaces or compartmentalized stalls or lockers for individual use and is characterized by low parking demand.

"Senior Housing" or "Active Senior Housing" means a project consisting of residential dwelling units designed for senior citizens as defined in Section 51.3 of the California Civil Code. "Senior Citizen Housing" means "Senior Housing".

"Short Term Promotional Program" means a temporary use that operates for ten calendar days or less and may include an art exhibit, sale, charitable fund-raising drive, bazaar, or similar activity.

"Site" means the contiguous gross land area within the parcel or parcels on which housing development is located.

"Sports Recreation Facility" means a public or private facility that provides various indoor and/or outdoor recreational activities. Examples include:

- A. Archery and shooting ranges.
- B. Basketball courts.
- C. Batting cages.
- D. Bocce ball courts.
- E. Equestrian facilities.
- F. Fitness training paths and facilities.
- G. Golf driving ranges.
- H. Lighted or amplified outdoor athletic fields or sport courts.
- I. Miniature golf courses.
- J. Skateboard parks.
- K. Swimming pools.
- L. Tennis courts.
- M. Waterslides.

N. This classification includes park facilities that have one or more of the uses within this classification such as swimming pools or lighted sport courts, etc. May also include accessory commercial facilities customarily associated with the above including concessions, bars and restaurants, electronic games, etc.

"Stepback" is the minimum required distance an upper-story building face is set back from the building face of the ground floor, measured perpendicularly to the building face. See diagram to the right.

"Temporary Use" means a use that occupies a site for a limited time, including special events, sales, promotional activities, seasonal activities, temporary construction-related activities, and other similar temporary activities, events, and uses. Short-term promotional programs are a form of temporary use.

"Theater, Auditorium" means an indoor facility for public assembly and group entertainment, other than sporting events, including:

- A. Civic theaters, and facilities for "live" theater and concerts.
- B. Exhibition and convention halls.
- C. Motion picture theaters.
- D. Public and semi-public auditoriums.
- E. Does not include outdoor theaters, concert and similar entertainment facilities and indoor and outdoor facilities for sporting events (see "Sports Recreation Facility").

"Tobacco Store" means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, consumption, or marketing of tobacco, tobacco products, or tobacco paraphernalia, including, without limitation, electronic cigarettes ("e-cigarettes") and/or liquid solutions containing nicotine used in such devices; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes, e-cigarettes or tobacco as an ancillary sale shall not be defined as a "tobacco store" pursuant to this chapter.

"Utility Facility, Transmission Towers" means a facility that provides a fixed base structure or facility serving as a junction point for transferring electric utility services from one transmission voltage to another or to local distribution and service voltages, and similar facilities for water supply and natural gas distribution. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

- A. Co-generation facilities.
- B. Electrical substations and switching stations.
- C. Natural gas regulating and distribution facilities.
- D. Public water system wells, treatment plants and storage tanks.
- E. Telephone switching facilities.
- F. Wastewater treatment plants, settling ponds and disposal fields.
- G. This classification does not include offices or customer service centers.

"Vehicle and Equipment Facilities" means the following:

- A. "Heavy Vehicle and Large Equipment, Sales/Rental, Service, and Repair" means an establishment that sells/rents and may provide service and repairs to construction, farm or other heavy equipment. This classification does not include autos, trucks and other passenger vehicles used for personal or business travel. (see "Automobile Services and Repair" for automobiles, motorcycles and other smaller passenger vehicles.)
  - 1. "Commercial Vehicles and Equipment" means a facility that sells/rents or services and makes repairs to construction, farm, or other heavy equipment, as well as vehicles for moving or towing property (such as cranes, earthmoving equipment, forklifts, tractors, heavy trucks, cargo trucks, vans, and trailers).
  - 2. "Recreational Vehicles" means an establishment that sells, rents and/or leases motor homes, trailers, and boats, including incidental storage, installation of accessories and maintenance. This classification also includes facilities that service or repair recreational vehicles.
- B. "Towing Services" means a facility that dispatches tow trucks and provides temporary storage of operative or inoperative vehicles. This classification does not include automobile wrecking or dismantling.
- C. "Vehicle Storage" means a facility for the storage of operative cars and other fleet vehicles, trucks, buses, recreational vehicles, and other motor vehicles. Includes facilities for the storage and/or servicing of fleet vehicles.

"Workforce Housing" means housing intended for sale or rental with a unit purchase price or rental amount that is affordable to regionally-employed persons or students of moderate, low, very low, and extremely low income levels as established by the California Department of Housing and Community Development income limits.

**2. Amendment of Definitions.** The following definitions in Section 8.04.020, Definitions, of Title 8, Planning and Zoning, are hereby deleted and replaced as follows:

"Agriculture" means the tilling of soil, the raising of crops, horticulture, dairying, and the raising and managing of livestock, and any accessory buildings or structures for agricultural activities.

"Average Lot Width", or "Lot Width" or "Width of a Lot" is the total area of the lot divided by the depth of the lot.

"Building" means a structure, whether free-standing or attached, enclosed by exterior and/or interior or party walls, or a combination thereof, that is covered by a single roof structure, and which may house single or multiple tenants or tenant spaces.

"Depth of a Lot" or "Lot Depth" means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, "lot depth" means the

length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

"Drive-in Service" means a feature or characteristic of a use involving the sale of products or the provision of services to an occupant in a vehicle and includes a drive-in or drive-up window or a drive-through service, such as mechanical automobile washing or a drive-through pharmacy or bank.

"Emergency Shelter" means housing in conformance with requirements under Chapter 8.164 that is designed for and occupied by homeless persons for no more than six months in a consecutive 12-month period.

"Frontage" means the lot line along the street or circulation thoroughfare which provides primary access to the lot. "Retail business" means the following:

- A. General: An establishment that sells or rents retail goods, wares, merchandise, services and other personal or real property. Examples include appliances and electronics stores, department stores, office and stationery supplies, bookstores, clothing and apparel, pet stores, specialty food stores selling premade or packaged food for off-site consumption (e.g., candy stores, wine shops), sporting goods, toy stores, and audio and video rental.
- B. Specialty: An establishment that engages in the sale of specific categories of products for profit or livelihood, including furniture stores, appliance stores, clothing stores, and hardware stores.
- C. Shopping Centers: These establishments primarily operate within an enclosed store but may also include permanent and partly enclosed facilities for outdoor display of merchandise when incidental to the main store (e.g., garden centers operated in conjunction with a neighborhood drug store or hardware store). Services related to the merchandise sold may be permitted as an ancillary use (e.g., photo processing, pet grooming, computer repair).
- D. Restrictions: Does not include big box retail (see "Big Box Retail Business"), the sale of used goods such as secondhand stores, used specialty goods store and pawn shops (see "Secondhand Sales"), retail sales or rentals of vehicles and equipment (see "Automobile Sales and Rental/Leasing" and "Heavy vehicle and large equipment, sales/rental, service, and repair" under "Vehicle and Equipment Facilities"), outdoor retail sales (see "Outdoor Retail Sales"), convenience stores, and liquor stores (see "Food, Beverage Sales") or cannabis dispensary.

"Structure" means anything constructed or erected that has location on the ground, or is attached to something having location on or in the ground, except the following:

- A. Sidewalks and trails, and any appurtenances thereto such as benches;
- B. Pipes, meters, meter boxes, manholes;
- C. Mailboxes; and
- D. Poles, wires, pipes and other devices, and their appurtenant parts, for the transmission or transportation of electricity and gas for light, heat or power, or of telephone and telegraphic messages, or of water.

"Supportive Housing" means housing with no limit on length of stay, that is occupied by a target population and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type allowed in the district.

"Transitional Housing" means rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months, and in no case more than two years. Transitional housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type allowed in the district "Tutoring Facility" means a facility offering academic after-school tutoring or lessons to school-aged children. This classification does not include schools (see "Schools").

**3. Deletion of Section 8.04.080.** Section 8.04.080, Lot Coverage, is hereby deleted from Title 8, Planning and Zoning.

**4. Amendment of Section 8.24.040.** Section 8.24.040, Permitted Uses, of Chapter 8.24, One, Two, and Three Dwelling Units per Acre Residential Districts, of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**"8.24.040 – Permitted Uses.**

- A. A detached single family dwelling on each lot and the accessory structures and uses normally auxiliary to it;
- B. Agriculture (Crop and tree farming with no on-site sales only);
- C. Park and Outdoor Recreational Facility if the planning commission makes a specific finding that the use is consistent with the general plan;
- D. Accessory Dwelling Units;
- E. Supportive Housing and Transitional Housing of the same type allowed in this district;
- F. Animal Keeping in accordance with Chapter 8.92, Article 1;
- G. Home Occupations in conformance with Chapter 8.112;
- H. Child Day Care Center (Family Day Care Home only); and
- I. Pocket Parks.

**5. Amendment of Section 8.24.050.** Section 8.24.050, Conditional Uses, of Chapter 8.24, One, Two, and Three Dwelling Units per Acre Residential Districts, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**"8.24.050 - Conditional Uses.**

In these districts, each of the following uses is permitted on issuance of a conditional use permit:

- A. Animal Keeping in accordance with Chapter 8.92, Article 2;
- B. Assembly or Meeting Facility;
- C. Religious Facility;
- D. Sports Recreation Facility (private, not organized and operated for profit; for use by residents of the neighborhood or subdivision where it is located);
- E. Park and Outdoor Recreational Facility not organized and operated for profit; and

F. A use which the Planning Commission, after notice and public hearing, has found to be comparable to any of the foregoing uses."

6. **Addition of Section 8.24.055.** Section 8.24.055, Density, is hereby added to Chapter 8.24, One, Two, and Three Dwelling Units per Acre Residential Districts, of Title 8, Planning and Zoning as follows:

**"8.24.055 – Density.**

A. One dwelling unit per acre residential.

1. No more than one dwelling unit shall be constructed on any one acre, except as provided in subsection A(2) of this section.
2. The density may be increased on any one acre sized parcel in compliance with all applicable state laws.

B. Two dwelling units per acre residential.

1. No more than two dwelling units shall be constructed on any one acre sized parcel, except as provided in subsection B(2) of this section.
2. The density may be increased on any one acre sized parcel, in compliance with all applicable state laws.

C. Three dwelling units per acre residential.

1. No more than three dwelling units shall be constructed on any one acre sized parcel, except as provided in subsection C(2) of this section.
2. The density may be increased on any one acre sized parcel in compliance with all applicable state laws."

7. **Amendment of Section 8.24.060.** Section 8.24.060, Minimum Lot Area and Yard Setback Regulations, of Chapter 8.24, One, Two, and Three Dwelling Units per Acre Residential Districts, of Title 8, Planning and Zoning, is hereby deleted and replaced with following:

**"8.24.060 – Minimum Lot Area and Yard Setback Regulations.**

A. The minimum lot area and setbacks for principal structures in the one, two, and three dwelling units per acre residential land use districts are set forth in the following table and shall apply to the extent consistent with state law:

Standard	SFR 1 DU/acre	SFR 2 DU/acre	SFR 3 DU/acre
Minimum lot area	30,000 sq. feet	20,000 sq. feet	10,000 sq. feet
Minimum lot width	140 feet	120 feet	80 feet
Minimum lot depth	140 feet	120 feet	100 feet
Minimum front yard setback (see A1)	25 feet	25 feet	20 feet (see A2)
Exterior side yard setback (corner lots)	25 feet	20 feet	15 feet
Minimum side yard setback	20 feet	15 feet	10 feet
Sum of side yards	N/A	35 feet	20 feet
Minimum rear yard setback	25 feet	20 feet	15 feet
Maximum lot coverage (see A3)	N/A	N/A	60 Percent

1. The front yard setback for two or more lots fronting on a private street is governed by Section 8.68.110.
2. The portion(s) of the building where the driveway is located shall be setback a sufficient distance to accommodate a minimum driveway length of 25 feet.
3. Maximum Lot Coverage for SFR 3 DU/Acre applies only to developments within the Moraga Center Specific Plan area.”

**8. Addition of Chapter 8.31.** Chapter 8.31 is hereby added to Title 8, Planning and Zoning, as follows:

## **“Chapter 8.31 – Six Dwellings per Acre Multifamily Residential District (R-6)**

### **8.31.010 – Purpose.**

The purpose of this district is to provide for low density and low intensity multifamily structures and selected office uses in developments which will conform with existing and future neighboring development and which are designed to be compatible with site constraints, such as topography, drainage and existing vegetation.

### **8.31.020 – Permitted Uses.**

- A. Agriculture (Crop and tree farming with no on-site sales only);
- B. One duplex residential structure on one lot;
- C. An Accessory Dwelling Unit(s) (attached to an existing single-family dwelling) consistent with Chapter 8.124.
- D. Supportive Housing and Transitional Housing of the same type allowed in this district.

### **8.31.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. A residential structure other than one duplex on one lot;
- B. Offices, upon finding such a use is:
  1. Consistent with an overall plan of development,
  2. Compatible with existing and proposed uses, and
  3. Proposed to be located in an area transitional to a commercial or office district; and
- C. The keeping of livestock (see Chapter 8.92).

### **8.31.040 – Density.**

- A. No more than six dwelling units shall be erected on any one acre, except as provided in subsection B of this section and in Goal 4, Policy 8 of the land use element of the general plan.
- B. The allowable density may be increased in compliance with all applicable state laws.
- C. Within new condominium projects no more than six dwelling units shall be erected on any one acre.

### **8.31.050 - Requirement for market analysis.**

The planning commission may require an applicant for a conditional use permit to submit a market analysis in accord with criteria established by it.

### **8.31.060 – Site Standards**

#### **A. Minimum Site Standards.**

Standard	
Minimum lot area:	10,000 square feet
Minimum lot width:	100 feet
Minimum front yard setback:	25 feet
Minimum side yard setback:	25 feet
Minimum side and rear yard setback:	20 feet, but not less than the height of the building.

- B. Increase in Side and Rear Yard Setback Requirements. The design review board upon review of the building permit application, and the planning commission upon review of the conditional use permit application may require an increase or permit a decrease in the minimum side yard or rear yard requirements, or both, upon finding that the adjustment is necessary to establish a proper site planning relationship to existing and proposed uses.
- C. Site Standards for Proposed Subdivision Parcels. The minimum site standards in subsection A of this section are minimum standards and are not intended to apply as a matter of right to a parcel which is proposed to be subdivided. The planning commission shall fix the minimum lot area, frontage, front yard setback and side and rear yard setback requirements for each parcel in this district which is created by the subdivision process after the date the ordinance codified in this chapter is adopted.

### **8.31.070 – Development Standards.**

- A. Lot Coverage. The lot covered by buildings and paved areas may not exceed fifty (50) percent.
- B. Maximum Building Height. At no point shall the building height of a structure in this district exceed two stories or thirty-five (35) feet, whichever is less. However, if upon design review, the reviewing authority finds that the building height proposed for the structure will create a significant adverse effect on neighboring properties or is incompatible with the natural terrain or vegetation, the reviewing authority may reduce the maximum building height permitted to a height which eliminates or mitigates the adverse effects of the building height proposed.
- C. Landscaped Areas. All areas not covered by buildings and paved areas shall conform to a landscape plan approved by the reviewing authority.
- D. Building Design. The building design shall conform to the building design concept established for the area. If a design concept does not exist at the time an application for a building permit or a conditional use permit, as the case may be, is filed, the applicant shall propose a design concept for the site and show how the design relates to neighboring properties.
- E. Recreational Facilities. As a condition of approval, the reviewing authority may require private recreational facilities consistent with the needs of those who may occupy the units proposed.

- F. Conceptual Site Plan Submittal. An application for a conditional use permit shall be accompanied by a plan containing conceptual planning, including the siting and elevation of buildings for the entire parcel.
- G. Specific Plan Submittal. As a condition to approving a conditional use permit, the planning commission may require the applicant to prepare and submit for commission approval a specific plan. The planning commission may impose this condition only when it finds that the design access, building location or circulation proposed cannot be adequately addressed on a parcel by parcel basis.
- H. Maximum Aggregate Building Height. On sloped lots where a structure is stepped down the slope, the maximum aggregate building height shall not exceed forty-five (45) feet. However, if upon design review, the reviewing authority finds that the building height proposed for the structure will create a significant adverse effect on neighboring properties or is incompatible with the natural terrain or vegetation, the reviewing authority may reduce the maximum building height permitted to a height which eliminates or mitigates the adverse effects of the building height proposed.”

- 9. Amendment of Chapter 8.32. Chapter 8.32 of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

## **“Chapter 8.32 – MCSP Six Dwellings per Acre Multifamily Residential District (MCSP R-6)**

### **8.32.010 – Purpose.**

Districts zoned MCSP R-6 can accommodate compact single-family homes (attached or detached), single-family homes, and medium density residential development of 4 to 6 dwellings per acre. Development shall conform with surrounding neighboring development and be designed to be mindful of site constraints, such as topography, drainage and existing vegetation. Medium density housing could take the form of townhomes, duplexes, tri-plexes, and/or four-plexes or other multi-family structures. Acceptable medium density housing must be designed to achieve compatibility with existing office and residential uses. The purpose is to maximize opportunities for the development of housing to accommodate anticipated growth, facilitate mobility within both the ownership and rental markets, and encourage a diverse community.

### **8.32.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

- A. Compact Single-Family Housing and the accessory structures and uses normally auxiliary to a single family home;
- B. A detached single family dwelling with the accessory structures and uses normally auxiliary to it;
- C. One duplex and the accessory structures and uses normally auxiliary to the structure(s);

- D. Other multi-family residential structures, and the accessory structures and uses normally auxiliary to the structure(s).
- E. Accessory Dwelling Unit(s) consistent with Chapter 8.124;
- F. Supportive Housing and Transitional Housing of the same type allowed in this district;
- G. Animal Keeping in accordance with Chapter 8.92, Article 1;
- H. Home Occupations in conformance with Chapter 8.112;
- I. Child Day Care Center (Family Day Care Home only); and
- J. Pocket Parks.

### **8.32.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Animal Keeping in accordance with Chapter 8.92, Article 2 for such dwellings;
- B. Up to 5,000 cumulative square feet per lot located in an area transitional to a commercial or office district of the following:
  - 1. Personal Services, General;
  - 2. Personal Services, Improvement or Instructional;
  - 3. Professional Services.
- C. Sports Recreation Facility, (private, not organized and operated for profit; for use by residents of the neighborhood or subdivision where it is located);
- D. Park and Outdoor Recreational Facility not organized and operated for profit; and
- E. Other uses found by the Planning Commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.

### **8.32.040 – Density.**

- A. To the extent consistent with State law, the developer/property owner may choose to develop property in this district at a minimum of four (4) dwelling units per acre, and at no more than six (6) dwelling units per acre, except as provided in subsection B of this section.
- B. The allowable density may be increased in compliance with all applicable state laws.

### **8.32.050 – Development Standards Applicable Within the MCSP.**

The following standards shall apply to the extent consistent with state law for lots within the MCSP.

#### **A. MCSP R-6 Site Standards.**

Standard	Compact Single Family Housing		1 dwelling unit	More than 1 dwelling unit
	1 dwelling unit per lot	per lot	per lot	per lot
Minimum lot area	3,600 square feet	8,000 square feet	6,500 square feet	
Maximum lot area	4,500 square feet	N/A	N/A	
Minimum lot width	50 feet	70 feet average	70 feet average	
Minimum lot depth	70 feet	90 feet	90 feet	
Minimum front yard setback:	15 feet (see A1, A2 & A5)	20 feet (see A5)	15 feet (see A1, A2 & A5)	
Minimum side yard setback	5 feet (see A5)	10 feet (see A5)	10 feet;	
			20 feet average for three-story structures (see A5)	

Standard	Compact Single Family Housing 1 dwelling unit per lot	1 dwelling unit per lot	More than 1 dwelling unit per lot
Minimum exterior side yard setback	10 feet (see A5)	10 feet (see A5)	At least 10 feet, but not less than the height of the building (see A5)
Minimum rear yard setback	15 feet (see A5)	15 feet (see A5)	15 feet (see A5)
Maximum Building Height	35 feet (see A5)	35 feet (see A5)	35 feet (see A5)
Minimum private open space	N/A	N/A	Greater than or equal to 5 percent of each dwelling unit floor area (minimum of 50 square feet and minimum dimension of 5 feet width)
Minimum building separation for multiple buildings on a single lot			
1 and 2 stories	N/A	N/A	25 feet (see A3)
3 stories	N/A	N/A	35 feet (see A3)
Maximum lot coverage	60 percent	60 percent	60 percent
Maximum Stories	2	2	2 2 3 3 2 2
Maximum Floor Area Ratio (FAR)	See A4	See A4	See A4

1. The portion(s) of the building where the driveway is located shall be setback a sufficient distance to accommodate a minimum driveway length of 20 feet.
2. A porch and/or entry way feature may have a 9-foot minimum front yard setback.
3. Where two different building heights are adjacent, taller building controls separation.
4. Floor Area Ratio (FAR) The maximum gross floor area for dwelling units shall be in accordance with MCSP Table 4-11: Residential Floor Area Ratio. As stated in MCSP Table 4-10, the maximum FAR for a subdivision should be calculated on a pre-subdivision basis. In other words, the FAR multiplier identified for an entire parcel prior to its subdivision shall likewise be deemed to be the FAR multiplier applicable to each individual lot created by the subdivision of that parcel.
5. Proposed developments fronting onto a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and stepback requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).

B. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.

## 8.32.060 – Development Standards.

The following standards shall apply to developments within this district to the extent consistent with state law:

- A. Landscaped Areas. All areas not covered by buildings and paved areas shall conform to a landscape plan approved by the reviewing authority.
- B. Building Design. The building design shall conform to the building design concept established for the area. If a design concept does not exist at the time an application for a building permit or a conditional use permit, as the case may be, is filed, the applicant shall propose a design

concept for the site and show how the design relates to neighboring properties.

C. Maximum Aggregate Building Height. On sloped lots where a structure is stepped down the slope, the maximum aggregate building height shall not exceed forty-five (45) feet. However, if upon design review, the reviewing authority finds that the building height proposed for the structure will create a significant adverse effect on neighboring properties or is incompatible with the natural terrain or vegetation, the reviewing authority may reduce the maximum building height permitted to a height which eliminates or mitigates the adverse effects of the building height proposed."

10. Addition of Chapter 8.33. Chapter 8.33 is hereby added to Title 8, Planning and Zoning, as follows:

## **"Chapter 8.33 – Twelve Dwelling Unit per Acre Multifamily Residential District (R-12)**

### **8.33.010 – Purpose.**

Districts zoned R-12 in the MCSP area can accommodate medium density residential development of 10 to 12 dwellings per acre. Development shall conform with surrounding neighboring development and be compatible with site constraints, such as topography, drainage and existing vegetation. Acceptable medium density housing could take the form of compact single-family homes, townhomes, duplexes, triplexes, and/or four-plexes or other multi-family structures. Acceptable medium density housing must be designed to achieve compatibility with existing office and residential uses.

### **8.33.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

- A. Compact Single-Family Housing and the accessory structures and uses normally auxiliary to a single family home;
- B. A detached single family dwelling and the accessory structures and uses normally auxiliary to it;
- C. One duplex and the accessory structure and uses normally auxiliary to the structure;
- D. Other multi-family residential structure on one lot, and the accessory structures and uses normally auxiliary to the structure and a small (less than 5,000 square foot) private not for profit either i) Religious Facility or ii) Assembly or Meeting Facility constructed as part of the multi-family development on the lot;
- E. Accessory Dwelling Unit(s) consistent with Chapter 8.124;
- F. Supporting Housing and Transitional Housing of the same type allowed in this district;
- G. Home Occupations in conformance with Chapter 8.112;
- H. Child Day Care Center (Family Day Care Home only); and
- I. Pocket Parks.

### **8.33.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use

- A. Up to 5,000 cumulative square feet per lot located in an area transitional to a commercial or office district of the following:
  - 1. Personal Services, General
  - 2. Personal Services, Improvement or Instructional;
  - 3. Professional Services.
- B. Sports Recreation Facility, (private, not organized and operated for profit, for use by residents of the neighborhood or subdivision where it is located);
- C. Park and Outdoor Recreational Facility not organized and operated for profit; and
- D. A use which the Planning Commission has found to be consistent with the purpose of the district and compatible with surrounding existing uses.

#### **8.33.040 – Density.**

- A. To the extent consistent with State law, the developer/property owner may choose to develop property in this district at a minimum of ten (10) dwelling units per acre, and at no more than twelve (12) dwelling units per acre except as provided in subsection B of this section.
- B. The allowed density may be increased on any one acre sized parcel, see 8.42.040 in compliance with all applicable state laws.

#### **8.33.050 – Development Standards.**

- A. Development Standards. These standards shall apply to the extent consistent with state law

Standard	Compact Single Family Housing	1 Dwelling Unit	More than 1 dwelling unit
	1 dwelling unit per lot	per Lot	per lot
Minimum lot area	3,600 square feet	8,000 square feet	6,500 square feet
Maximum lot area	4,500 square feet	N/A	N/A
Minimum lot width	50 feet	70 feet average	70 feet average
Minimum lot depth	70 feet	90 feet	90 feet
Minimum front yard setback:	15 feet (see A1, A2 & A5)	20 feet (see A5)	15 feet (see A1, A2 & A5) 10 feet;
Minimum side yard setback	5 feet (see A5)	10 feet (see A5)	20 feet average for 3-story structures (see A5)
Minimum rear yard setback	15 feet (see A5)	15 feet (see A5)	15 feet (see A5)
Maximum building height	35 feet (see A5)	35 feet (see A5)	35 feet (see A5)
Minimum private open space	N/A	N/A	Greater than or equal to 5 percent of each dwelling unit floor area, minimum of 50 square feet and minimum dimension of 5 feet
Minimum building separation (for multiple buildings on a single lot)			
2 stories	N/A	N/A	25 feet (see A3)
3 stories	N/A	N/A	35 feet (see A3)

Standard	Compact Single Family Housing	1 Dwelling Unit	More than 1 dwelling unit
1 dwelling unit per lot	per Lot	per lot	
Maximum lot coverage	60 percent	60 percent	60 percent
Maximum stories	2	2	3
Maximum Floor Area Ratio (FAR)	see A4	See A4	See A4

1. The portion(s) of the building where the driveway is located shall be setback a sufficient distance to accommodate a minimum driveway length of 20 feet.
2. A porch and/or entry way feature may have a 9-foot minimum front yard setback.
3. Where two different building heights are adjacent, taller building controls separation.
4. Floor Area Ratio (FAR). The maximum gross floor area for dwelling units shall be in accordance with MCSP Table 4-11: Residential Floor Area Ratio. As stated in MCSP Table 4-10, the maximum FAR for a subdivision should be calculated on a pre-subdivision basis. In other words, the FAR multiplier identified for an entire parcel prior to its subdivision shall likewise to be deemed to be the FAR multiplier applicable to each individual lot created by the subdivision of that parcel.
5. Proposed developments fronting onto a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and stepback requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).

B. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.

11. Amendment of Section 8.34.010. Section 8.34.010, Purpose, of Chapter 8.34, Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

### **“8.34.010 - Purpose.**

The purpose of this district is to establish regulations and procedures for high-density and high-intensity multifamily structures and selected service uses located in the R-20 residential district. This district shall only be applied to properties within the Moraga Center Specific Plan Area, consistent with policies of the adopted specific plan. This district shall not be applied to properties which have an average predevelopment slope in excess of twenty (20) percent. Development projects within this district shall be subject to either the ministerial review process or the discretionary review process as provided for in this chapter.”

12. Amendment of Section 8.34.030. Section 8.34.030, Permitted Uses, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

### **“8.34.030 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

- A. Residential dwelling units in accordance the provisions of this chapter;
- B. Dependent Senior Residential Dwelling Units in accordance with the provisions of this chapter;
- C. Accessory structures and uses incidental to the dependent senior and residential dwelling units such as parking, laundry, dining, grooming, healthcare and recreation facilities for the exclusive use and enjoyment of the Dependent Senior and Residential Dwelling Unit occupants and their guests;
- D. Supportive Housing and Transitional Housing of the same type allowed in this district;
- E. Congregate Care Housing;
- F. Child Day Care Center (Family Day Care Home only);
- G. Home Occupations in conformance with Chapter 8.112; and
- H. Pocket Parks.”

**13. Amendment of Section 8.34.035.** Section 8.34.035, Conditional Uses, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

“8.34.035 – Conditional Uses.

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Up to 5,000 cumulative square feet per lot located in an area transitional to a commercial or office district of the following:
  - a. Personal Services, General;
  - b. Personal Services, Improvement or Instructional;
  - c. Professional Services.
- B. Sports Recreation Facility, (private, not organized and operated for profit; for use by residents of the neighborhood or subvision where it is located;
- C. Park and Outdoor Recreational Facility not organized and operated for profit; and
- D. A use which the Planning Commission has found to be consistent with the purpose of the district and compatible with surrounding existing uses.”

**14. Amendment of Section 8.34.040.** Section 8.34.040, Density, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**“8.34.040 – Density.**

- A. To the extent consistent with State law, and except as set forth in subsections below, the developer/property owner may choose to develop property in this district at a minimum of sixteen (16) dwelling units per acre, and at no more than twenty (20) dwelling units per acre, exclusive of streets.
- B. The maximum number of residential dwelling units allowed in this district is twenty (20) per acre plus any applicable density bonus to the extent consistent with state law, except as follows:

1. Senior Housing shall have a maximum density of thirty (30) residential dwelling units per acre plus an additional three dependent senior residential units per acre.
2. The number of dependent senior residential units per acre allowed under Section 8.34.040B(1) may be increased by a ratio of three dependent senior residential dwelling units for each reduction of one residential dwelling unit per acre below the thirty (30) permitted, up to a maximum of nine such dependent senior residential dwelling units per acre."

**15. Amendment of Section 8.34.060.** Section 8.34.060, Development Standards, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**“8.34.060 – Development Standards.**

A. All development shall meet or exceed the minimum requirements identified in the table below, to the extent consistent with state law:

Development Standard	Minimum Requirement
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
Number of Residential Dwelling Units	60
Square Feet Per Residential Dwelling Unit	300
Square Feet Per Dependent Senior Residential Dwelling Unit	100
Average Site Width	200 feet
Average Site Depth	200 feet
Site Building Setback	20 feet from all site boundaries to any architectural projection on a building
Creek Building Setback	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.
Pervious surface area (including natural or landscaped area)	30 percent of site area
Natural area or area landscaped area with living plants	20 percent of site area
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 in each direction
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 Dependent Senior Residential Dwelling Unit

Development Standard	Minimum Requirement
Parking for Senior Housing (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.)	The minimum parking ratio provided for in Section 8.34.060(A)(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
Parking space dimensions	As required by Moraga Municipal Code Section 8.76.050

B. All development shall conform to the maximum limits identified in the table below, to the extent consistent with state law:

Development Standard	Regulation
Minimum Front Yard Setback	20 feet
Minimum side yard setback	20 feet
Minimum exterior side and rear yard setback	15 feet
Building Height	45 feet
Lot Coverage by Buildings	65 percent of project site area
Lot Coverage by Impervious Surfaces (buildings, structures, and hard paving)	70 percent of project site area
Maximum Number of Stories	3 stories
Floor Area Ratio (note: covered but unenclosed walkways and stairways are not included in the calculation of floor area)	1.15 when enclosed parking is provided, or .85 when uncovered or carport paring is provided and an additional .35 is allowed for common area facilities such as enclosed corridors, game room, dining room and facility kitchen
Private outdoor area for each unit	100 square feet attached or immediately adjacent to each unit with a minimum dimension of 6 feet in each direction; 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
Slope of Planted Area	33 percent

C. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.”

**16. Amendment of Section 8.34.070.** Section 8.34.070, Design Requirements, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**“8.34.070 – Design Requirements.”**

A. All development shall comply with the following requirements in addition to Chapter 8.200.050 Moraga Center Design Requirements:

1. The lowest floor of all new residential structures, including basement areas, shall be located at an elevation that is at least two feet above the 100-year (one percent annual occurrence) base flood elevation in accordance with MMC Section 8.108.120(C)(1)(a).
2. If a grading permit is required, it shall be in compliance with all provisions of Title 14 of the Moraga Municipal Code except Moraga Municipal Code Chapters 14.08, 14.12, and 14.16 and shall not be subject to discretionary review.
3. All retaining walls, with the exception of building foundations, shall be no higher than five feet. If a fence is located within two feet of a retaining wall the combined retaining wall and fence height shall not exceed eight feet. There shall be no more than three new retaining walls running in the same direction located within fifty (50) feet of one another. The minimum distance between any two retaining walls is equal to the height of the wall and the area between the walls shall be planted.
4. No grading shall result in a slope steeper than thirty-three (33) percent.
5. Three-story building elements visible from public streets or public facilities shall be designed with varied setbacks, articulated exterior forms, or architectural features which add detail, including, but not limited to pitched roofs with dormer windows, parapet walls, etc.
6. If development proposed within five hundred (500) feet of a major scenic corridor as defined in Chapter 8.132:
  - a. Building setbacks from the scenic corridor shall be varied in order to avoid creation of a walled effect, with the setback for third floor elements increased by fifty (50) percent above the minimum otherwise applicable in this district.
  - b. Grading or earth-moving shall be designed and executed in such manner that final contours transition smoothly with the adjoining natural grade. Exposed finished slopes shall be planted with materials selected to minimize the potential for erosion and to provide for visual compatibility with adjoining ground covers.
  - c. The number of access points to and from the scenic corridor shall be minimized consistent with traffic safety and project access and circulation needs.
  - d. All parking required under Sections 8.34.060(A)(12)–(13) shall be provided onsite. Parking on the scenic corridor roadways shall be minimized.
  - e. All existing trees shall be identified on the plans submitted by a licensed arborist, including the condition, size and species of the trees. Plans shall include measures to protect trees in good condition identified on the plans for preservation and mitigation measures, including but not limited to replacement. Placement of temporary construction fencing around the drip line of such trees shall be a condition.

7. A minimum of two hundred (200) cubic feet of enclosed weather-proof and lockable private storage space in addition to guest, linen, pantry and clothes closets customarily provided shall be provided for each unit other than a Dependent Senior Residential Dwelling Unit.
8. No exception to the regulations in Section 8.34.060 or 8.34.070 is allowed for any development project which is subject to the ministerial review process.”

17. **Deletion of Section 8.36.015.** Section 8.36.015, Definitions, of Chapter 8.36, Community Commercial District, of Title 8, Planning and Zoning, is hereby deleted.

18. **Amendment of Section 8.36.020.** Section 8.36.020, Permitted Uses, of Chapter 8.36, Community Commercial District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**“8.36.020 - Permitted Uses.**

In this district, each of the following uses is permitted by right :

1. Animal Services (Grooming only);
2. Banks and Financial Services;
3. Cultural Institutions;
4. Fitness Facility, Health Club;
5. Food, Beverage Sales;
6. Eating and Drinking Establishments (No Drive-in Service)
7. Indoor Entertainment Facility (less than 5,000 square feet with no alcohol sales);
8. Medical (Medical Services Facility only);
9. Professional Services;
10. Licensed Massage Establishments;
11. Personal Services, General and Improvement/Instructional;
12. Retail Business (except Convenience Stores);
13. Schools (Trade School, Vocational Training only); and
14. Other uses found by the Planning Commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.”

19. **Amendment of Section 8.36.030.** Section 8.36.030, Conditional Uses, of Chapter 8.36, Community Commercial District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

“8.36.030 - Conditional Uses.

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Retail Business (Nursery, Garden Center);
- B. Eating ad Drinking Establishment (with Outdoor Seating);
- C. Food, Beverage Sales (Convenience and Liquor Stores)
- D. Drive-In Service;
- E. Building Materials Sales and Services;

- F. Contractors, Special Trade;
- G. School (Colleges, Universities);
- H. Child Day Care Center;
- I. Assembly or Meeting Facility;
- J. Banquet Hall;
- K. Indoor Entertainment Facility (greater than 5,000 square feet, sale of alcohol allowed);
- L. Live Entertainment Facility;
- M. Hotel;
- N. Animal Services (Hospital, Veterinary Clinic);
- O. Research and Development, or Laboratory;
- P. Adult (Sex-oriented) Business;
- Q. Personal Services, Other (Tattoo and Body Piercing Services, Pawn Shop);
- R. Secondhand Sales;
- S. Tobacco Store;
- T. Payday Lending Establishment;
- U. Automobile Services and Repair;
- V. Vehicle and Equipment Facilities ("Vehicle Storage"); and
- W. A use which the planning commission has found to be comparable at a public hearing to any of the foregoing uses."

**20. Amendment of Section 8.36.040.** Section 8.36.040, Site Standards, of Chapter 8.36, Community Commercial District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**"8.36.040 – Site Standards.**

- A. Site Standards.

Standard	
Minimum lot area:	10,000 square feet
Minimum lot width:	100 feet
Front yard setback:	50 feet
Exterior side yard setback:	50 feet
Side yard setback:	None
Rear yard setback:	None

- B. Increase in Side and Rear Yard Setback Requirements. The Planning Commission acting as the Design Review Board for a conditional use permit application may establish increased side yard or rear yard setback requirements, or both, if it determines that the increase is necessary to establish a proper site planning relationship for existing and proposed uses.
- C. Increase or Decrease in Front and Exterior Side Yard Setback Requirements. The Planning Commission upon review of a design review application or conditional use permit application may increase or decrease the front and exterior side yard setback standards upon determination that:
  - 1. The modification is justified based on the existing locations of buildings, parking areas and other access points;

2. The design is consistent with the intent of this chapter and is complementary and compatible with existing development on the same site;
3. The modification will not have an adverse effect on other properties in the vicinity of the project."

**21. Addition of Chapter 8.37.** Chapter 8.37, MCSP Commercial District (MCSP-C), is hereby added to Title 8, Planning and Zoning, of the Moraga Municipal Code as follows:

## **"Chapter 8.37 – MCSP Commercial District (MCSP-C)"**

### **8.37.010 – Purpose.**

The purpose of this district is to provide for a commercial land use district within the Moraga Center Specific Plan (MCSP) area, as established in the Moraga Center Specific Plan.

### **8.37.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

A. Office, Commercial, and Retail Uses:

1. Adult Day Care Centers;
2. Antique, collectible stores;
3. Banks and Financial Services;
4. Building Materials Sales and Services;
5. Business Support Services;
6. Catering Services;
7. Child Day Care Centers;
8. Cultural Institutions;
9. Eating and Drinking Establishments;
10. Food, Beverage Sales except for Liquor Stores
11. Fitness Facility, Health Club;
12. Hotels;
13. Licensed Massage Establishments;
14. Assembly or Meeting Facility – Restricted to less than 5,000 square feet;
15. Offices;
16. Outdoor Retail Sales and Activities;
17. Personal Services, General;
18. Personal Services, Improvement or Instructional;
19. Professional Services;
20. Religious Facilities;
21. Retail Sales, except Convenient Stores which shall be a Conditional Use;
22. Schools – Restricted to Trade Schools, Vocational Training;
23. Theater, Auditorium;

B. Business Park and Industrial Uses:

1. Media Production Facility; and

- 2. Utility Facility
- C. Public/Quasi-Public and Recreational Uses:
  - 1. Government Offices;
  - 2. Park and Outdoor Recreational Facilities; and
- D. Other uses found by the planning commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.

### **8.37.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Animal Services (Hospital, Veterinary Clinic);
- B. Assembly or Meeting Facilities greater than 5,000 square feet;
- C. Automobile Services and Repair;
- D. Banquet Hall;
- E. Convenience Stores;
- F. Drive-In Service;
- G. Contractors, Special Trade;
- H. Personal Services, Other;
- I. Secondhand Sales;
- J. Temporary Uses;
- K. Utility Facility, Transmission Towers; and
- L. A use which the planning commission has found to be comparable at a public hearing to any of the foregoing uses.

### **8.37.040 – Development Standards.**

- A. Development standards. All development shall conform to the limits identified in the table below, to the extent consistent with state law:

#### **MCSP COMMERCIAL DEVELOPMENT STANDARDS**

Standard	
Minimum lot area	10,000 square feet
Minimum lot width	100 feet
Minimum lot depth	100 feet
Minimum front yard setback	None (See A1)
Exterior side yard setback	None (See A1)
Side yard setback	None (See A1)
Rear yard setback	None (t See A1)
Maximum building height	35 feet (See A1)
Maximum stories	2 stories
Maximum Floor Area Ratio Factor (FAR)	.60
Maximum lot coverage	60 percent

1. Proposed developments fronting onto a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and stepback requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).
2. Landscaped Areas. The lot shall contain landscaped areas designed in accordance with the state Model Water Efficiency Landscape Ordinance which shall be subject to approval by the reviewing authority.

B. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards."

**22. Amendment of Section 8.40.020.** Section 8.40.020, Permitted Uses, of Chapter 8.40, Limited Commercial, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**"8.40.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right

1. Animal Services (Grooming only);
2. Banks and Financial Services;
3. Cultural Institutions less than 5,000 square feet;
4. Eating and Drinking Establishments (no outdoor seating nor Drive-In Service – establishments with outdoor seating shall be treated as a Conditional Use while establishments with drive-in services are prohibited);
5. Food, Beverage Sales (Grocery stores only);
6. Indoor Entertainment Facility (Less than 5,000 square feet and no serving of alcoholic beverages);
7. Indoor Sports Training Facility;
8. Licensed Massage Establishments;
9. Medical (Medical Services Facilities only);
10. Personal Services, General and Improvement/Instructional;
11. Professional Services;
12. Retail Business (General Retail and Specialty Retail only);  
and
13. Other uses found by the planning commission at a public hearing to be consistent with the purpose of the district and comparable to any of foregoing uses."

**23. Amendment of Section 8.40.030.** Section 8.40.030, Conditional Uses, of Chapter 8.40, Limited Commercial, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**"8.40.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

1. Animal Services (Hospital, Veterinary Clinic);
2. Automobile Services and Repair (Gas Stations with or without Car Wash);
3. Child Day Care Centers (Nursery School, Preschool, Childcare);

4. Food, Beverage Sales (Liquor Store);
5. Eating and Drinking Establishments (with outdoor seating);
6. Indoor Entertainment Facility (greater than 5,000 square feet and may serve alcoholic beverages);
7. Convenience Stores;
8. Personal Services, Other;
9. Adult (Sex-oriented) Business;
10. Firearm Store;
11. Payday Lending Establishment;
12. Secondhand Sales;
13. Tobacco Store;
14. Self-Storage Facility, Mini-Storage; and
15. A use which the planning commission has found to be comparable at a public hearing to any of the foregoing uses.

B. In addition to the conditional use permit requirements set forth in Section 8.12.120, the following guidelines shall be used in considering the appropriateness and acceptability of a proposed conditional use:

1. The use shall be compatible in land use and traffic characteristics with other abutting uses;
2. Any adverse characteristics of the proposed use shall be mitigated to the extent necessary to make the use compatible with neighboring uses;
3. The use shall be located/conducted within a building or space enclosed by approved fencing, landscaping or other buildings;
4. The use shall not generate noise levels measured in excess of fifty-five (55) dba during daytime hours, or fifty (50) dba during nighttime hours as measured inside of the nearest sensitive receptor (such as a dwelling unit, school classroom, church sanctuary or nursing home);
5. The use will not generate excessive glare, electrical interference, odor, vibration, brilliant light, dust, smoke, fumes or have other characteristics that are otherwise offensive to the senses to the extent that there is interference with the development or enjoyment of other properties in the vicinity;
6. The hours of operation will not foster conditions detrimental to the neighborhood or town.”

**24. Amendment of Section 8.40.040.** Section 8.40.040, Site Standards, of Chapter 8.40, Limited Commercial, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**“8.40.040 – Site Standards.**

A. Site Standards.

Standard	
Minimum lot area:	10,000 square feet
Minimum lot width:	100 feet
Front yard setback:	25 feet
Exterior side yard setback:	25 feet
Side yard setback:	None
Rear yard setback:	None

B. Increase in Front, Side and Rear Yard Setback Requirements. The Planning Commission, upon review of a design review application or conditional use permit application, may require an increase on the minimum front yard, side yard or rear yard requirements, or both, upon a finding that the increase is necessary to establish a proper site planning relationship to existing and proposed uses.

C. Increase or Decrease in Front and Exterior Side Yard Setback Requirements. In connection with the issuance of a conditional use permit the planning commission may increase or decrease the front and exterior side yard setback standards upon determination that:

1. The modification is justified based on the existing locations of buildings, parking areas and other access points;
2. Existing facilities on the same parcel are sufficient to provide adequate services;
3. The design is consistent with the intent of this chapter and is complementary and compatible with existing development on the same site;
4. The modification will not have an adverse effect on other properties in the vicinity of the project.”

**25. Addition of Chapter 8.41.** Chapter 8.41, MCSP Mixed Retail / Residential District (12-20 Dwelling Unit per Acre) (MCSP MU-RR), is hereby added to Title 8, Planning and Zoning, as follows:

## **“Chapter 8.41 – MCSP Mixed Retail / Residential District (12-20 Dwelling Unit per Acre) (MCSP MU-RR)**

### **8.41.010 – Purpose.**

The purpose of this district is to provide for commercial development, including community-serving recreational uses, combined with medium or high density residential at densities allowed in Section 8.41.040 of this chapter. This district envisions a flexible mix of land uses with retail or similar use on the first floor and residential uses above the first floor. To encourage activity along the street and enhance the pedestrian experience by creating indoor spaces where pedestrians will see or sense interior activity, all first floor areas facing School Street must have a retail or active use.

### **8.41.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

- A. Residential uses at densities allowed in Section 8.41.040 of this chapter;
- B. Home Occupations in conformance with Chapter 8.112;
- C. Congregate Care Housing;
- D. Child Day Care Center (Nursery School, Preschool, Childcare, and Family Day Care Home); and
- E. The following Office, Commercial, and Retail Uses:
  - 1. Antique, collectible stores;
  - 2. Assembly or Meeting Facility – Restricted to less than 5,000 square feet, except meeting halls for clubs, lodges and other membership organizations which shall be a Conditional Use;
  - 3. Banks and Financial Services;
  - 4. Building Materials Sales and Services;
  - 5. Business Support Services;
  - 6. Cultural Institutions less than 5,000 square feet;
  - 7. Eating and Drinking Establishments (excluding establishments with drive-in service);
  - 8. Fitness Facility, Health Club less than 10,000 square feet;
  - 9. Food, Beverage Sales;
  - 10. Hotels;
  - 11. Licensed Massage Establishments;
  - 12. Offices;
  - 13. Outdoor Retail Sales;
  - 14. Personal Services, General;
  - 15. Personal Services, Improvement or Instructional;
  - 16. Professional Services;
  - 17. Retail Business;
  - 18. Schools– Restricted to Trade Schools, Vocational Training;
  - 19. Theater, Auditorium;
- F. Business Park and Industrial Uses:
  - 1. Media Production Facility;
- G. Public/Quasi-Public and Recreational Uses:
  - 1. Government Offices;
  - 2. Park and Outdoor Recreational Facilities;
- H. Other uses found by the Planning Commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.

#### **8.41.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Animal Services (Hospital, Veterinary Clinic);
- B. Assembly or Meeting Facilities greater than 5,000 square feet;
- C. Banquet Hall;
- D. Contractors, Special Trade;
- E. Cultural Institutions greater than 5,000 square feet;

- F. Fitness Facility, Health Club greater than 10,000 square feet;
- G. Meeting Halls for Clubs, Lodges, and Other Membership Organizations;
- H. Personal Services, Other;
- I. Secondhand Sales;
- J. Religious Facility
- K. Utility Facility, Transmission Towers; and
- L. A use which the Planning Commission finds at a public hearing to be comparable to any of the foregoing uses.

#### **8.41.040 – Residential Density.**

A. To the extent consistent with State law, the developer/property owner may choose to develop property in this district at a minimum of twelve (12) dwelling units but not more than twenty (20) dwelling units shall be erected on any one acre, except as provided in subsection B of this section.

B. The allowable density may be increased on any one acre sized parcel in compliance with all applicable state laws.

#### **8.41.050 – Development Standards.**

- A. Development standards. All development shall conform to the limits identified in the table below, to the extent consistent with state law:

##### **MCSP MIXED RETAIL / RESIDENTIAL DEVELOPMENT STANDARDS**

Standard	
Minimum lot area	10,000 square feet
Minimum lot width	30 feet
Minimum lot depth	100 feet
Minimum width	30 feet
Minimum front yard setback:	0 feet (See A1)
Minimum side yard setback:	0 feet (See A1)
Minimum exterior side yard setback:	0 feet (See A1)
Minimum rear yard setback:	0 feet (See A1)
Minimum lot area	10,000 square feet
Maximum building height (primary)	45 feet (See A1)
Minimum private open space (applies only to residential uses of development)	Greater than or equal to 5 percent of each dwelling unit floor area (minimum of 50 square feet and minimum dimension of 5 feet in each direction)
Minimum building separation for multiple buildings on a single lot	
1 and 2 story structures	25 feet (see A2)
3-story structures	35 feet (see A2)
Maximum floor area ratio (applies only to non-residential uses of development)	0.85
Maximum stories	3 stories
Maximum lot coverage	60 percent

1. Proposed developments fronting onto or abutting against a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and step back requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).
2. Where two different building heights are adjacent, taller building controls separation.

B. First Floor Requirement. All first floor areas facing School Street must have:

1. A Retail Business use, Eating/Drinking Establishment, Specialty Food Shop, Personal Service (General or Improvement/Instructional), or Professional Service use;
2. The portion of a residential use providing active use amenities, such as a workout room or gym, a building lobby or a lounge.
3. Another use found by the Planning Commission to provide the sense of activity referenced in this standard.

C. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.”

**26. Addition of Chapter 8.42.** Chapter 8.42, MCSP Mixed Office / Residential District (12-20 Dwelling Unit per Acre) (MCSP MU-OR), is hereby added to Title 8, Planning and Zoning, as follows:

## **“Chapter 8.42 – MCSP Mixed Office / Residential District (12-20 Dwelling Unit per Acre) (MCSP MU-OR)**

### **8.42.010 – Purpose.**

The purpose of this district is to provide for office development combined with medium or high density residential at densities allowed in Section 8.42.040 of this chapter. This district envisions a flexible mix of land uses with office or similar use on the first floor and residential uses above the first floor.

### **8.42.020 – Permitted Uses.**

Each of the following uses is permitted in this district:

- A. Residential uses at densities allowed in Section 8.42.040 of this chapter;
- B. Home Occupations in conformance with Chapter 8.112;
- C. Congregate Care Housing;
- D. Child Day Care Center (Nursery School, Preschool, Childcare, and Family Day Care Home); and
- E. The following Office, Commercial, and Retail Uses:
  1. Business Support Services;
  2. Fitness Facility, Health Club less than 10,000 square feet;
  3. Hotels;
  4. Media Production Facility
  5. Medical (Medical Services Facility, Urgent Care Facility);
  6. Offices
  7. Personal Services, General;
  8. Personal Services, Improvement or Instructional;
  9. Professional Services;
  10. Religious Facilities of less than 5,000 square feet;

- 11. Eating and Drinking Establishment (Restaurant, Limited Service);
- 12. Schools (Trade Schools, Vocational Training); and
- 13. Extensions of Colleges/Universities.

F. Public/Quasi-Public and Recreational Uses:

1. Government Offices;
2. Park and Outdoor Recreational Facilities;

G. Other uses found by the Planning Commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.

#### **8.42.030 – Conditional Uses.**

Each of the following uses is permitted on the issuance of a conditional use permit in this district:

- A. Animal Services (Hospital, Veterinary Clinic);
- B. Assembly or Meeting Facilities;
- C. Child Day Care Centers;
- D. Fitness Facility, Health Club greater than 10,000 square feet;
- E. Religious Facilities greater than 5,000 square feet;
- F. Research and Development, or Laboratory; and
- G. A use which the Planning Commission has found to be comparable at a public hearing to any of the foregoing uses.

#### **8.42.040 – Residential Density.**

- A. To the extent consistent with State law, the developer/property owner may choose to develop property in this district at a minimum of twelve (12) dwelling units but not more than twenty (20) dwelling units may be erected on any one acre, except as provided in subsection B of this section.
- B. The allowable density may be increased on any one acre sized parcel in compliance with all applicable state laws.

#### **8.42.50 – Development Standards.**

- A. Development standards. All development shall conform to the limits identified in the table below, to the extent consistent with state law:

**MIXED OFFICE / RESIDENTIAL DEVELOPMENT STANDARDS**

Standard	
Minimum lot area	10,000 square feet
Minimum lot width	30 feet
Minimum lot depth	100 feet
Minimum frontage	30 feet
Minimum front yard setback:	0 feet (See A1)
Minimum side yard setback:	0 feet (See A1)
Minimum rear yard setback	0 feet (See A1)
Minimum lot area	10,000 square feet
Maximum building height (primary)	45 feet

## MIXED OFFICE / RESIDENTIAL DEVELOPMENT STANDARDS

Standard	
Minimum private open space (applies only to residential uses of development)	Greater than or equal to 5 percent of each dwelling unit floor area (minimum of 50 square feet and minimum dimension of 5 feet)
Minimum building separation (for multiple buildings on a single lot)	
2 stories	25 feet (see note A2)
3 stories	35 feet (see note A2)
Maximum floor area ratio (applies only to non-residential uses of development)	0.85
Maximum stories	3
Maximum lot coverage	60 percent

1. Proposed developments fronting onto or abutting against a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and stepback requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).
2. Where two different building heights are adjacent, taller building controls separation.

B. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.”

**27. Amendment of Section 8.44.020.** Section 8.44.020, Permitted Uses, of Chapter 8.44, Suburban Office District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

### **“8.44.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

1. Professional Services;
2. Offices;
3. Medical (Medical Services Facility only);
4. Personal Services, General and Improvement/Instructional;
5. Cultural Institution; and
6. Other uses found by the Planning Commission to be consistent with the purpose of the district and compatible with surrounding existing uses.”

**28. Amendment of Section 8.44.030.** Section 8.44.030, Conditional Uses, of Chapter 8.44, Suburban Office District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

### **“8.44.030 – Conditional Uses.**

Each of the following uses is permitted on the issuance of a conditional use permit in this district:

- A. Animal Services (Hospital, Veterinary Clinic);
- B. Assembly or Meeting Facility;

- C. Child Day Care Center (Nursery, Preschool, Childcare);
- D. Fitness Facility, Health Club;
- E. Medical (Hospital, Medical Center);
- F. Media Production Facility;
- G. Religious Facilities (Major Religious Facilities included);
- H. Sports Recreation Facility (Indoor less than 10,000 square feet);
- I. Supportive Housing and Transitional Housing of the same type allowed in this district;
- J. Government Office;
- K. Public Maintenance and Service Facility; and
- L. A use which the Planning Commission, after notice and public hearing, has found to be comparable to any of the foregoing uses."

**29. Amendment of Section 8.44.040.** Section 8.44.040, Site Standards, of Chapter 8.44, Suburban Office District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**“8.44.040 – Site Standards.**

- A. Minimum Site Standards.

Standard	
Minimum lot area:	10,000 square feet
Minimum lot width:	100 feet
Minimum front yard setback:	25 feet
Exterior side yard setback:	25 feet
Minimum side and rear yard setback:	10 feet

- B. Distance between principal buildings: The distance between principal buildings on the same site shall be one-half of the total combined height of the two buildings that are opposite one another. (The reviewing authority may reduce this distance if it is determined that the reduction does not interfere with building relationships.)
- C. Increase in Front, Side and Rear Yard Setback Requirements. The Planning Commision, either acting as the Design Review Board in reviewing a building permit application or upon review of a conditional use permit application, may require an increase in the minimum front yard, side yard or rear yard requirements, or both, upon a finding that the increase is necessary to establish a proper site planning relationship to existing and proposed uses.
- D. Increase or Decrease in Front and Exterior Side Yard Setback Requirements. In connection with the issuance of a conditional use permit the planning commission may increase or decrease the front and exterior side yard setback standards upon determination that:
  - 1. The modification is justified based on the existing locations of buildings, parking areas and other access points;
  - 2. Existing facilities on the same parcel are sufficient to provide adequate services;
  - 3. The design is consistent with the intent of this chapter and is complimentary and compatible with existing development on the same site;

4. The modification will not have an adverse effect on other properties in the vicinity of the project.”

**30. Amendment of Section 8.48.100.** Section 8.48.100 of Chapter 8.48, Planned Development District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

“ 8.48.100 - Findings required to approve conceptual development plan.

- A. General. To approve a conceptual development plan the planning commission must find that:
  1. The total development and each unit of development can exist as an independent unit, capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that this objective will be attained and that the uses proposed will not be detrimental to present and potential surrounding uses;
  2. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the development;
  3. Development other than single-family residential can be properly justified and is consistent with the general plan;
  4. Any proposed exception from standard ordinance requirements is warranted by the design and amenities incorporated in the conceptual development plan, in accord with adopted policy of the planning commission and town council;
  5. The development conforms with the general plan; and
  6. Existing or proposed utility services will be adequate for the population densities proposed.
- B. Hillside Projects. To approve a conceptual development plan for any development that meets the requirements of Section 8.136.020 (Applicability) in Chapter 8.136 (Hillside Development) of the Municipal Code, the reviewing authority shall make all of the findings in Municipal Code Section 8.136.050 (Findings for Approval) in addition to the findings in Section 8.48.100.A.
- C. Moraga Center Specific Plan Area Projects. To approve a conceptual development plan for any development that occurs within the Moraga Center Specific Plan area, the reviewing authority shall make the finding that the conceptual development plan meets all applicable requirements of the Moraga Center Specific Plan.”

**31. Deletion of Section 8.50.020.** Section 8.50.020, Definitions, of Chapter 8.50, Planned Development Commercial (PD-C), of Title 8, Planning and Zoning is hereby deleted.

**32. Amendment of Section 8.52.030.** Section 8.52.030, Permitted Uses, of Chapter 8.52, MOSO and Non-MOSO Open Space Districts, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**“8.52.030 – Permitted Uses.**

Agriculture “

**33. Amendment of Section 8.52.040.** Section 8.52.040, Conditional Uses, of Chapter 8.52, MOSO and Non-MOSO Open Space Districts, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

“8.52.040 – Conditional Uses.

Each of the following uses is permitted on the issuance of a conditional use permit in this district:

- A. Single-family residential dwelling (including accessory buildings and structures);
- B. Park and Outdoor Recreational Facility; and
- C. Schools (College, University [private only]).”

**34. Amendment of Section 8.56.020.** Section 8.56.020, Permitted Uses, of Chapter 8.56, Institutional District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

#### **“8.56.020 – Permitted Uses.**

- A. Agriculture; and
- B. Emergency Shelters that are in conformance with the requirements of Chapter 8.164.”

**35. Amendment of Section 8.56.030.** Section 8.56.030, Conditional Uses, of Chapter 8.56, Institutional District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

#### **“8.56.030 – Conditional Uses.**

Each of the following uses is permitted on the issuance of a conditional use permit in this district:

- A. Park and Outdoor Recreational Facility;
- B. Religious Facility; and
- C. Schools (College, University [private only]).”

**36. Amendment of Section 8.60.020.** Section 8.60.020, Permitted Uses, of Chapter 8.60, Study District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

“8.60.020 – Permitted Uses.

Agriculture”

**37. Amendment of Section 8.60.030.** Section 8.60.030, Conditional Uses, of Chapter 8.60, Study District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

“8.60.030 – Conditional Uses.

In this district, all uses other than “Agriculture” are permitted on the issuance of a conditional use permit.”

**38. Addition of Chapter 8.65.** Chapter 8.65, Moraga Ranch Overlay District, is hereby added to Title 8, Planning and Zoning, as follows:

## **“Chapter 8.65 Moraga Ranch Overlay District**

### **8.65.010 – Purpose.**

The intent of the Moraga Ranch Overlay District is to preserve the traditional rural character of the existing Moraga Ranch site and buildings, while also allowing for reuse, restoration, renovation, improvement, and new development such as a hotel to add additional activity within this portion of the MCSP Commercial District.

### **8.65.020 – Applicability.**

The use and development standards and regulations of the MCSP Commercial District as set forth in Chapter 8.37 are incorporated herein as though fully set forth and they shall apply in conjunction with this chapter to developments and activities occurring within the Moraga Ranch Overlay District area as shown in Figure 8.200-2 (MCSP Zoning Districts).

### **8.65.030 – Permitted Uses and Conditional Uses**

Permitted Uses are as set forth in Section 8.37.020 and Conditional Uses are as set forth in Section 8.37.030.

### **8.65.040 – Development Standards**

Development standards are as set forth in Section 8.37.040.

### **8.65.050 – Additional Design Requirements.**

Design of development within this overlay district is encouraged, as follows:

- A. Retention of the existing architecture to the extent possible.
- B. Preservation of the unique setting and architectural character of the existing buildings.
- C. Clustering of buildings to protect some of the remaining orchard areas, particularly those areas that are most visible from Moraga Way.

**39. Amendment of Section 8.76.080.** Section 8.76.080, Shared Parking, of Chapter 8.76, Off-Street Parking and Loading, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

### **“8.76.080 - Shared parking.**

- A. When an application for a conditional use permit proposes to use a property that has already been approved for one or more other uses, the planning commission may authorize a reduction in the total number of parking spaces required, provided the uses have differing peak time parking needs and the number of parking spaces is adequate for the peak needs of the property.
- B. When an application for a permitted use proposes to use a property that has already been approved for one or more other uses, the planning director may, after giving notice to the planning commission, authorize a reduction in the total number of parking spaces required, provided the uses have differing peak time parking needs and the number of parking spaces is adequate for the peak needs of the property.

C. For developments within the MCSP area, required parking for two or more use types shall be calculated using the following table.

SHARED PARKING FACTORS

	Residential	Lodging	Office	Retail
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

1. If there are two proposed uses, then the required parking for each use type shall be divided by the factor listed for those two uses in the table. For example, a development a retail use and a residential use, then the parking requirement for each use would be divided by 1.2 according to the table.
2. If there are three or more uses, then the required parking for the each use type shall be divided by greatest factor listed for the co-occurrence of any two uses in the table. For example, a development that has lodging, office, and retail uses would divide the parking requirement for each use by 1.7, which is the largest shared parking factor out of all co-occurrences of uses (the co-occurrence of office and retail yields a shared parking factor of 1.2; the co-occurrence of lodging and retail yields a shared parking factor of 1.3).
3. If the specific use is not listed in the table, then the Planning Director shall determine which uses shall be used for calculation of shared parking reductions.”

**40. Deletion of Section 8.124.020.** Section 8.124.020, Definitions, of Chapter 8.124, Accessory Dwelling Units, of Title 8, Planning and Zoning is hereby deleted.

**41. Amendment of Section 8.148.050.** Section 8.148.050 of Chapter 8.148, Miscellaneous Use Restrictions, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

### **“8.148.050 – Temporary Uses.**

- A. Purpose. This section establishes procedures, standards, and requirements for the approval of temporary activities, events, and uses which are intended to operate on a short-term basis for a limited period. Such activities, events, and uses may not meet the typical use or development standards for a particular zoning district but may be acceptable due to their temporary nature. Temporary activities, events, and uses include special events provided for the enjoyment of the public, sales and promotional activities intended to serve commercial interests, seasonal activities, temporary construction related activities, and similar temporary activities, events, and uses.
- B. Applicability. This section shall apply to temporary activities, events, and uses which are established, operated, and conducted as required by this section. Engaging in a temporary use that is permit exempt or obtaining a temporary use permit for a particular use shall not affect any

future determination as to whether a temporary use or conditional use permit should be issued for the same use.

C. Permit Requirements. Unless otherwise specified in this section, temporary events, activities, and uses shall require the following approvals.

1. Administrative Temporary Uses. Temporary uses may be approved by the Zoning Administrator within a parking lot or other open privately or publicly owned land in any land use district to be occupied with a temporary use as set forth in this section. The Zoning Administrator grant approval at a staff level unless it is determined that the matter of issuance of a permit should first be reviewed by the planning commission subject to approval of a temporary use permit in accordance with findings in Section 8.148.050.G and standard conditions in Section 8.148.050.H.
2. Conditional Temporary Uses. Conditional temporary uses are allowed subject to approval of a temporary use permit in accordance with findings in Section 8.148.050.G and standard conditions in Section 8.148.050.H.

D. Exempt Temporary Uses. Exempt temporary uses conducted in accordance with the limitations and conditions described below shall include:

1. Emergency Facilities. Emergency public health and safety facilities and activities.
2. Garage Sales. No property may have more than three sales per year, and no sale may exceed two consecutive days.
3. Public Property. Activities which are authorized by the Town and conducted on Town owned properties. Such activities may be subject to permits from the Towns Parks and Recreation Department or Public Works Department.
4. Short term promotional program. Operated for ten calendar days or less and conducted by the owner or operator of a shopping center or a merchant's association within a shopping center but notice of it shall be given to the Zoning Administrator at least ten working days in advance.
5. Temporary uses consistent with the Saint Mary's Campus Master Plan or conducted on public school property.

E. Administrative Temporary Uses. Administrative temporary uses when conducted in accordance with the findings in Section 8.148.050.G, standard conditions in Section 8.148.050.H and the limitations and conditions described below shall include:

1. Construction Yards – On-Site. On-site construction yards, for an approved construction project. The construction yard shall be removed immediately upon completion of the construction activities, or expiration of the building permit or other permit authorizing the construction project, whichever occurs first. An application for an on-site construction yard shall include the following.
  - a. A plan showing the location, security fencing, lighting, and landscaping shall be submitted for review and approval by the Zoning Administrator prior to issuance of a grading permit or building permit, as applicable. The plan may include shipping containers for storage of construction equipment which shall, as much as is feasible, be located out of view or screened from view of public streets.

Performance standards (e.g., related to screening) may be applied for such facilities.

2. Promotional Events. Special events that meet the following criteria, as applicable, when the Zoning Administrator determines that the event or activity will not impact an adjacent residential area:
  - a. Is located on property in an office, commercial, mixed-use office or mixed-use commercial zoned district;
  - b. Occurs between the hours of 8:00 a.m. and 9:00 p.m.;
  - c. Limited to 100 persons at one time;
  - d. Does not have amplifying equipment within 300 feet of a residential area; and
  - e. Limited to five consecutive days in the same location not more than once every six months.
3. Real Estate Sales Offices. Temporary real estate sales offices for the initial sale of property in new residential developments, subject to the following standards:
  - a. Is located within a new residence that is part of the development or within a temporary building that is no larger than 3,000 square feet; and
  - b. Adequate visitor parking and safe circulation are provided that will not interfere with ongoing construction activities.
4. Model Homes. A model home or model home complex for an approved residential subdivision which has active construction permits, subject to the following standards:
  - a. Adequate visitor parking and safe circulation are provided that will not interfere with ongoing construction activities; and
  - b. The models shall be converted to units for sale upon the completion of sales of all similar models or prior to acceptance of the subdivision improvements by the Town.
5. Temporary Work Trailers. A trailer or modular building used as a construction office, or a temporary work site for employees of a business, subject to the following standards:
  - a. There is an approved building permit for the permanent facility;
  - b. The trailer or modular building is only allowed during the construction of a subdivision, or permanent nonresidential structure or facility;
  - c. The trailer or modular building shall be approved until expiration of the building permit or other construction permit, whichever occurs first, unless an extension is granted; and
  - d. The trailer or modular building is removed prior to final building inspection or issuance of a certificate of occupancy for the permanent structure.
6. Seasonal Holiday Sales. The use of a specific site for seasonal holiday sales shall be subject to the following standards.
  - a. Sales of pumpkins may be conducted between October 1st and Thanksgiving Day, and sales of Christmas trees may be conducted between Thanksgiving Day and December 25th, seven days a week. Sale of seasonal goods other than Christmas trees or pumpkins shall be limited to seven calendar days total within a 12-month

period. A seasonal sale shall only operate between the hours of 8:00 a.m. and 9:00 p.m.;

- b. Seasonal sales lots shall be located in an office, commercial, mixed-use office or mixed-use commercial zoned district.

7. Location Filming. The use of a specific site for the filming of commercials, movies, videos, etc. subject to the following standards.
  - a. A written and/or visual plan providing the location, duration, and description of the location filming;
  - b. Permits may be required by the Department of Public Works, Parks and Recreation Department, Police Department and/or Fire District; and
  - c. Limited to four 30-day limits within a 12-month period.
8. Outdoor Sales and Displays. Temporary promotional sales and outdoor displays, associated with a permanent on-site use, may occur in commercial zoning districts, subject to the following standards:
  - a. Merchandise displays are located in close proximity to the primary structure where the items are sold indoors;
  - b. Merchandise display is associated with the primary business;
  - c. Merchandise is displayed in a planned, orderly, and attractive manner as an extension of the window display and shall not constitute an expansion of the retail floor area (such as clothing racks);
  - d. Merchandise displays do not interfere with adjacent business displays, storefronts, access, or visibility;
  - e. Merchandise displays occupy a fixed, specifically approved, and defined location that does not disrupt pedestrian traffic, obstruct access to parking areas or driveways, or encroach onto landscape areas;
  - f. Display fixtures are of good quality and durable materials and construction;
  - g. Merchandise displays do not exceed a height of eight feet above the sidewalk;
  - h. Displays are removed during nonbusiness hours, unless otherwise approved; and
  - i. Limited to ten consecutive days, four times within a 12-month period.
9. Temporary Classrooms. A temporary classroom, including a manufactured or mobile unit, may be approved for a maximum of one year at an existing private school. An extension of one year may be granted by the Zoning Administrator. A temporary structure proposed for a longer time period shall comply with all provisions of the development code applicable to a permanent structure on the same site.
10. Miscellaneous temporary uses or facilities. A temporary use or facility meeting the following criteria, as applicable, when the Zoning Administrator determines that the event or activity will not impact an adjacent residential area:
  - a. Is not a merchandise display, sales or promotional activity, and may include recreational, food sales or similar activities;
  - b. Is located in an office, commercial or mixed-use office or commercial zoned district;
  - c. Occurs between 8:00 a.m. and 9:00 p.m.;

- d. Is not attended by more than 100 persons at one time;
- e. Does not have amplifying equipment within 300 feet of a residential area;
- f. Does not exceed an area of more than 5,000 square feet and may include temporary buildings or structures; and
- g. Does not occur for more than 60 days in the same location within a 12-month period. After operation begins an additional 30 days may be granted if the Zoning Administrator determines that the temporary use or facility is operating in compliance with conditions of approval and is not a detriment to the surrounding area.

11. **Similar Temporary Uses.** A temporary use that the Zoning Administrator determines is similar to the other activities listed in this section and that are compatible with the applicable zoning district and surrounding land uses.

F. **Conditional Temporary Uses.** A temporary use permit shall be required for temporary activities, events, and uses that do not meet the standards for an administrative temporary use, or when determined by the Zoning Administrator that the matter of issuance of a permit should first be reviewed by the planning commission. Approval shall be granted only when all of the findings of Section 8.148.050.G can be made.

G. **Findings.** A temporary use shall be approved only when findings listed below can be made. If the reviewing authority cannot make the findings, the temporary use shall be denied, in which case the applicant shall be provided a written determination within ten calendar days of the decision.

- 1. The establishment, maintenance, or operation of the activity, event, or use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of the proposed use;
- 2. The activity, event, or use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city;
- 3. Approved measures for the removal of the temporary use and site restoration have been required to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed;
- 4. The approval includes provisions to ensure that each site occupied by a temporary use shall be cleaned of debris, litter, or any other evidence of the temporary use upon completion or removal of the activity, event, or use and shall thereafter be used in compliance with the provisions of the development code. The review authority may require an appropriate security deposit prior to the initiation of the activity, event, or use to ensure proper cleanup after the use is terminated; and
- 5. Additional conditions may be required, as appropriate, to minimize any adverse impacts of the temporary use.

H. **Standard Conditions.** Each application for a temporary use shall include a site plan, project description, detailed business plan and details for any temporary structures. The following standard conditions shall apply to temporary uses.

- 1. Adequate parking facilities and vehicular and pedestrian circulation shall be provided;

2. Appropriate setbacks based on the underlying zoning district shall be provided to ensure adequate separation from adjoining land uses and a safe environment for vehicles and pedestrians;
3. A plan demonstrating nuisance factors to adjoining parcels, such as glare or direct illumination, dirt, dust, noise, odors, smoke, waste, and vibration shall be prevented;
4. Outdoor light fixtures shall be shielded and mounted so that the source of light has minimal impact off-site, is directed toward the property and does not spill onto adjacent properties; and
5. Any proposed signage shall comply with Chapter 8.88 – Signs.
6. All elements related to the temporary use, including but not limited to signs and temporary structures, shall be removed within ten days after the use has discontinued, and the appearance of the site shall be returned to its original state.

I. Prohibited Temporary Activities, Uses, and Structures.

1. Privately Owned Vehicle Sales. The parking of privately owned automobiles in office, commercial, mixed-use office, mixed-use commercial or public parking lots for the express purpose of offering the vehicle for sale is prohibited.
2. Shipping Containers. Except as allowed in Section 8.148.050.E.1, shipping containers shall be prohibited for temporary uses.
3. Circuses, carnivals, and similar events.”

**42. Addition of Chapter 8.200.** Chapter 8.200, Moraga Center Specific Plan Area Regulations, is hereby added to Title 8, Planning and Zoning, of the Moraga Municipal Code as follows:

## **“ Chapter 8.200 Moraga Center Specific Plan Area Regulations**

### **8.200.010 – Purpose.**

This chapter establishes regulations for development within the Moraga Center Specific Plan (MCSP) area in the town. The intent of these regulations is to implement the MCSP, as set forth here:

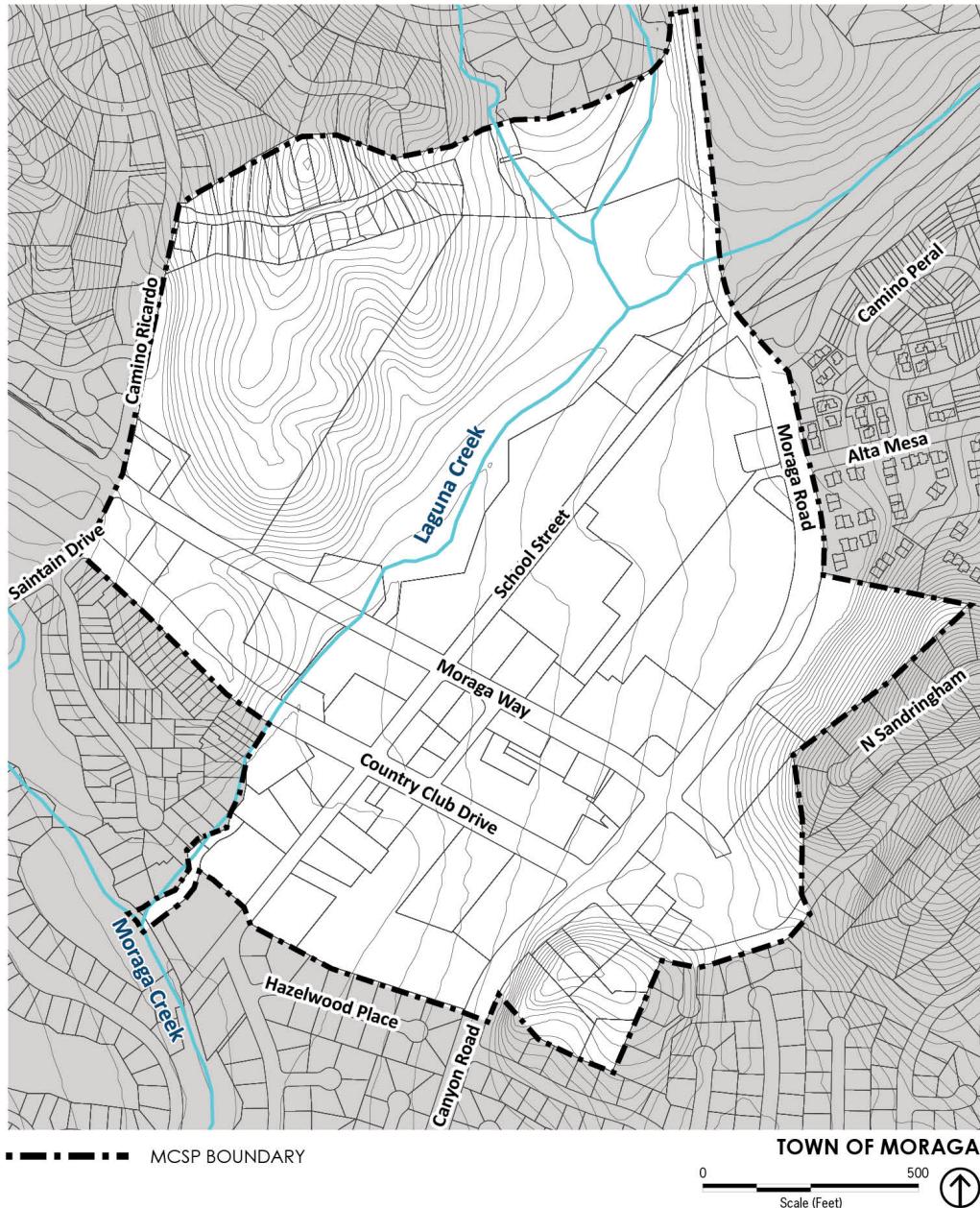
- A. Standards and criteria by which development within the MCSP area will proceed.
- B. Standards and criteria for development of the circulation and street network within the MCSP area.
- C. Establish development potential for retail, office, and hotel uses within the MCSP area.
- D. Required streets, trails, bridges, and other public infrastructure to be erected within the MCSP area.
- E. Standards for the conservation and protection of Laguna Creek and Moraga Creek, along with other natural resources and features, where applicable.
- F. Standards and criteria for creation of a Town Square focal point within the MCSP area.
- G. Standards and criteria for development of the MCSP area into an environment that accommodates multiple modes of travel; multiple types of residential uses, including multifamily and residential care facilities; and appropriate mixture of civic, public, office, retail, and other related uses.

## 8.200.020 – Applicability.

A. The standards and regulations of this chapter shall only apply to developments and activities occurring within the MCSP area as shown in Figure 8.200-1 [Moraga Center Specific Plan (MCSP) Area].

Figure 8.200-1 – Moraga Center Specific Plan (MCSP) Area

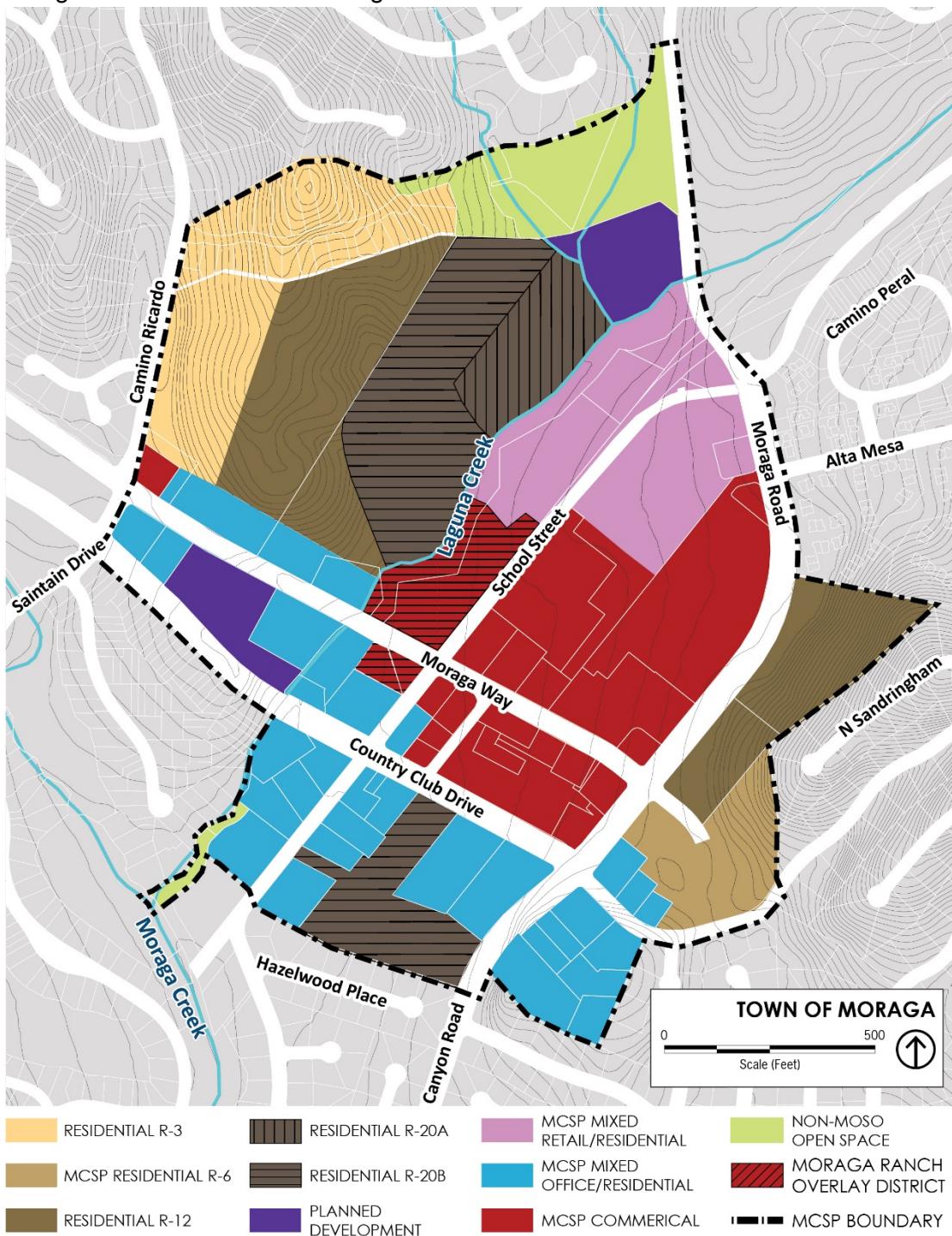
### MORAGA CENTER SPECIFIC PLAN (MCSP) AREA



## 8.200.030 – MCSP Zoning Districts

Zoning districts shall be established in the MCSP Area as shown in Figure 8.200-2 (MCSP Zoning Districts).

Figure 8.200-2 – MCSP Zoning Districts



## **8.200.040 – Moraga Center Development Potential.**

To the extent consistent with state law, the maximum development potential for the MCSP Area is established as follows, as set forth in Table 4-1 of the MCSP and subject to the land use equivalents in Table 4-2 of the MCSP:

<b>MCSP DEVELOPMENT POTENTIAL</b>	
<b>Land Use Category</b>	<b>Quantified Development Objective</b>
Retail (including restaurants and entertainment)	90,000 square feet
Office	50,000 square feet
Hotel	85 rooms
Congregate Care Housing	150 rooms
Active Senior Housing	200 units (or 300 units with state mandated density bonus)
Single-Family Housing	65 units
Workforce Housing	80 units (or 100 units with state mandated density bonus)
Compact Single-Family Housing	165 units
<b>Housing Subtotal</b>	<b>510 units (or 630 units with state mandated density bonus)</b>

## **8.200.050 – Moraga Center Design Requirements.**

- A. All development in the Moraga Center Specific Plan area shall be required to comply with the following requirements to the extent consistent with state law:
  1. All development in the Moraga Center Specific Plan area shall be subject to design review as set forth in Articles 2 and 3 of Chapter 8.72.
  2. All improvements shall comply with all applicable easements, codes and requirements in effect at the time the development application is deemed or determined complete, or such other time required by state law, including but not limited to access and utility easements, fire, building, and health and safety codes, and local, state and federal laws.
  3. No improvement shall be constructed or installed within an area of riparian vegetation that is protected by any state or federal agency.
  4. The required parking for each residential dwelling unit may be either tandem or non-tandem. Parking not associated with a particular residential dwelling unit shall be non-tandem.
  5. All exterior lighting shall be directed downward or inward toward the property.
  6. Any blank wall that is without windows and is more than thirty (30) feet long or three hundred fifty (350) square feet in area, whichever is less, shall have landscaping installed and maintained along the wall which reaches a minimum height of four feet within three years.
  7. All landscaping shall be irrigated with an automatic system and permanently maintained. A landscape maintenance bond shall be posted to secure the replacement of any necessary plant material by the developer for a period of one year.

8. Permanent trash and recycling equipment shall be located in enclosures on the property. The colors, materials and design of the trash and recycling enclosures shall match the building design.
9. The utilities for the project shall be located underground.
10. Development fronting along a major scenic corridor as defined in Chapter 8.132.020 shall have building setbacks from the scenic corridor that are landscaped and varied in order to avoid creation of a walled effect and that are a minimum of 40 feet deep, with an additional stepback for elements above the first floor of at least 8 feet.
11. All required parking shall be provided onsite or on streets immediately adjacent to the development.
12. All existing trees shall be identified on the plans submitted by a licensed arborist, including the condition, size and species of the trees. Plans shall include measures to protect trees in good condition identified on the plans for preservation or mitigation measures, including but not limited to replacement. Placement of temporary construction fencing around the drip line of such trees shall be a condition.
13. Sidewalks and pathways proposed to provide pedestrian access to residential districts shall be a minimum of six (6) feet in width
14. Sidewalks in the MCSP Commercial, MCSP Mixed Use Retail Residential and MCSP Mixed Use Office Residential shall be a minimum of eight (8) feet in width, or designed according to the School Street Guidelines in the Moraga Design Guidelines.
15. External vents and mechanical equipment shall be screened from view from adjoining residential uses, public or common sidewalks and pathways, and plazas.
16. Permanent mechanical equipment such as a motor, compressor, pump or compactor which would be a source of structural vibration or structure-borne noise in excess of adopted town ordinance standards shall be shock mounted with inertia blocks or bases or vibration isolators.
17. All development must maintain any existing emergency vehicle, motor vehicle, bicycle or pedestrian access to adjoining properties.
18. In multi-family residential projects, a minimum of two hundred (200) cubic feet of enclosed weather-proof and lockable private storage space in addition to guest, linen, pantry and clothes closets customarily provided shall be provided for each unit other than a dependent senior residential dwelling unit
19. In multi-family residential projects, a laundry area consisting of a place for an automatic washing machine and clothes dryer shall be provided in each unit unless common laundry facilities are provided.
20. Utility transformers that are outside the public right-of-way should have adequate access provided for proper maintenance. Any above ground installation must include adequate landscape screening so as not to be viewable from the scenic corridor or other prominent public view.
21. Benches and seat walls shall be incorporated by project designers, where appropriate, to provide seating areas along pedestrian promenades.

22. Developments, with the exception of single family homes, shall provide bicycle parking areas with bicycle racks at a rate equal to five percent of required off-street vehicle parking spaces, with a minimum parking for at least two bicycles
23. Tree grates, bollards, and other street furniture shall be incorporated, where appropriate, to help articulate street edges and provide a pleasant separation between the automobile realm and the pedestrian realm.
24. Accentuated paving, bollards, special crosswalk lighting, and other features shall be incorporated, where appropriate, to enhance pedestrian safety.
25. Drought-tolerant and deer resistant plant materials, consistent with the town's design guidelines shall be incorporated as part of each development's overall landscape design.
26. Where a more intense use (R-20, MCSP Commercial, Mixed Office-Residential, Mixed Retail-Residential) abuts a One, Two or Three Dwelling Units per Acre Residential District, screening is required to address privacy and noise impacts. In addition to any other code requirements regarding fences or walls, the screening should be in a 6 foot wide area with a minimum 6 foot high evergreen landscaping or a wall along the property line in the required setback.

#### **8.200.060 – Town Square.**

- A. The MCSP area described in this section should include a "Town Square" designed and constructed following the design guidance contained in the Town of Moraga Design Guidelines. At the time of an application for new development or redevelopment in the MCSP Commercial, MCSP Commercial MU-RR or Commercial MU-OR districts bounded by Moraga Way, Moraga Road, and School Street or the area within the MCSP Commercial district south of Moraga Way, the Town shall determine the extent to which such proposed development creates a burden due to traffic, public access or other issues that support dedication and construction of a Town Square and will also analyze alternative means of financing such improvements with public funds or development impact fees.
- B. The Town shall ensure through its review process that this identified Town Square area has and retains the physical capacity to accommodate the required Town Square in a way that is consistent with Chapter 11 of the the Moraga Design Guidelines.

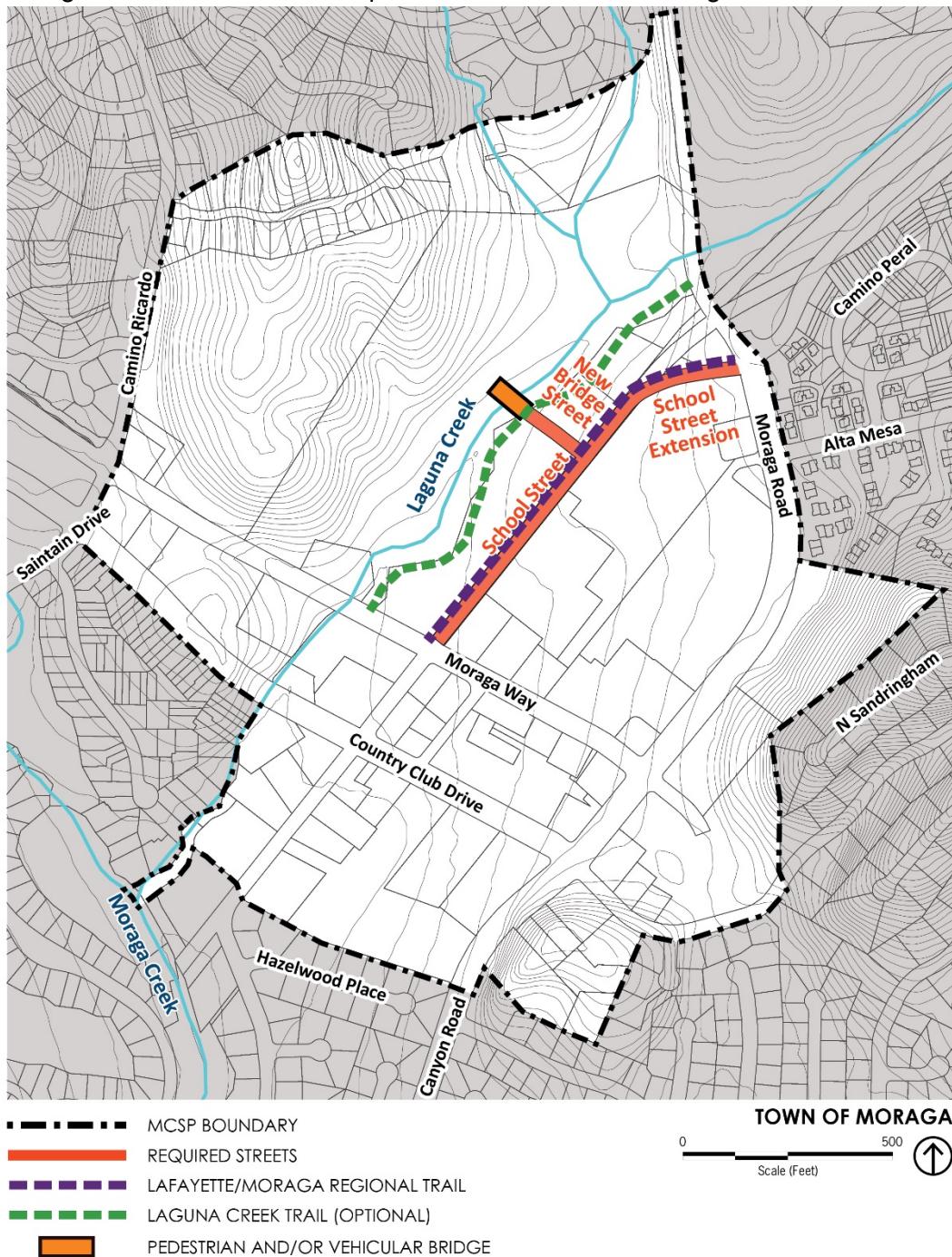
#### **8.200.070 – Required Streets, Trail, and Bridge.**

- A. Development in the MCSP Area shall include construction of School and Bridge Streets and the construction of either a vehicular or pedestrian bridge over Laguna Creek, as shown conceptually in Figure 8.200-3 (Required Streets, Trail, and Bridge). The construction of both a vehicular and pedestrian bridge over Laguna Creek is encouraged.
- B. Development in the MCSP Area shall include construction of the Lafayette-Moraga Regional Trail, as shown conceptually in Figure 8.200-3 (Required Streets, Trail, and Bridge). The Lafayette-Moraga Regional Trail location could be moved to be immediately adjacent to

Laguna Creek, should an appropriate agreement between the East Bay Regional Park District, the Town of Moraga and the property owner(s) be reached.

C. A pedestrian/bicycle trail is encouraged, but not required, along one or both sides of the Laguna Creek bank. As allowed in Section 8.200.070 B, this trail could be designated as the Lafayette-Moraga Regional Trail.

Figure 8.200-3 – MCSP Required Streets, Trail, and Bridge



### **8.200.100 – Standards Near Creeks and Channel Setbacks.**

- A. Structures adjacent to creeks and drainage channels within the MCSP area (except those in R-20, which shall follow the requirements included in Section 8.34.060 A.) shall be subject to the more restrictive of the setback requirements set forth in Contra Costa County Code 914-14.012 "Structure setback lines for unimproved earth channels," as may be amended from time to time, or the minimum setbacks required by a state or federal regulatory agency.
- B. Where existing riparian vegetation extends beyond the limits required, the setback line shall be extended to include such riparian vegetation.
- C. Structures other than buildings that will enable or provide public access to or across a creek may be located within the prescribed setbacks.
- D. Exemptions to these required setbacks may be made under unusual circumstances such as geologic, environmental or topographical conditions on a case by case basis by the Public Works Director/Town Engineer in coordination with all responsible regulatory agencies, upon production of satisfactory evidence that no adverse biological impact will occur and that the stability of the surrounding soil can be ensured by engineering and geotechnical means reasonably available to the applicant."

## **ATTACHMENT B**

Resolution \_\_ - 2020 Design Guidelines  
Revised Exhibit A Draft Moraga Design Guidelines:  
October 28, 2020 - Clean Version

## BEFORE THE TOWN COUNCIL OF THE TOWN OF MORAGA

In the Matter of:

Adopting the Moraga Design Guidelines )  
As Amended to 1) Establish and )  
Incorporate therein a New Chapter 11 )  
Consisting of a Revised Version of )  
Appendix B to the 2010 MCSP (the )  
Moraga Center Specific Plan (MCSP) )  
Design Guidelines along with Minor )  
Modifications) plus the Addition of New )  
Sections Addressing Street Design )  
Standards, and Pedestrian and Bicycle- )  
Friendly Design and Town Square )  
Guidelines); and 2) Implement Other )  
Minor Non-Substantive Changes, and )  
Rescind Resolution 9-2010, 23-2018, )  
and 50-2020 )

Resolution No. \_\_ - 2020

**WHEREAS**, on June 4, 2002, the Moraga Town Council adopted the Moraga 2002 General Plan (General Plan) via Resolution 21-2002 with subsequent amendments on January 27, 2010, June 22, 2011, September 10, 2014, January 28, 2015 and April 11, 2018. The General Plan Action Plan includes Action Plan 'E' - Design Guidelines which includes the goal of reviewing and updating the Town Design Guidelines to implement the goals and policies of the General Plan. The revised Town of Moraga Design Guidelines are in accordance with the goals and policies of the Moraga 2002 General Plan; and

**WHEREAS**, the adopted Moraga 2002 General Plan Action Plan 'H' – Housing Specific Program IP-HI addresses Regional Housing Need and includes the goal to continue to zone sufficient sites to meet Moraga's regional share of housing need; and

**WHEREAS**, on June 4, 2007, the Moraga Planning Commission adopted Resolution 30-2007 PC to implement new Town of Moraga Design Guidelines in accordance with goals and policies of the Moraga 2002 General Plan; and

**WHEREAS**, on January 27, 2010, the Moraga Town Council adopted Resolution No. 9-2010 amending the Moraga Design Guidelines to incorporate portions of the Moraga Transportation Corridor Streetscape Plan; and

**WHEREAS**, on January 27, 2010, the Moraga Town Council also adopted Resolution No. 16-2010 making findings pursuant to California Environmental Quality Act (CEQA) and adopting the Moraga Center Specific Plan; and

**WHEREAS**, the Town of Moraga 2015-2023 Housing Element includes an implementation program in Section II. Housing Plan to Adopt Zoning for the Moraga Center Specific Plan (MCSP). More specifically IP-H4 states “The Town shall adopt conforming zoning designations for all properties within the Moraga Center Specific Plan Area in order to implement the Plan;” and

**WHEREAS**, on April 11, 2018, the Town of Moraga Town Council adopted Resolution No. 23-2018 amending the Moraga Design Guidelines to add new design guidelines for Hillside Development and Revised Floor Area Ratio (FAR) Guidelines for the Hillside and Ridgeline Project; and

**WHEREAS**, as part of the Moraga Center Specific Plan Implementation Project (MCSP-IP), the MCSP Design Guidelines adopted in 2010 as Appendix B to the Moraga Center Specific Plan, are being incorporated into the Moraga Design Guidelines as a new Chapter to make them more readily available with minor modifications and additions; and

**WHEREAS**, on July 20, August 17, and September 21, 2020 at duly noticed public hearings, the Planning Commission considered proposed revisions to the Moraga Design Guidelines, considered evidence submitted into the public record in the form of the staff report, staff presentation and public comments and adopted Planning Commission Resolution No. 16-2020 recommending the Town Council adopt the proposed amendments to the Moraga Design Guidelines; and

**WHEREAS**, on September 2, 2020, the Town held a MCSP Community Meeting via webinar and took in public input and feedback where no action was taken; and

**WHEREAS**, on October 2, 2020, the Town published a public hearing notice in the East Bay Times, a newspaper of general circulation, to advertise the Town Council hearing on October 14, 2020 in accordance with California Government Code Section 65091; and

**WHEREAS**, on October 14, 2020, the Town Council held a duly noticed public hearing, took testimony in the form of a staff report, staff presentation and public comments, and provided direction to staff on the proposed amendments and directed staff to return to the October 28, 2020, Town Council meeting.

**WHEREAS**, on October 19, 2020, the Town published a public hearing notice in the East Bay Times, a newspaper of general circulation, to advertise the Town Council hearing on October 28, 2020 in accordance with California Government Code Section 65091; and

**WHEREAS**, on October 28, 2020, the Town Council held a duly noticed public hearing, took testimony in the form of staff report, staff presentation and public comments, and made a motion to approve the proposed Design Guidelines.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Council of the Town of Moraga that:

**SECTION 1.** Pursuant to California Environmental Quality Act (CEQA), the Town prepared an Environmental Impact Report (EIR) (SCH 200707212) to address the potentially significant adverse environmental impacts associated with the planning, construction, or operation of the Moraga Center Specific Plan (MCSP) and to identify appropriate and feasible mitigation measures and alternatives that may be adopted to significantly reduce or avoid the impacts identified in the EIR. The Town certified the Final EIR for the Moraga Center Specific Plan project on January 27, 2010. The proposed amendments to the design guidelines will not result in additional environmental effects not previously evaluated in the EIR. The amendments simply restructure the existing MCSP design guidelines by incorporating them in the Town's general design guidelines and include minor additions and modifications.

Additionally, CEQA Guidelines section 15162 provides that "no subsequent EIR shall be prepared" for a project unless the lead agency determines that (1) "substantial changes are proposed in the project which will require major revisions of the previous EIR;" (2) "substantial changes occur with respect to the circumstances under which the project is undertaken"; or (3) "new information of substantial importance ... shows" one or more significant effects not discussed in the original EIR, greater severity to previously-identified substantial effects, or newly-found feasible mitigation measures that would substantially reduce significant effects. As there will not be any changes to the proposed project or to the previously-identified effects and mitigation measures, and there is no new information of substantial importance, no additional environmental review is necessary.

Further, it can be seen with certainty under CEQA Guidelines section 15061(b)(3) that there is no possibility the proposed amendments to the Moraga Design Guidelines may have a significant effect on the environment. As noted above, the proposed amendments to the design guidelines restructure the existing guidelines and make minor additions and revisions.

**SECTION 2.** The Town Council further finds that:

**a. The Moraga Design Guidelines as amended are consistent with the General Plan.**

The Town of Moraga Design Guidelines are being updated to incorporate the existing MCSP Design Guidelines adopted in 2010 as Appendix B of the MCSP with some limited additions regarding streets and other public spaces and minor non-substantive changes. The MCSP Design Guidelines steer the aesthetic nature of development within the MCSP adding design guidance to the development standards presented in the Land Use Element of the MCSP, which implements the General Plan within the MCSP area.

The MCSP Design Guidelines present design principles for each of the main MCSP land use categories: Scenic Corridor, Residential, MCSP Commercial, and Mixed

Commercial/Residential/Office, along with guidelines for architectural site features such as street lighting, benches, signage, walls, fences and landscaping.

The MCSP Design Guidelines provide eight guiding principals derived from the Town's existing design philosophy that implements the General Plan and is found in the Town-wide design guidelines:

- Maintain the Town's Semi-Rural Character (SRC)
- Protect Ridgelines and Hillside Areas (RH)
- Complement Existing Landscaping (L)
- Enhance the Town's Scenic Corridors (SC)
- Minimize the Impacts of Development (ID)
- Thoughtfully Design Single Family Residential Neighborhoods (SFR)
- Thoughtfully Design Multi-Family Residential Developments (MFR)
- Promote Commercial Centers as Community Places (CC)

These categories have been refined within the new Chapter 11 – Moraga Center Specific Plan Design Guidelines to specifically address MCSP land uses to implement the MCSP vision. The MCSP guidelines remain largely the same as their adoption in 2010 with minor updates for clarification in the signage and walls and fencing section and updating of lighting guidelines to address new technologies that were not common in 2010. The MCSP Design Guidelines include several new categories: Street Design Standards, Pedestrian and Bicycle Friendly Design and Town Square Design Guidelines to further guide the development within public rights-of-way and public spaces.

**b. The Moraga Design Guidelines as amended are consistent with the Moraga Municipal Code.**

The scope and purpose of the revised Moraga Design Guidelines are to implement the MCSP in conjunction with updated and new chapters of the Moraga Municipal Code (MMC) for the MCSP area consistent with the MCSP adopted in 2010. The amended MMC provides the development standards within the MCSP area for the Residential, MCSP Commercial, Mixed Office/Residential, Mixed Retail/Residential, Planned Development, and Non-MOSO Open Space Zoning Districts and the Moraga Ranch Overlay District. The Moraga Design Guidelines establish a range of encouraged design approaches while allowing for flexibility and innovation within the framework of the municipal code. This new Chapter of the Moraga Design Guidelines will assist the Town in evaluating conformance with the objectives and design vision of the MCSP and provide the Town of Moraga with the guidance to ensure that the MCSP area will develop with a high quality and lasting character; to guide developers in determining what is appropriate in character and quality for the Town of Moraga; and to assist the Town in evaluating proposals for development consist with the MCSP vision and development standards of the MMC.

**SECTION 3.** The Town Council hereby rescinds Town Council Resolution Nos. 9-2010, 23-2018, and 50-2020 in their entirety and hereby adopts the Moraga Design Guidelines as amended and attached hereto as Exhibit A, which shall be effective upon adoption.

**PASSED AND ADOPTED** by the Town Council of the Town of Moraga at a regular meeting held on October 28, 2020 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

Kymberleigh N. Korpus, Mayor

Attest:

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Marty C. McInturf, Town Clerk

DRAFT



# **Town of Moraga**

# **Design**

# **Guidelines**

**Revised October 2020**

Adopted by the Planning Commission in June 2007.  
Amended by the Moraga Town Council on January 27, 2010, April 11, 2018, and November 18, 2020



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# 1 DESIGN PHILOSOPHY

## PURPOSE AND ORGANIZATION OF THE DESIGN GUIDELINES

The design philosophy of the Town of Moraga Design Guidelines is drawn directly from the Town of Moraga General Plan Community Design element. General Plan community design policies are indicated below as *GP CD #* and serve as the foundation of the Town of Moraga Design Guidelines. These Guidelines have been developed to further the implementation of Title 8, 13, and 14 of the Moraga Municipal Code. They are used by staff, Planning Commission (acting both as the Design Review Board and its planning capacity), and Town Council in the evaluation of proposed projects which require a building or grading permit. If followed closely by applicants when developing plans for approval by the Town, the opportunity for review at the staff level is possible (see Procedural Considerations).

The intent is that these guidelines provide flexibility while at the same time providing further clarity as to the architecture that aligns with the Town's vision. The Design Guidelines are intended to promote quality in design character so that buildings have an authentic character. The sketches, photographs and images are meant only to visually describe concepts in the text or make reference to pertinent precedents and should not be considered exact models. The goal of the Design Guidelines is to ensure that new development, improvements, and additions will fit contextually and make a positive contribution to a sense of place.

The Design Philosophy of the Town of Moraga General Plan calls for the Town to: maintain the Town's semi-rural character; protect ridgelines and hillside areas; complement existing landscaping; enhance the Town's scenic corridors; minimize the impacts of development; thoughtfully design single-family residential neighborhoods; thoughtfully design new multi-family residential developments; and promote commercial centers as community places.

### **Maintain the Town's Semi-Rural Character (SRC)**

- 1.) 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. (GP CD1.3) See Guidelines SRC1, SRC5, and RH4.
- 2.) 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. (GP CD1.4) See Guideline SRC8.

### **Protect Ridgelines and Hillside Areas (RH)**

- 1.) 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 20% or more, require "natural contour" grading to minimize soil displacement and use of retaining 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.(GP CD1.5) See Guideline RH1 through RH10 and ID10.3, ID10.4, ID10.6, ID11.1, ID13.3, SFR2.12, SFR2.13, SFR2.14, SRC7, L1, L2, and L3.

## **Complement Existing Landscaping (L)**

- 1.) 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 drainage ways. (GP CD1.6) See Guidelines SC1.9, L3.8, and CC1.7e.
- 2.) Encourage the use of native, fire-resistive, and drought-tolerant species. (GP CD1.6) See Guidelines L2.5, L3.16 and SC1.11 and Appendix B.

## **Enhance the Town's Scenic Corridors (SC)**

- 1.) Improve the visual character along Scenic Corridors with lighting, landscaping, and signage. (GP CD3.2) See Guidelines SC1.1 and SC1.10.
- 2.) Use additional street tree planting, berms, fencing and ornamental landscaping to enhance the visual continuity along the Town's Scenic Corridors. (GP CD3.5) See Guidelines SC1.1.
- 3.) Require appropriate landscaping for both public and private developments located on designated Scenic Corridors, including pedestrian lighting and street trees within existing commercial areas. (GP CD3.5) See Guideline SC1.7 and CC1.7e.
- 4.) Encourage use of native and drought-tolerant species and, where applicable, preservation of orchard trees. (GP CD3.5) See Guidelines L2.5, L3.16 and SC11.
- 5.) Convert all overhead wiring in scenic corridor areas to underground as soon as possible. (GP CD3.7) See Guideline SC13.

## **Minimize the Impacts of Development (ID)**

- 1.) Concentrate new development in areas that are least sensitive in terms of environmental and visual resources, including areas of flat or gently sloping topography outside of flood plain or natural drainage areas. (GP CD1.1) See Guidelines ID1 and ID11.1.
- 2.) 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. (GP CD1.2) See Guidelines ID7, L2, and L3.
- 3.) Whenever and wherever possible, convert overhead utility lines to underground and require underground utilities in areas of new development. (GP CD1.8) See Guidelines SC1.11 and ID13.8.

## **Thoughtfully Design Single-Family Residential Neighborhoods (SFR)**

- 1.) Review by staff or the Planning Commission acting as the Design Review Board to ensure that new residential development in existing neighborhoods reflect 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. (GP CD4.3) See Guidelines SFR1.1-1.6 and SFR2.1-2.6.
- 2.) 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 respects the site topography and natural features. Where feasible, avoid standard repetitive lot sizes and shapes in hillside areas. (GP CD4.4) See Guidelines SFR1.6.

## **Thoughtfully Design New Multi-Family Residential Developments (MFR)**

- 1.) 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. (GP CD5.1) See Guideline MFR1.7.
- 2.) 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. (GP CD5.2) See Guidelines L3, MFR2.6, and MFR2.7.
- 3.) Require usable private and common open space in all new multi-family residential development. (GP CD5.3) See Guideline MFR1.8.
- 4.) Design new multi-family developments to create high quality pedestrian environments, with connections to the Town's pedestrian path and trail system. (GP CD5.4) See Guideline ID 13.7.

## **Promote Commercial Centers As Community Places (CC)**

- 1.) 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. (GP CD6.1) See Guidelines CC1.6-1.7.
- 2.) 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. (GP CD6.2) See Guideline SRC3.

- 3.) 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. (GP CD6.3) See Guideline CC1.7.
- 4.) 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. (GP CD2.3) See Guideline CC2.6.
- 5.) 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. (GP CD6.4) See Guideline CC1.1 and CC1.7.

## 2 PROCEDURAL CONSIDERATIONS

### DESIGN GUIDELINE IMPLEMENTATION

While there is no formula for good design, the Town of Moraga Design Guidelines are indicators of the type of design that the Town is likely to approve. The Town recognizes that each project represents a unique combination of design elements and natural features. Applicants and/or their representatives shall consider the Design Guidelines when developing a project proposal. Compliance with these Guidelines does not, however, guarantee approval. Similarly, needing to request an exception to the Guidelines does not mean that the application will be disapproved. Procedurally, compliance with the Design Guidelines enables a project to be considered at the staff level (Administrative Design Review, or ADR) unless the type or scale of the project requires Design Review Board (DRB) approval, such as applications for development in a scenic corridor<sup>1</sup>, hillside<sup>2</sup> development, new residential construction, and appeals from certain staff decisions. The definitions in Appendix D to the Town of Moraga's General Plan are expressly incorporated herein and shall be used to interpret and implement these Design Guidelines,

Exceptions to the Design Guidelines may be approved by the Planning Commission acting as the Design Review Board if the overall finding for design approval can be made. In single-family residential districts the DRB must find that:

- 1.) *The proposed improvements conforms 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.*
- 2.) *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.*
- 3.) *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.*
- 4.) *The proposed improvement will not impair the public health, safety, or welfare.*

The finding above that requires the Town to determine that the proposed improvements conform with good design as set forth in the Town of Moraga Design Guidelines means that, generally speaking, the project is in compliance with the Guidelines but exceptions from certain guidelines may be necessary in order to achieve overall acceptable design. This is in recognition of the fact that Design Guidelines can be in competition with one another, as there are often competing design considerations, such as water conservation, fire safety, and stormwater management.

In approving an application for design review, the DRB may impose conditions of approval. Such conditions would be required in order to mitigate any negative effects that the development may have on the site, the neighborhood, or the community as a whole. Special conditions may also be attached when the DRB is so directed by the Planning Commission (PC) or Town Council (TC), or when the DRB determines that such conditions are needed in order to implement policies adopted by the Commission or Council. Higher standards than the ones contained in these guidelines may be set by the Planning Commission for a particular development project, and such standards would then be implemented by the Planning Commission acting as the Design Review Board in place of the comparable guidelines.

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<sup>1</sup> The major scenic corridors designated in the General Plan include: Bollinger Canyon Road, Camino Pablo, Canyon Road, Donald Drive (along the ridgeline of Mulholland Hill), Moraga Road, Moraga Way, Rheem Boulevard, and St. Mary's Road.

<sup>2</sup> A hillside is defined as any slope greater than 20%.

## **DESIGN REVIEW PROCESS**

Prior to processing an application for design review, the application must be determined complete by the Town. The Town may, at its discretion, require that a portion of the required submittal be sent to a specialist for review, at the applicant's expense, prior to a determination of completeness.

All applications are subject to the applicable provisions of the Moraga General Plan and Municipal and State Codes, in addition to these Design Guidelines.

There are two levels of design review in Moraga. Additions to existing residences that conform to the Design Guidelines and are not proposed on a hillside or within a scenic corridor are eligible for review at the staff level (Administrative Design Review or ADR) with notice to neighbors but without a public hearing.

Design Review Board (DRB) approval is required for all new residences and all additions to existing residences that require an exception to the Design Guidelines or are proposed within a scenic corridor or on a hillside. In addition, the DRB considers certain appeals from staff decisions. Appeals from DRB decisions and certain staff decisions are considered by the Planning Commission (PC). Similarly, the Town Council (TC) considers appeals from PC decisions and applications for grading on pre-development average slopes greater than 25%.

## **DESIGN GUIDELINES FOR HILLSIDES AND RIDGELINES**

On April 11, 2018, the Town Council adopted Design Guideline amendments as part of the Hillsides and Ridgelines project. These amendments clarify the Town's design preferences to support new development that maintains Moraga's unique semi-rural feel and scenic natural setting. Specific amendments to the Design Guidelines adopted as part of the Hillsides and Ridgelines project are as follows ("Hillsides and Ridgelines Amendment"):

- New design guidelines for hillside development in Section 4 (Protect Ridgelines and Hillside Areas).
- Revised design guidelines for development within 500 feet of a scenic corridor in Section 6 (Enhance Town's Scenic Corridors)
- New maximum floor area ratio guidelines for lots greater than 20,000 square feet in Appendix B.

The following types of development projects are exempt from the Hillsides and Ridgelines Amendments:

1. Proposed development projects within the Moraga Center Specific Plan (MCSP) area, which shall be governed by the provisions of the MCSP, as may be amended from time to time, and any amendments to the Moraga General Plan adopted in conjunction with any amendment to the MCSP.
2. Subdivisions approved by the Town where a Final Map has been recorded for the subdivision prior to the effective date of the Hillsides and Ridgelines Amendments.
3. Pending development project applications with a published Draft EIR or IS/MND as of the effective date of the Hillsides and Ridgelines Amendments, provided no entitlements have been granted. Such pending development project applications shall be governed by the provisions of the Moraga General Plan and all other applicable policies, standards and regulations in effect prior to the adoption of the Hillsides and Ridgeline Amendments. Notwithstanding such exemption, once any pending development project application has been acted upon by the final

reviewing body or is withdrawn by the applicant, this exemption shall no longer apply to any such application.

For any development project not specifically exempt from the Hillsides and Ridgelines Amendments, such amendments govern in accordance with and to the fullest extent permissible under law.

### 3 MAINTAIN THE TOWN'S SEMI-RURAL CHARACTER (SRC)

#### APPLICABLE TO ALL TYPES OF DEVELOPMENT

These guidelines are intended to help preserve the semi-rural features that make Moraga unique when considering applications for development. Therefore, ***these guidelines are applicable to all types of development.***

- SRC1 Retain, protect, and utilize existing natural features, such as trees and other vegetation, interesting ground forms, rocks, water, and significant views in the design.
- SRC2 The impact and presence of vehicles resulting from the development should be minimized through proper siting and screening in order to buffer parking areas from locations both interior and exterior to the site.
- SRC3 Circulation systems should avoid conflict between vehicular, bicycle and pedestrian traffic. Emergency and service vehicle access shall be accommodated within the circulation system.
- SRC4 Accessory structures should not encroach upon front yard and exterior side yard setbacks.
- SRC5 Preserve natural site amenities.
  - a. Development should be planned in relation to natural features.
  - b. Natural features must be protected both during and after construction of the project.
  - c. Retain trees and other native vegetation, consistent with tree preservation ordinance, to maintain current stability of steep hillsides, retain moisture, prevent erosion, and enhance the natural scenic beauty. Grading under tree drip lines should be avoided to protect the root system during development.
  - d. Treat significant natural features, such as creeks, rock out-croppings, and prominent knolls, as assets.
- SRC7 New trees should be planted to compliment the natural pattern of tree placement and should be selected from one of the palettes in Appendix B.
- SRC8 Mature native tree groupings should be protected.
- SRC9 Improvements should be sited away from creeks to enhance safety and to protect existing drainage patterns, riparian habitat, and wildlife.

## 4 PROTECT RIDGELINES AND HILLSIDE AREAS (RH)

This section establishes design guidelines for development in hillside areas in Moraga. A “hillside area” as defined in Chapter 8.04 of the Moraga Municipal Code includes either of the following:

- A parcel with an average predevelopment slope of twenty (20) percent or greater; or
- The area of a parcel where (i) the area of disturbance of a development project and/or (ii) the footprint of the primary structure, has an average predevelopment slope of twenty (20) percent or greater. These particular areas of a parcel shall be classified as a “Hillside Area” or “Hillside Land” regardless of the average predevelopment slope of the entire site or parcel in which the area of disturbance or the footprint of the primary structure is located.

Guidelines in Part 1 of this section apply only to subdivisions and new homes on an undeveloped parcel or site. Part 2 contains guidelines that apply to subdivisions and new homes **as well as** to additions that add a full or partial upper story to an existing home and/or increase the floor area of an existing home by 35 percent or more.

Some guidelines in this section address issues covered elsewhere in the Design Guidelines. In such a case, related guidelines in other sections are noted below. Hillside projects must comply with these other guidelines as applicable. In the case of conflict between guidelines in this section and in other sections, the more restrictive shall prevail.

### PART 1: GUIDELINES THAT APPLY ONLY TO SUBDIVISIONS AND NEW HOMES

#### RH1: SUBDIVISIONS

*See also guidelines SRC1, SRC5, SRC9, ID5, ID13, SFR1.*

RH1.1 General Design. New subdivisions should be designed to minimize alteration to the natural terrain, blend with the natural setting, and preserve the scenic qualities of hillside areas.

RH1.2 Site Constraints. Development should be located in the portion or portions of the site that is/are least constrained and most suitable for development. To the greatest extent possible, the location of development should avoid the following constraints:

- Unstable soil, landslide susceptibility and other geologic hazards.
- Areas highly visible from a scenic corridor.
- Areas where proposed development would project above a ridge when viewed from any scenic corridor.
- Significant natural landforms including rock outcroppings, prominent knolls, bluffs, ravines, and other similar geologic features.
- Steep slope areas.
- Protected native, historic, and orchard trees as defined in Moraga Municipal Code Chapter 12.12, sensitive vegetation, wetlands, riparian areas, and special status species habitat.
- Wildfire hazard areas.
- Waterways and flood hazard areas.

Applicants for a development project shall submit a constraints analysis that identifies the location of these constraints on the site and demonstrates that location of the development will avoid these constraints to the greatest extent possible.

RH1.3 Design Variation. Homes within a subdivision should exhibit design variation that minimizes repetitive forms and contributes to a more organic design aesthetic. As appropriate, homes should feature variation in:

- Front building setbacks and placement on lots;
- Floor elevations and building heights; and
- Building massing, elevations, floor plans, architectural style, materials and colors.

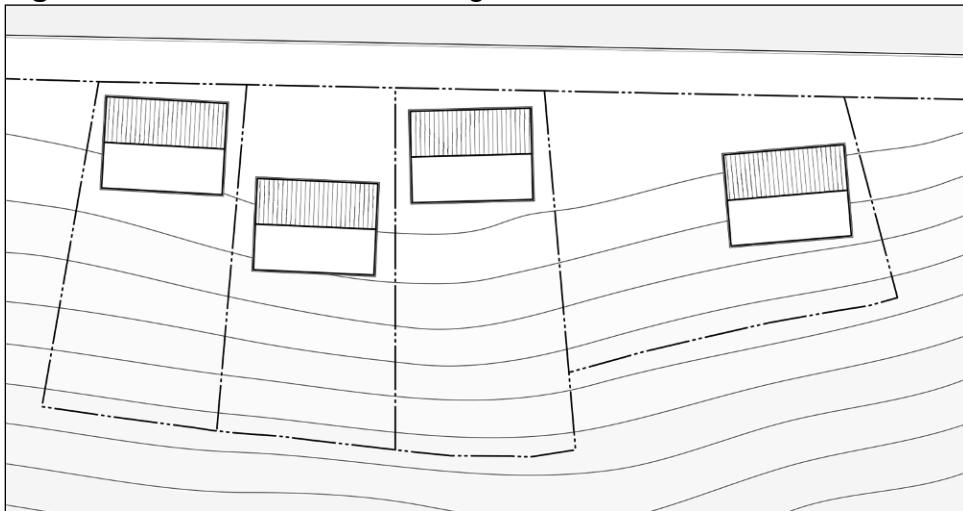


*Variation in the placement, orientation, setbacks, and architectural styles of homes creates visual interest in Moraga hillside subdivision*



*Variation in building heights contributes to a more organic design aesthetic*

**Figure RH-2: Variation in Building Setbacks**



*Variation in building setbacks helps a subdivision to blend into the natural setting*

- RH1.4 Clustered Development. Homes should be clustered if doing so will maximize the amount of preserved open space and better maintain the predominantly natural character of the hillside. Greenbelts and/ or fuelbreaks, incorporating appropriate transitional landscaping treatments, should be used to separate clustered structures from natural areas.
- RH1.5 Density on Steep Slopes. Densities should be minimized on steep slopes to reduce exposure to geologic hazards and limit alteration of natural landforms.
- RH1.6 View Impacts. Development should be located and design to minimize impacts to both close up and distant views of the natural hillside and ridgeline landscape as seen from valley areas.

## **RH2: ROADS AND SIDEWALKS**

*See also guidelines ID13.3, ID13.4, ID13.9.*

- RH2.1 Visibility. Roads should be located, designed, and landscaped to minimize their visibility from scenic corridors.
- RH2.2 Natural Contours. Roads should follow the natural contours of the land and should not be orientated perpendicular to contour lines.

- RH2.3 Curbside Parking. To reduce grading and allow for narrower roads, curbside parking lanes are discouraged. Guest parking should be provided through shared parking bays where doing minimizes visual impacts and site disturbance.
- RH2.4 Width. Roads should not exceed the minimum width required for emergency vehicle access and to meet applicable public works standards.
- RH2.5 Sidewalks. Sidewalks may be provided on one side of the road only if doing so will minimize road width, grading, and general site disturbance. Separated and/or meandering pedestrian facilities that can accommodate landscape buffering and grade separations to better respond to topography are encouraged.

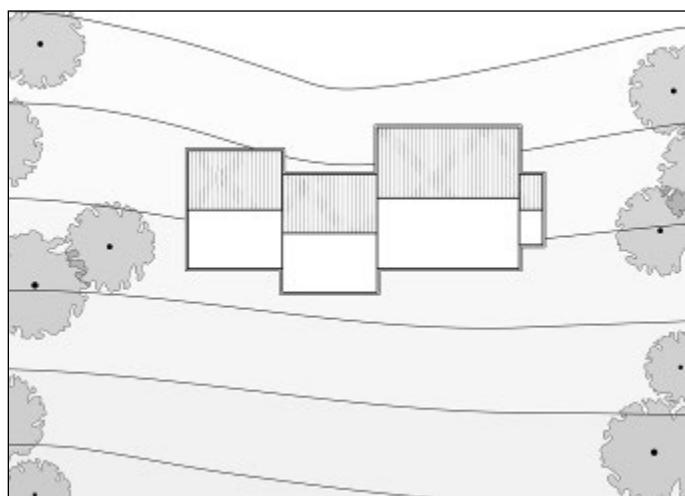
### **RH3: BUILDING PLACEMENT AND FOUNDATION DESIGN**

*See also guidelines SRC1, SRC5, SRC7, SRC8, SRC9.*

#### **A. Building Placement**

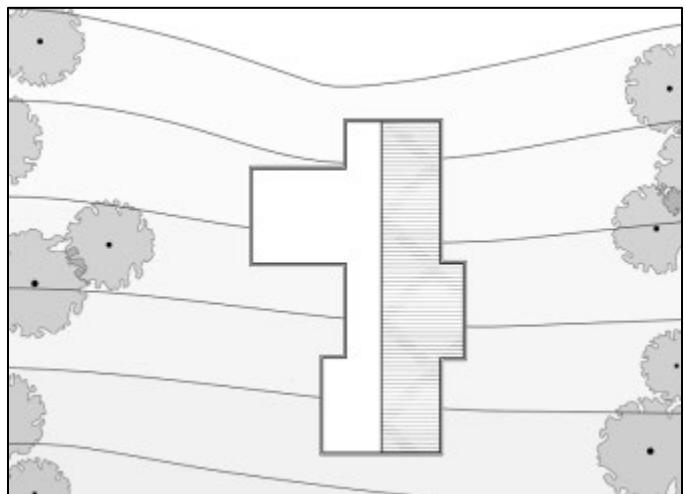
- RH3.1 Minimize Grading and Avoid Natural Features. Buildings should be located on lots in a manner that minimizes the need for and total amount of grading to the extent practicable and avoids disturbances of natural features where possible.
- RH3.2 Conform with Natural Topography. Building placement should conform to the natural topography of the site and run with the contours in order to reduce the appearance of bulk and minimize the need for grading.
- RH3.3 Appearance of Mass. On downhill lots, buildings should be placed on the lot so as to reduce building mass that hangs over or steps down the slope.

**Figure RH-3: Conform with Natural Topography**



*Buildings placed to conform with natural topography and site's contours (top) minimize the amount of grading and reduce the appearance of bulk.*

**DO THIS**

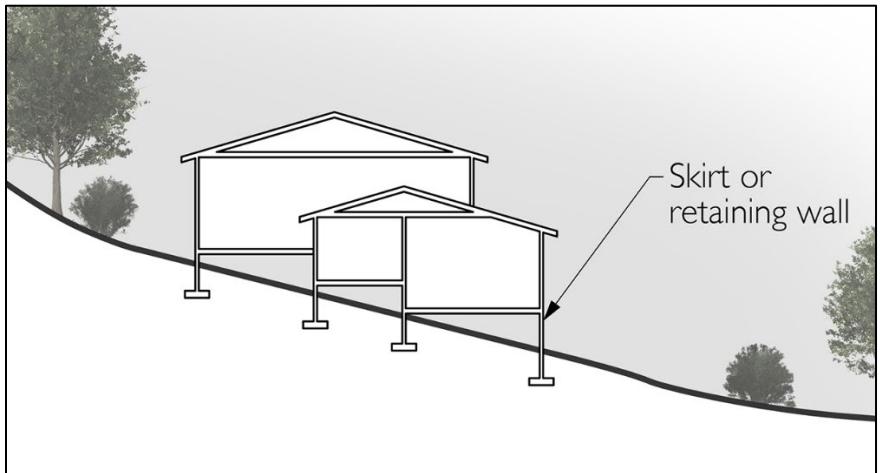


**DON'T DO THIS**

## B. Foundation Design

**RH3.4 Stepped Design.** Where the existing slope of the development site is 20 percent or steeper, dwellings should exhibit a stepped design that follows the natural terrain and does not stand out vertically from the hillside. Dwellings may be designed with a stepped, pier and grade beam, or a custom foundation to limit grading and alterations to the natural terrain. The Town may grant an exception to this stepped design guideline in accordance with guideline RH 3.5 below.

**Figure RH-4: Stepped Foundation**



*Stepped foundation helps to minimize appearance of mass and bulk.*

**RH3.5 Deviation from Stepped Design Guideline.** The Town may allow a project to deviate from the stepped design guideline in RH3.4 above upon finding that a single-level padded lot will produce a superior design that more fully conforms to the Town's design goals for hillside development. If a deviation is allowed, the single-level padded project should comply with the following guidelines:

- Significant vegetation, rock outcroppings, or other important natural features as determined by the reviewing authority should not be removed or disturbed.
- The vertical height of any resulting graded slope or combination retaining wall and slope visible from a public place or neighboring property should be minimized to the extent possible.
- Pads should be the minimum area to accommodate the structure and a reasonable amount of open space.
- Pad height should be minimized to the greatest extent possible.



Examples of hillside homes with stepped foundations in Orinda (left) and Lafayette (right).

## PART 2: GUIDELINES THAT APPLY TO SUBDIVISIONS, NEW HOMES, AND ADDITIONS

The guidelines below apply to subdivisions, new homes, and additions that add an upper story to an existing home and/or increase the floor area of an existing home by 35 percent or more. If an existing home or site conflicts with a guideline, the guideline shall apply only to the addition or change to the site.

### RH4: BUILDING DESIGN

*See also guidelines ID2, ID13.2, SFR12, SFR2.*

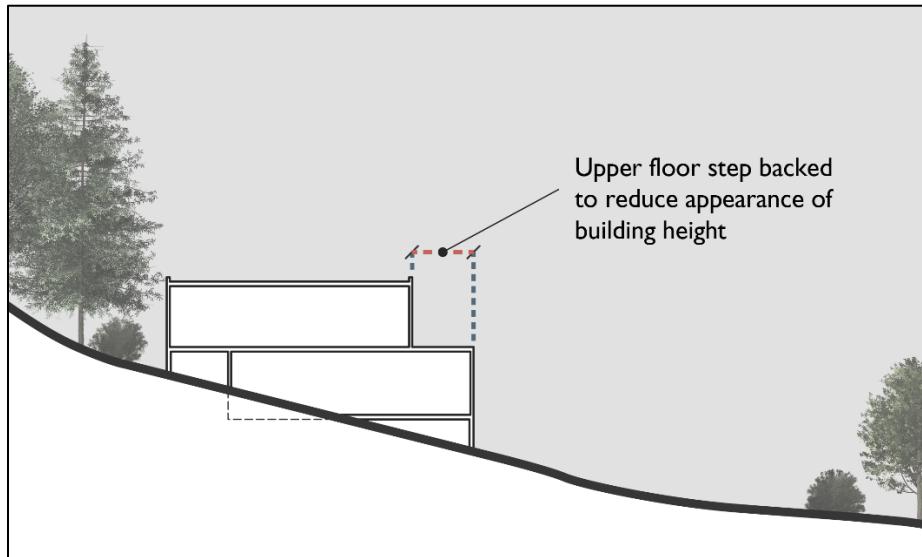
#### A. Building Height and Stepbacks

- RH4.1 Building Height. Building height should be minimized to reduce visual prominence and blend into the natural setting.
- RH4.2 Elevated Padded Lots. In cases where the modified grade of a home site exceeds existing grade, building pads should be established at the lowest elevation possible given site constraints and project objectives. Development projects with elevated building pads shall be subject to heightened design review requirements in accordance with Municipal Code Section 8.72.060.
- RH4.3 Stepbacks. On up-sloping lots, upper stories facing a street should be stepped back a sufficient distance from the ground floor to minimize the building's visual height as viewed from the street and other down-slope public places.



*Example of hillside homes with upper story stepback in Orinda (left) and Lafayette (right).*

**Figure RH-5: Upper Floor Stepbacks**



*Stepping back upper floors on down sloping lots reduces a building's visual height.*

RH4.4 Underfloors (Skirt Walls). The vertical distance between the lowest finished floor of an elevation of a building and the finished grade should not exceed 6 feet.

#### **A. Building Mass and Volume**

RH4.5 Building Mass. Building design should incorporate techniques to effectively reduce the appearance of mass, bulk and volume where visible from a public place or neighboring property. Such techniques include, but are not limited to:

- Keeping building forms simple and avoiding architectural styles that are inherently viewed as massive and bulky.
- Minimizing the square footage of a home and avoiding large volume buildings forms.
- Avoiding the use of architectural features that increase visual prominence, such as two-story entries, turrets, and large chimneys.
- Avoiding overhanging decks, large staircases and patios formed by retaining walls that make buildings appear more massive.
- Stepping the building foundation and roofs with the natural slope.
- Stepping back second stories so that a difference in wall planes is visible from a distance.
- Creating light and shadow by providing modest overhangs, projections, alcoves, and plane offsets,
- Using vaulted ceilings rather than high walls and ceilings with attics above to achieve a feeling of volume.

## B. Building Elements

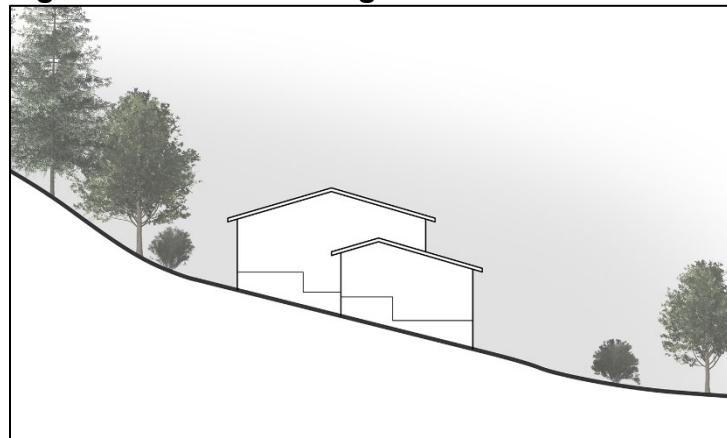
RH4.6 Roofs. Roofs should be designed to minimize the visual prominence of buildings and complement the surrounding landscape. This may be accomplished by:

- Orienting the slope of the main roof in the same direction as the natural slope of the terrain.
- Minimizing the use of long, linear roof lines.
- Dividing roof forms into a series of smaller components that reflect the irregular forms of the surrounding natural features.
- Incorporating roof colors with darker earth tones that are less conspicuous when viewed from a distance.
- Reducing roof pitch to no more than 4:12.
- Utilizing hipped roof designs.



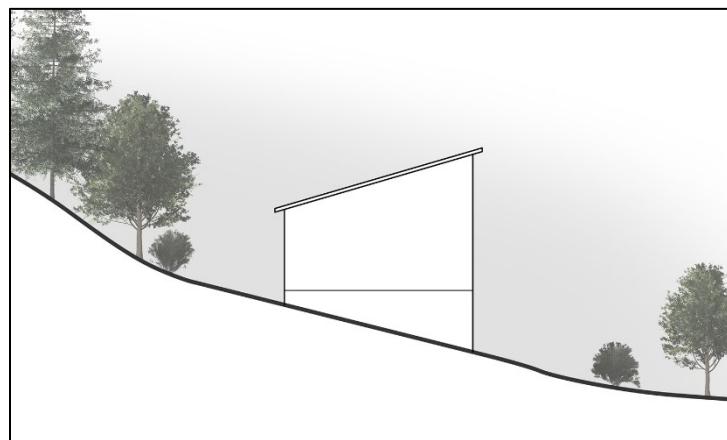
*Example of roof forms broken into multiple elements in Moraga (left) and a roof that follows the natural slope in Orinda (right).*

**Figure RH-6: Roof Design**



*Roofs that slope in the same direction as the natural terrain (top) minimize the visual prominence of buildings.*

**DO THIS**



**DON'T DO THIS**

RH4. Exterior Colors. Exterior colors for new structures should be coordinated with the predominant colors and values of the surrounding landscape to minimize contrast of structures with their background when viewed from scenic corridors and other public areas.

RH4.7 Window Tinting. Mirror-like window tinting should be avoided.

#### **RH5: GRADING**

*See also Guidelines ID10, ID11.1, SFR1.6, SFR1.12*

RH5.1 Contour Grading. Contour grading techniques should be used to blend with natural slopes and achieve a natural appearance. The following concepts should be utilized:

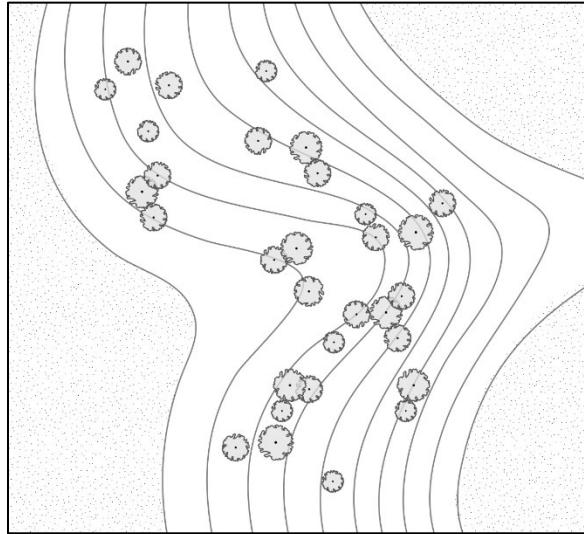
- Hard edges left by cut and fill operations should be given a rounded appearance that closely resembles the natural contours of the land.
- Manufactured slopes adjacent to driveways and roadways should be modulated by berthing, regrading, and landscaping to create visually interesting and natural appearing streetscapes. However, preservation of trees and avoidance/elimination of retaining walls where possible is a priority.
- Where cut and fill conditions are created, slopes should be varied rather than left at a constant angle, which creates an unnatural, engineered appearance.

- The angle of any graded slope should be gradually transitioned to the angle of the natural terrain. Creation of new grades slopes, significantly steeper than local natural slopes should be minimized.

RH5.2 Grading Areas on Lots. Graded areas on lots should not be larger than the area of the footprint of the house, plus that area necessary to accommodate pedestrian and vehicle access, required parking and turnaround areas, and reasonably-sized yard space.

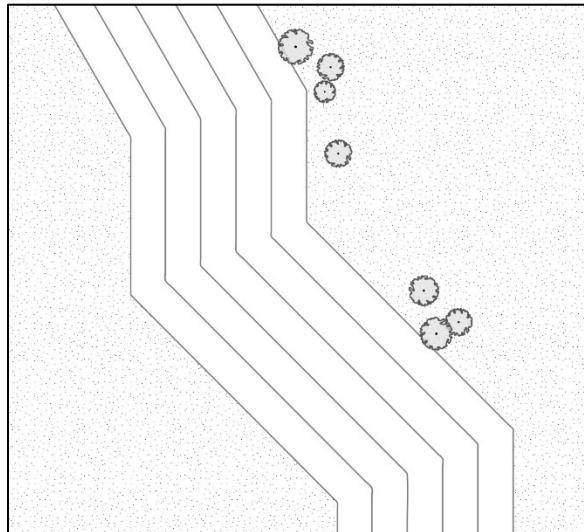
RH5.3 Restoration of Original Topography. After completion of construction, areas of disturbance should be restored as closely as possible to their original topography.

**Figure RH-7: Contour Grading**



*Contour grading (top) produces a rounded appearance that closely resembles the natural contours of the land.*

**DO THIS**



**DON'T DO THIS**

## RH6: LANDSCAPING

RH6.1 Use of Landscaping. Landscaping should be used to maintain the natural appearance of the hillside, blend structures with the natural setting, and screen structures from public and private views. Plant palettes should be consistent with those specified in Design Guidelines Appendix D.



*Existing and new landscaping help to blend Orinda home into the natural appearance of the hillside.*

RH6.2 Fire Safe Landscaping. Fire safe landscaping should be used consistent with Guideline L1.

RH6.3 Turf Grass. Turf grass should not occupy more than 25 percent of total yard area.

RH6.4 Formal Gardens and Turf Areas. Geometric landscape design visible from public places should be minimized. When visible from a public place, formal gardens (including ornamental plantings, hardscape, and turf areas) should be limited to locations immediately adjacent to the house such as entry ways or small gardens at the rear.

RH6.5 Location of Plant Types. Irrigated landscaping should be concentrated adjacent to the dwelling. Landscaping should transition to more natural planting on the remainder of the lot. Plant species outside of the usable open space immediately adjacent to the dwelling should be indigenous and appropriate for the immediate natural habitat.

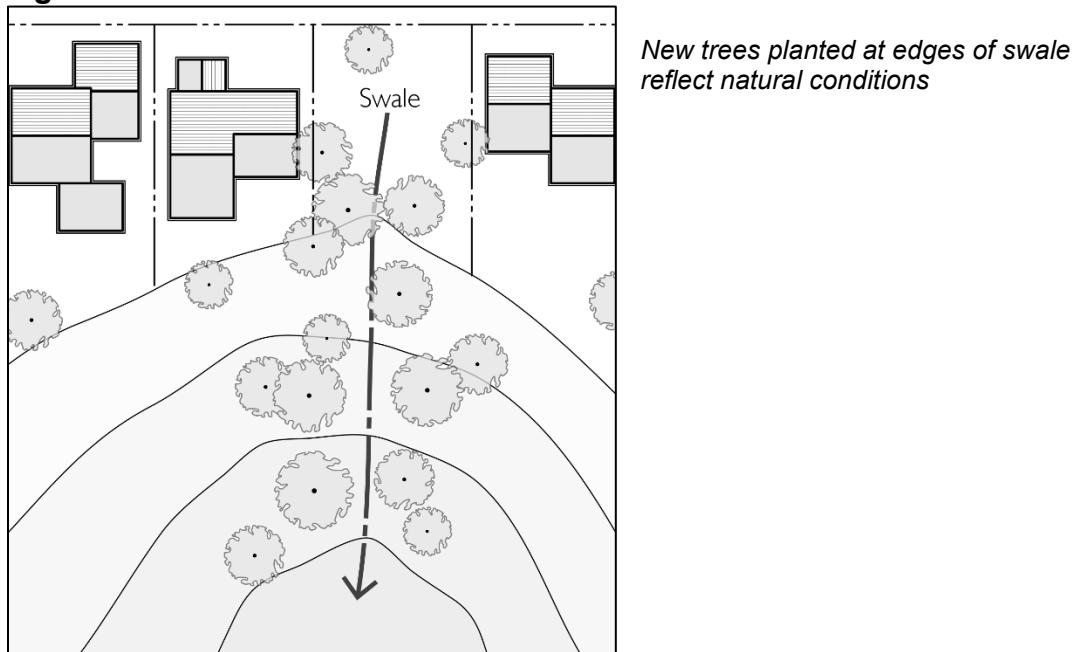
RH6.6 Configuration. Plants visible from a public street should be clustered informally to blend with the natural vegetation. Trees and shrubs should not be planted in a straight lines to define property lines, driveways, or edges.

RH6.7 New Trees.

- a) Trees should be planted along contour lines in undulating groups to create grove effects which blur the distinctive line of the graded slope.
- b) Trees planted in proximity to ridgelines should be similar in height and form to that of naturally occurring species in the vicinity, and when naturally occurring trees and vegetation do not protrude above a ridgeline, follow a similar pattern.

- c) When possible, locate trees at the edges of swale areas and bioretention facilities to more closely reflect natural conditions and gather surface runoff for plant irrigation.

**Figure RH-8: New Trees**



## **RH7: DRAINAGE**

*See also guidelines SRC9, L2.3, ID12*

- RH7.1 Natural Drainage Courses. Natural drainage courses should be preserved with native vegetation intact, should be enhanced to the extent possible, and should be incorporated as an integral part of the site design in order to preserve the natural character of the area. Appropriate creek structure setbacks should be defined and maintained free of any development.
- RH7.2 Naturalizing Treatment. Manmade drainage channels should receive a naturalizing treatment such as rock and landscaping so that the structure appears as a natural part of the environment.
- RH7.3 Runoff Dispersion. Runoff should be dispersed within the subject property through landscape infiltration to the greatest extent feasible. Runoff concentration that requires manmade drainage channels or engineered drainage facilities should be avoided.
- RH7.4 Visibility. Manmade drainage channels should be placed in the least visible locations possible.

## RH8: SITE ELEMENTS

### A. Driveways

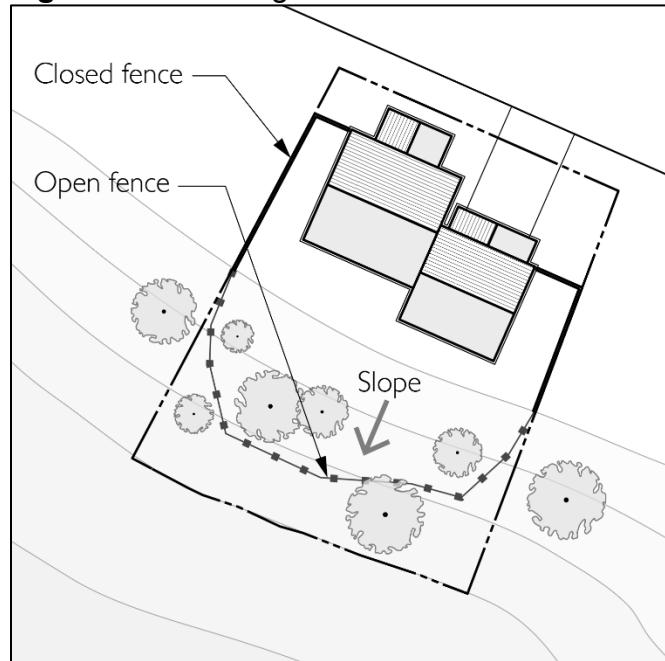
See also *Guideline ID13.6, ID13.9, SFR1.7, SFR1.8, SFR1.9*

- RH8.1 Driveway Location. Driveways should be located to minimize the need for grading and should align with the natural contours of the land to the greatest extent possible.
- RH8.2 Driveway Width. Driveways widths should be the minimum required by Town regulations. Common driveways shared by multiple units should be used to the extent possible.
- RH8.3 Driveway Material. Driveways should be darkened, colored, or textured to exhibit a natural appearance and to blend in with the surroundings.

### B. Fences

- RH8.4 Solid Fencing. Solid fencing should only be used to enclose the immediate usable outdoor space around a house and should not be used to delineate property lines.
- RH8.5 Perimeter Fencing. Where fencing is needed to delineate private property from public or common areas, fencing should remain visually open (i.e., split rail or wire deer fencing) in order to minimize the visual "ribbonlike" effect of fencing on the hillsides. Perimeter chain link fencing is prohibited.

**Figure R9: Fencing**



*Fencing along perimeter of parcel remains visually open to minimize a "ribbonlike" effect on the hillside*

## **C. Retaining Walls**

*See also Guidelines ID11.*

- RH8.6 Materials. Retaining walls that are visible from a public street should blend with the natural hillside environment and promote a semi-rural character through veneers of natural stone, integrally-colored concrete, textured surfaces, and other similar treatments.
- RH8.7 Follow Topography. Retaining walls should blend with the natural topography, follow existing contours, and be curvilinear to the greatest extent possible.
- RH8.8 Landscaping. Landscaping should be provided adjacent to retaining walls visible from a public street and should include a combination of native trees and shrubs to screen the retaining walls from view to the greatest extent practicable.

## **D. Outdoor Lighting**

*See also Guideline ID6.*

- RH8.9 Site Lighting. Outdoor lighting on private property which is visible from public streets should be indirect or incorporate full shield cut-offs. Light sources should not be seen from adjacent properties or public rights-of-way.
- RH8.10 Street Lighting. In order to minimize light pollution and maintain enjoyment of the night sky in hillside areas, street lighting should not exceed the minimum illumination required by the Town and other public agencies unless determined necessary by the Town to protect the public health, safety and welfare.

## **5 COMPLEMENT EXISTING LANDSCAPING (L)**

Moraga values abundant landscaping and high design standards.

### **L1 FIRE SAFE LANDSCAPING**

The Fire District highly recommends the use of fire safe landscaping in residential, commercial, and open space areas that might be threatened by fires, such as sloped lots.

In order to ensure that vegetation does not promote the spread of fire between residences or between open space, development should take into consideration fire safety in the design of landscapes. The Town shall consider the following factors when reviewing development proposals:

- L1.1 On residential lots located adjacent to open space or heavily wooded areas, trees should be planted no closer than 15 feet from the exterior wall of a residence.
- L1.2 Consideration should be given to avoiding flammable trees and shrubs where possible. Selection should be from those listed as fire resistant in Appendix B. Consult the Moraga Fire Protection District for highly flammable plant species to be avoided such as certain pine, juniper, and eucalyptus species.
- L1.3 Landscaping should be properly irrigated to assure that plants retain their fire retardant capability, but shall not be over watered so as to create runoff from the site.
- L1.4 On residential lots located adjacent to open space or heavily wooded areas, landscaped areas should be maintained with a "wet band" (spray irrigation) that is a minimum of 30-100 feet in width, where setbacks allow. For fire safety consideration contact the Fire District for distance guidelines.
- L1.5 The use of shredded bark should be avoided; bark chips are recommended. Suggested minimum depth of chips is 3 inches.
- L1.6 The Town will weigh the merits of water conserving landscapes in conjunction with fire safety and stormwater management.

### **L2 SINGLE-FAMILY RESIDENTIAL LANDSCAPING AND IRRIGATION**

- L2.1 Residential properties should be landscaped and irrigated in accordance with the natural environment.
- L2.2 New irrigation systems shall include automatic rain shut-off controller devices.
- L2.3 Irrigation runoff shall not be discharged into the storm drain system. Therefore, over watering of the landscape shall be avoided. Opportunities shall be provided for biofiltration that routes stormwater through landscaping and then to an appropriate drainage facility.
- L2.4 Drought tolerant plant species are encouraged as they use less water and are often fire safe.

L2.5 Drought tolerant, fire resistant, native tree and shrub species should be selected from one of the palettes in Appendix B. The Town of Moraga encourages planting of native species over non-native species and encourages applicants to refer to the Native Plant Society website at [www.nps.org](http://www.nps.org) to check that the plants that you select are not invasive species.

### **L3 MULTI-FAMILY AND COMMERCIAL LANDSCAPING AND IRRIGATION**

L3.1 Landscaped areas should be planned as integral parts of the project and not simply as leftover green spaces to be planted on the site.

L3.2 Areas not covered by buildings or structures enclosed for storage or used for paved walks, alleys, or drives should be completely landscaped and irrigated.

L3.3 Parking lots should be landscaped through the use of concave islands and medians swales designed to accommodate trees, shrubs, and ground cover while providing drainage and biofiltration of concentrated stormwater. Fast growing deciduous or evergreen trees should be planted at a ratio of one tree for every 4-6 parking spaces, to create maximum summer shade.

L3.4 Landscaping should permit adequate sight distance for motorists and pedestrians entering and exiting the site and shall not interfere with parking lot and circulation effectiveness.

L3.5 Landscaping should be developed to relieve solid, unbroken elevations and soften continuous wall expanses as well as complement a building or building cluster.

L3.6 Significant landscaping should be provided around the perimeter of the site.

L3.7 Dense landscaping should be incorporated into any project to screen unattractive views and features such as storage areas, trash enclosures, parking lots, public utilities, and other elements that detract from the appearance of the surrounding area.

L3.8 Tree and shrub planting may be grouped together in order to create stronger accent points or a sense of place.

L3.9 Initial landscaping should be of a size and quality that a mature appearance will be attained within three years of planting. At least 25% of the proposed trees on the site are to be a minimum of 24" box size and the remaining trees a minimum of 15-gallon size.

L3.10 Lawn areas should be limited to 25% of the total landscaped areas and must be a drought tolerant fescue variety, with exceptions for schools, parks and public recreational areas. Percentage may be increased for biofiltration.

L3.11 Significant trees existing on the property should be protected retained and integrated with the design where appropriate.

L3.12 Deciduous trees along southern building exposures, coniferous and broadleaf evergreen trees along East and West building exposures and evergreens along the North exposures are recommended to conserve energy usage within structures.

- L3.13 All plant materials (including street trees and planting within the public right-of-way) should be watered with an automatic irrigation system. Provision shall be made for watering planting boxes and individual planters raised from the ground.
- L3.14 Water-conserving system design and materials and drip irrigation should be used wherever appropriate.
- L3.15 New irrigation systems shall include automatic rain shut-off controller devices.
- L3.16 Plants from the palettes in Appendix B should be selected. The Town of Moraga encourages planting of native species over non-native species and encourages applicants to refer to the Native Plant Society website at [www.cnps.org](http://www.cnps.org) to check that the plants that you select are not invasive species.

## 6 ENHANCE TOWN'S SCENIC CORRIDORS (SC)

This section establishes design guidelines for development within 500 feet of a major scenic corridor, as measured from the edge of the public right-of-way. The major scenic corridors designated in the General Plan include: Bollinger Canyon Road, Camino Pablo, Canyon Road, Donald Drive (along the ridgeline of Mulholland Hill), Moraga Road, Moraga Way, Rheem Boulevard, and St. Mary's Road. The purpose of these guidelines is to preserve and enhance the semi-rural character of Moraga's scenic corridors and protect scenic vistas of distant hillsides as viewed from scenic corridors.

For guidelines that apply to development in hillside areas located outside of scenic corridors, see Section 4: Protect Ridgelines and Hillside Areas (RH).

### SC1 APPLICABLE TO ALL SCENIC CORRIDOR DEVELOPMENT

- SC1.1 Medians in scenic corridors should be planted and landscaped except where drivable medians are necessary. See Appendix B for recommended plants and Appendix C for conceptual examples for aesthetic enhancement.
- SC1.2 Wide and curved trails should be used along scenic corridors instead of sidewalks wherever possible. Both trails and sidewalks should be separated from roadways with plantings. See Appendix C.
- SC1.3 A greenbelt should be established between the scenic corridor major road and a parking area or building that is located adjacent to the road. The greenbelt must be landscaped and appear to be natural (i.e. a high percentage of the ground area could be a mounded redwood bark or stone covered area as long as plants provide a reasonable amount of massing to create a screening effect). All landscaped areas shall be appropriately irrigated to maintain healthy plants while preventing runoff from over watering.
- SC1.4 Trees should be planted on medians and along scenic corridors except where traffic views are blocked. Where tree planting next to scenic corridors is otherwise not possible, planters for trees should be located in street parking zones. See Appendices B and C. Native grass areas are acceptable along the scenic corridor where formal landscaping is inappropriate.
- SC1.5 The greenbelt separating a single-family residence from a scenic corridor roadway should have a minimum depth of 20 feet. This depth can be lessened if mitigated by shrubbery, trees and/or other acceptable elements or landscaping.
- SC1.6 Landscaped mounds or berms are encouraged between the scenic corridor roadway and large parking areas and may be steeper than 3:1 if appropriately landscaped and irrigated.
- SC1.7 Commercial shopping centers shall have a twelve-foot or greater depth of greenbelt between the road and parking area or building, exclusive of the public sidewalk.
- SC1.8 Greenbelts should have a balance of high and low plants to give a natural look to the landscaped area. At no time will a landscaped area (other than grass) exceed 50 lineal feet along the scenic corridor road without a change in massing, character, and color.
- SC1.9 Religious or educational institutions, apartment complexes, professional buildings, commercial buildings, and residences along scenic corridors should have a minimum 15-foot greenbelt depth to the property line at adjacent streets (exclusive of sidewalk) with moderate landscaping.

- SC1.10 A property owner may be required to upgrade existing conditions when major work is accomplished on a parcel that is within 500 feet of the center line of a major scenic corridor.
- SC1.11 In order to enhance the landscaping along designated scenic corridors, new development within 500 feet of these corridors should include trees and shrubs from one of the palettes in Appendix B. The Town of Moraga encourages planting of native species over non-native species and encourages applicants to refer to the Native Plant Society website at [www.nps.org](http://www.nps.org) to check that the plants that you select are not invasive species.
- SC1.12 Roadside landscaping should be selected from one of the palettes in Appendix B and only lightly trimmed except where street signs and other directional signs are blocked from view.
- SC1.13 Existing overhead lines on both private and public property along scenic corridors should be converted to underground when substantial redevelopment is proposed.
- SC1.14 Signage, bus shelters, monuments and other site elements should be of semi-rural character and be rustic looking, preferably stone. See Appendix C.
- SC1.15 Storm water runoff swales should be used along roadsides and medians of scenic corridors instead of curbing to slow storm water runoff and enhance the semi-rural look. See Appendix C.
- SC1.16 Design shall be consistent with the Moraga Municipal Code Section 8.132.
- SC1.17 Viewsheds, including but not limited to close up and distant views, ridgelines, hillsides and mature native tree groupings should be protected along the Town's scenic corridors to retain the Town's semi-rural character.

## SC2 SCENIC VISTAS

The guidelines in this section apply to development within the 500-foot buffer of a scenic corridor with the potential to obstruct public views of Moraga's scenic vistas. "Scenic vistas" means designated ridgelines as shown in General Plan Figure CD-1(Designated Ridgelines) and hillsides visible below these ridgelines. Compliance with these guidelines shall be evaluated by considering potential view impacts from the centerline of the applicable scenic corridor public right-of-way.

Scenic vista guidelines should be applied in a manner that balances scenic vista protection with other Town goals and policies. For example, the Moraga Center Specific Plans (MCSP) calls for infill development along scenic corridors to increase housing choices and increase economic vitality. These scenic vista guidelines should not be interpreted to prohibit new development within the MCSP boundaries that is otherwise consistent with the MCSP and implementing regulations. Instead, scenic vista guidelines should be applied to a project together with other Town policies and regulations in a balanced manner that addresses all Town goals and policies to the maximum extent possible.

- SC2.1 **General Intent.** Development in scenic corridors should be located and designed to preserve and enhance public views of scenic vistas, both near and distant.
- SC2.2 **Front Setbacks.** Where appropriate for the location and surrounding context of a development site, front building setbacks should be increased to minimize obstruction of scenic vistas.

- SC2.3 **Upper Story Stepbacks.** Upper stories fronting a scenic corridor should be stepped back behind the ground floor if a stepped back design minimizes obstruction of scenic vistas.
- SC2.4 **Height and Mass Variation.** Development should minimize view obstructions through variation in building heights and volumes so that views of scenic vistas remain visible above lower sections of building.
- SC2.5 **Building Separation.** Where appropriate, buildings should be set back from one another to maintain views of scenic vistas through the site.
- SC2.6 **Accessory structures.** Fences, walls, freestanding signs, and other accessory structures should complement the design character of the site and minimize impacts on scenic vistas.
- SC2.7 **Landscaping.** Landscaping that at maturity will obscure views of scenic vistas is discouraged. Low shrubs and groundcover should be used to ensure permanent preservation of views. Trees and other taller plants should be carefully placed to minimize view impacts and where appropriate frame public views to scenic vistas.
- SC2.8 **Public Gathering Places.** Publicly accessible gathering places, such as outdoor seating areas and courtyards, should be located and designed to maximize unobstructed views of scenic resources for visitors.

## 7 MINIMIZE THE IMPACTS OF DEVELOPMENT (ID)

To the extent possible, development should be concentrated 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 and Rheem park area; c) Infill parcels in areas of existing developments.

### ID1-7 APPLICABLE TO ALL DEVELOPMENT

ID1 Downhill or uphill portions of any project shall provide landscaped treatment to address potential erosion, to be in harmony with adjacent developments, and to provide a complimenting view from distant horizons. Dense native landscaping should be used to blend hillside structures with the natural setting.

ID2 Roofing materials shall be benign and non-corrosive, such as slate, steel, stone, terra cotta tiles, fiberglass composition shingles, etc. Copper materials shall not be used for any component of the roofing system (roofing material, gutters, downspouts, splash pads, screens, etc.). Solar systems on roofs are encouraged and not subject to Design Review.

ID3 Wind barriers, shade, sound absorption, dust abatement, glare reduction, and proper drainage should be provided on site.

ID4 Buildings should be placed on the site so as to permit passive solar design, ample room for usable yard areas, adequate landscaping, and proper drainage between and around buildings.

ID5 Geologic hazards shall be addressed:

- Construction should not take place in geologic hazard areas identified as landslides, springs, or earthquake fault zones.
- Risk of off-site geologic property damage should be minimized by locating development away from areas which are vulnerable to slope failure.
- Professional evaluation of soil conditions and potential geologic hazards should be completed for all new homes.

ID6 The level of lighting should not exceed the needs for security and safety or detract from the aesthetics of the development.

- Outdoor lighting should be related to the design of the structure.
- Outdoor light fixtures should be designed and mounted so that the source of light has minimal impact off site.
- Outdoor lighting should be directed inward toward the property and may require additional screening to avoid spillage onto adjacent residential properties.

ID7 Design shall be consistent with the Moraga Municipal Code section 13.04.090.

## **ID8 SWIMMING POOLS**

ID8.1 The draining of all swimming pools shall be directed to the sanitary sewer system whenever feasible and be conducted in compliance with the permitting and standards established by Central Contra Costa Sanitary District. Overflow drains from swimming pools shall be directed to a landscape area or manufactured treatment system prior to connecting to the storm drain system. Best Management Practices (BMPs) shall be used to manage overflows.

ID8.2 Design shall be consistent with the Moraga Municipal Code section 13.04.060d.

## **ID9 PAVING**

ID9.1 Impervious surfaces shall be minimized through site design and building methods. Directly connected impervious surfaces shall be minimized to avoid excessive concentrated stormwater runoff. Any runoff from impervious surfaces shall be directed to pervious areas or landscaped depressions.

ID9.2 Impervious paving may be reduced by using permeable materials for pedestrian walkways, parking facilities, and areas with light traffic. Examples include:

- a. Unit pavers-on-sand: turf block, brick, natural stone, or concrete unit pavers
- b. Poured pervious surfaces: pervious concrete or pervious asphalt
- c. Granular materials: crushed shells, gravel, aggregate base, cobbles, or wood mulch

## **ID10 GRADING**

ID10.1 Grading for any purpose may be permitted only in accordance with an approved development plan that is found to be geologically safe and aesthetically pleasing.

ID10.2 Where the pre-development slope is less than 20% a grading permit may be required. See the Moraga Municipal Code 14.08.010 for details.

ID10.3 When the pre-development slope is greater than or equal to 20%, development shall be avoided, but may be permitted if supported by site-specific analysis. When grading land with a slope of 20% or more, soil displacement and retaining wall use shall be minimized by using contour grading techniques. In MOSO areas, development shall be prohibited on slopes with an average gradient of 20% or greater. Design shall be consistent with Moraga Municipal Code Title 14.

ID10.4 Land with a pre-development average slope of 25% or greater within the development area shall not be graded except as authorized by 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 the Moraga General Plan. No new residential structures may be placed on after-graded average slopes of 25% 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.

ID10.5 Cut slopes should be placed behind buildings or other structures where they will be screened.

ID10.6 Preserve the natural topography of the land, especially at the horizon:

- Round off graded slopes, in a manner that conforms to the natural contours of the land and to the surrounding terrain. Sharp angles produced by earth moving, specifically at the top and toe of graded slopes shall be avoided.
- Slopes shall be contour graded to achieve a natural appearance.
- Slopes shall be blended with the contours of contiguous properties and create a smooth transition.
- Grading shall minimize scars due to cuts, fills, and drainage benches on natural slopes.

Neither cuts nor fills shall result in slopes steeper than 3:1 (horizontal to vertical), except where natural slopes are steeper. Where steeper slopes are unavoidable, special mitigation measures shall be incorporated into the design construction and maintenance of the slopes.

## **ID11 RETAINING WALLS**

ID11.1 Retaining walls (excluding foundation retaining walls) and other man-made grading features may only be used to mitigate geologic hazards when:

- a. required to decrease the possibility of personal injury or property damage
- b. designed to blend with the natural terrain and avoid an artificial or structural appearance
- c. appropriately screened by landscaping
- d. designed to avoid creating a tunnel effect along roadways and to ensure unrestricted views for vehicular and pedestrian safety
- e. designed to ensure minimal public and/or private maintenance costs

ID11.2 Exterior retaining walls shall be limited to five feet in height, unless it is visible from off site, in which case it shall be no higher than three feet. The total height of a retaining wall and fencing on top of the wall shall not exceed eight feet without approval of the Planning Commission acting as the Design Review Board. A guardrail or handrail (provided a solid fence does not support it) may be located on top of the retaining wall.

ID11.3 A retaining wall exceeding 3 feet requires professional engineering, a building permit, and may require a grading permit. Design Review Board approval is required if the retaining wall is visible from off-site.

ID11.4 The horizontal depth of the terraces between stacked retaining walls should be a minimum of twice the height of the larger adjacent wall.

ID11.5 Retaining walls should be built a minimum of three feet from a property line.

## ID12 STORMWATER GUIDELINES

ID12.1 All residential buildings, in aggregate, may cover no more than 33% of the lot area. Exceptions may be considered for cluster and multi-family residential projects. For project designs that cluster the new structures on only a small portion of a large site, the percentage may be calculated using the entire site, rather than the lot size.

ID12.2 Regulations set forth by the San Francisco Bay Regional Water Quality Control Board (RWQCB)<sup>3</sup> shall apply to all new or redeveloped residential and commercial projects:

- If the project creates or replaces more than 10,000 square feet of impervious surface;
- Relative to the 10,000 square foot threshold, if 50% or more of the existing impervious surface is replaced then 100% of the site must comply with Provision C.3 of the Town's Stormwater Permit; or
- Relative to the 10,000 square foot threshold, if less than 50% of the existing impervious surface is replaced, then Provision C.3 of the Town's Stormwater Permit only applies to said portion.

Exemptions include: Single-family homes that are not part of a larger development and routine maintenance work such as replacement or resurfacing of roofs and pavements. All new projects must retain pre-project hydrology. All applicable developments must comply with Provision C.3 of the Town's Stormwater Permit. These requirements are separate from—and in addition to—any requirements for erosion and sediment control and for pollution prevention measures during construction (see also the Moraga Municipal Code section 13.04 and Town Council Resolution 9-96).

ID12.3 For developments whose site constraints prohibit the use of landscape infiltration, manufactured treatment systems can be inserted into the conventional storm drain system. A detailed Operation and Maintenance Plan must be submitted with the design application (see [www.cccleanwater.org/construction](http://www.cccleanwater.org/construction) for the *C.3 Stormwater Guidebook*). Options include:

- Catch basin or inlet inserts
- Separators (oil-grit or oil-water)
- Media filters (sand, gravel, peat, compost, activated carbon, fabric, or resin)
- Various filtration treatment devices

ID12.4 Drainage should follow natural flow patterns and, where appropriate, plans should develop wide area flow patterns, rather than concentrating flow at one point.

ID12.5 In new development only BMP-treated stormwater shall be discharged into the Town's storm drain system.

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<sup>3</sup> Please see the RWQCB Order No. 99-058 and Order No. R2-2003-0022.

ID12.6 A sufficient number of drains should be provided for retaining wall backdrains and in the crawl space under the foundation to provide an outlet for water that may accumulate behind retaining walls and beneath the house and to drain any areas that may be divided by internal grade beams. Such drainage facilities shall be directed to a landscape area or manufactured treatment system prior to connecting to the storm drain system. Design shall be consistent with the Moraga Municipal Code section 13.04.060d.

## **ID13 NEW DEVELOPMENTS AND SUBDIVISIONS**

- ID13.1 Subdivision layout should retain natural topographic features and maintain the Town's semi-rural character.
- ID13.2 The color schemes of homes on adjacent lots within 200 feet of one another should be compatible with and not duplicate one another.
- ID13.3 New road construction should adapt to topography and natural features.
- ID13.4 The impact of increased impervious surface of new roads should be mitigated by paving only the minimum width (20 feet), as required by the local Fire Department for roads that will not accommodate on-street parking. For streets with parking available on both sides the width shall be 36 feet.
- ID13.5 Stormwater should be treated before it enters the storm drain system.
- ID13.6 When appropriate, shared driveways should be used for neighboring clusters of houses and pervious parking areas shall be used.
- ID13.7 Sidewalks, crosswalks, and landscaped multi-use trails shall be incorporated into new developments to encourage alternatives to automobile use. Connections shall be made to adjacent neighborhoods and, where feasible, commercial areas.
- ID13.8 Utility lines for new subdivisions shall be installed underground to maintain natural vistas.
- ID13.9 Whenever possible, roads and driveways should be constructed parallel to existing topographic contours, and, if necessary, split in order to reduce the area of cut on hillsides or to preserve trees or other significant features.
- ID13.10 Street lighting in hillside and ridgeline areas should be unobtrusive and designed to reflect the natural surroundings.
- ID13.11 Hillside lots should be larger than lots on naturally level terrain.
- ID13.12 The same or similar elevations should not be placed within 300 feet of each other along the street without altering the direction of the roof.
- ID13.13 Residences in new subdivisions should meet Build It Green or equivalent requirements for new residences. The Build it Green requirements are attached herein as Appendix A

## 8 THOUGHTFULLY DESIGN SINGLE-FAMILY RESIDENTIAL NEIGHBORHOODS (SFR)

Residential development shall preserve the Town's existing scale, character, and quality, and provide an inviting pedestrian environment that promotes walking and biking between neighborhoods.

### SFR1 SINGLE-FAMILY RESIDENTIAL SITE PLANNING

The following guidelines pertain to all single-family residential projects (new homes or additions):

- SFR1.1 Not more than two (2) two-story units should be placed side-by-side unless topographic and/or architectural considerations justify exceptions or unless the two-story portion of the house is not visible from off site. (Architectural considerations may include partial second stories and setback of second stories.)
- SFR1.2 Front setbacks should be varied, with no more than two adjacent units having the same setback. Setback variation shall be a minimum of three feet.
- SFR1.3 Accessory structures should complement the main structure unless the accessory structure cannot be seen from neighboring properties. Landscaping may be required to screen the accessory structures from view from off site.
- SFR1.4 On padded lots total building heights greater than 28 feet for two-story homes and 19 feet for single-story homes shall require special siting or design treatment to mitigate height.
- SFR1.5 The architectural design motif should continue on all sides of a building. This motif should be compatible with but distinct from adjacent homes.
- SFR1.6 Development of residential lots should take advantage of natural features and unique topography of the site through split level pads or natural contour grading.
- SFR1.7 Pervious surfacing is encouraged for all driveways. Driveways longer than 50' or wider than 16' should be constructed of pervious materials. See Guideline ID9.2. Multiple-car garages are encouraged to use flared driveways to minimize impervious surface coverage.
- SFR1.8 Where topography allows, driveways should slope toward a depressed lawn or other vegetated landscape feature to allow for biofiltration.
- SFR1.9 Circular or hammerhead driveways may be considered for homes that front on busy streets.
- SFR1.10 On padded lots there should be a minimum of 10' near level clearance area from any top or toe of a slope to any structure for access.<sup>41</sup> On padded lots there should be a minimum of 6' near level clearance area on any 3 sides of any building or structure.
- SFR1.11 There should be a near level area of at least 25' x 40', other than the front yard, for usable yard area.

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<sup>1</sup> Clearance is measured from the exterior of the structure or any protruding portion (i.e., chimney, bay window, etc.) to the nearest point on the property line or change in slope, whichever is closer.

SFR1.12 On non-padded lots the house shall be designed to reflect the natural contours of the site, keeping grading to a minimum.

SFR1.13 On padded lots walkways should be set back a minimum of one foot from the top of slope.

## **SFR2 SINGLE-FAMILY RESIDENTIAL BUILDING DESIGN**

SFR2.1 A harmonious relationship with the surrounding neighborhood should be created through the use of compatible design schemes and scale. See Appendix D for the single family residential floor area ratio (FAR) guidelines.

SFR2.2 The color schemes of homes on adjacent lots should be compatible and not duplicate one another.

SFR2.3 Exterior building design on all elevations should be coordinated with regard to color, texture, materials, finishes and architectural form and detailing to achieve design harmony and continuity.

SFR2.4 The number of different materials on the exterior face of the building should be limited. Generally, a variety of masonry materials should be avoided. All chimneys on the same home should be similar in architectural style and materials.

SFR2.5 Roof shape, color, and texture should harmonize with the color and architectural treatment of exterior walls.

SFR2.6 The side yard setback shall be no less than the minimum permitted by the Zoning Ordinance and shall be increased by one additional foot for each foot of end wall height greater than 20 feet. End wall height is the maximum vertical height from finished grade to outer roof surface at the side yard. Chimneys, dormers, and other architectural elements are excepted from this limitation. The skirt wall is counted as part of the height measurement.

In any individual case, the Planning Commission (acting as the Design Review Board or in its regular planning capacity) may require a larger side yard, provided they can make appropriate findings relating to the following types of conditions:

- a. Major ridgeline (as defined by the General Plan);
- b. Scenic corridor;
- c. General Plan land use or zoning designation;
- d. Proposed use of structure, in relation to surrounding uses;
- e. Visibility of structure(s) from off site, due to placement (or absence) of permanent screening;
- f. Elevation of the lot, compared with the elevation(s) of abutting street(s) and/or other properties;
- g. In fill lot or a lot adjacent to an established subdivision;
- h. Slope or grade of lot, in relation to abutting streets.

SFR2.7 Although the maximum height for any structure is set by the Zoning Ordinance at thirty-five feet, a lower height may be required, based on the special circumstances of an individual lot.

SFR2.8 Conscious efforts should be made to recognize building security as a design element in new construction.

SFR2.9 Any blank wall that is without windows and is more than 15 feet long or 180 square feet in area, whichever is less, should have special design treatment.

SFR2.10 The overall height of the deck skirt<sup>1</sup> should not exceed six feet, except for cantilevered decks from the second story. The maximum height for exposed posts supporting a ground level deck should be four feet where visible from off site.

SFR2.11 The following requirements specifically address skirt height treatment, when any portion of the skirt is visible off-site:

- a. Skirt heights of four feet or less need no special treatments;
- b. Skirt heights between four and six feet shall receive special treatment, such as water table trim, other patterns or different surface treatment which could include other building materials, all consistent with the overall architectural concept;
- c. The visible portion of a concrete footing or grade beam shall not exceed twelve inches above the lowest adjacent ground surface;
- d. No skirt height that is greater than six feet shall be visible off-site.

SFR2.12 Decks that require special consideration due to the topography and hillside design of the home, which includes decks from the first and second floor of the residences. Such decks should comply with the following standards:

- a. Decks that exceed 6 feet in height shall be substantially screened by landscaping. The Planning Commission acting as the Design Review Board may require the property owner to enter into a landscape installation and maintenance agreement with the Town.
- b. Landscaping shall mitigate the visual impact of a deck as viewed from adjacent neighbors.
- c. Support posts should be setback from the face of the deck to minimize the height of posts and provide visual relief.
- d. Diagonal or cross bracing of support posts shall not be permitted.
- e. Decks shall be consistent with the scale and design of the home.

SFR2.13 The design of the mailbox should complement the style and materials of the principal building on the site.

SFR2.14 Roof leader drains shall be routed through a biofilter, sand filter, or plant box.

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<sup>1</sup> "Skirt height" is defined as the distance between the finished floor and the ground.

## **9 THOUGHTFULLY DESIGN MULTI-FAMILY RESIDENTIAL DEVELOPMENTS (MFR)**

Multi-family developments should be centrally located, well designed, and appropriate to Moraga's semi-rural character.

### **MFR1 MULTI-FAMILY RESIDENTIAL SITE PLANNING**

- MFR1.1 A harmonious design relationship should be achieved between existing and proposed adjoining developments by avoiding both excessive variety and monotonous repetition.
- MFR1.2 Storage yards, parking areas, service areas, and other ground-level paved areas should be screened from off-site views by perimeter and tree canopy planting.
- MFR1.3 Permanent trash enclosures should be located and designed to be in architectural harmony with the principal structures on the site. Exterior trash and storage areas, service yards, loading docks, and ramps should be screened from the view of all nearby streets and adjacent structures. Infiltration shall be avoided for all outdoor work or storage areas, such as loading docks, fueling areas, car or equipment washes, and garbage receptacles. All runoff from these areas shall be concentrated and routed to the sanitary sewer. Outdoor work areas shall have a perimeter berm to prevent stormwater inflows. Outdoor garbage receptacles (trash cans and dumpsters) shall be housed under a roof or other covered structure.
- MFR1.4 Air conditioning units and associated electrical and plumbing service connections should be screened by parapets, walls, fences, or other approved screening.
- MFR1.5 Utility transformers that are outside the public right-of-way should be placed underground and adequate access should be provided for proper maintenance. Any exception, proposing an above ground installation, must include adequate screening so as not to be viewable from the scenic corridor or other prominent public view and must be approved by the Planning Commission.
- MFR1.6 Multi-family housing developments shall provide adequate parking for residents and visitors. Parking lots shall be designed to make efficient use of space. Parking lot locations at the side or rear are encouraged.
- MFR1.7 New multi-family developments shall be situated near commercial centers, transit stops, parks, and schools. Public entry points shall be located close to the sidewalk to create a more pedestrian-oriented development.
- MFR1.8 Private and shared outdoor open space shall be provided for residents in new multi-family residential developments. This outdoor space should accommodate play areas for children and pets, picnic and barbecue facilities, and a visually appealing environment.

## **MFR2 MULTI-FAMILY RESIDENTIAL BUILDING DESIGN**

- MFR2.1 Mechanical and electrical equipment, including rooftop units, should be designed as an integral part of the building or site design and be properly screened.
- MFR2.2 Exterior wall venting should complement the building design.
- MFR2.3 Roof penetrations should be visually minimized.
- MFR2.4 Roof leader drains shall be routed through a biofilter, sand filter, or plant box.
- MFR2.5 Accessory equipment capable of generating noise and vibrations should be properly insulated and the noise and vibrations should not be apparent from adjacent properties or the public right of way.
- MFR2.6 Large building masses should be avoided.
- MFR2.7 Architectural style should reflect and enhance the character of surrounding neighborhoods.

## 10 PROMOTE COMMERCIAL CENTERS AS COMMUNITY PLACES (CC)

High quality commercial districts should serve as important community focal points, gathering places, and activity centers.

### CC1 COMMERCIAL SITE PLANNING

- CC1.1 A harmonious design relationship should be achieved between existing and proposed adjoining developments by avoiding both excessive variety and monotonous repetition.
- CC1.2 Storage yards, parking areas, service areas, and other ground-level paved areas should be screened from off-site views by perimeter and tree canopy planting.
- CC1.3 Permanent trash enclosures should be located and designed to be in architectural harmony with the principal structures on the site. Exterior trash and storage areas, service yards, loading docks, and ramps should be screened from the view of all nearby streets and adjacent structures. Infiltration shall be avoided for all outdoor work or storage areas, such as loading docks, fueling areas, and garbage receptacles. All runoff from these areas shall be directed to the storm drain system and the operations from these areas shall be conducted to prevent stormwater from becoming contaminated. If stormwater contamination cannot be prevented from the operations in these areas, they shall be connected to the sanitary sewer and effective engineering controls shall be used to ensure that no stormwater is discharged to the sanitary sewer system (e.g. roof over the process area, engineered diversion valve between the sanitary sewer system and storm drain system). The connection to the sanitary sewer system from these areas shall have the necessary pretreatment equipment to meet Central Contra Costa Sanitary District's standards (e.g. grease or oil/sand interceptor). Outdoor work areas shall have a perimeter berm to prevent stormwater inflows. Outdoor garbage receptacles (trash cans and dumpsters) shall be housed under a roof or other covered structure.
- CC1.4 Air conditioning units and associated electrical and plumbing service connections should be screened by parapets, walls, fences, or other approved screening.
- CC1.5 Utility transformers that are outside the public right-of-way shall be placed underground and adequate access shall be provided for proper maintenance. Any exception, proposing an above ground installation, must include adequate screening so as not to be viewable from the scenic corridor or other prominent public view and must be approved by the Planning Commission.
- CC1.6 Benches and other seating should be provided for the public at commercial centers. Attractive landscaping should be maintained around these seating areas to create an inviting social environment within the shopping district.
- CC1.7 Commercial centers should maintain a high level of pedestrian-oriented amenities, including:
  - a. Sidewalks along storefronts and around the perimeter of the commercial center and between retail and office uses, ensuring a safe path for pedestrians around the center and to/from transit stops;
  - b. Safe walkways through parking lots that use different paving materials to differentiate between parking and pedestrian areas;

- c. Clearly-marked crosswalks at appropriate locations in parking lots to allow pedestrian traffic to safely move through vehicle paths;
- d. Permanent bicycle racks, benches, recycling and trash receptacles; and
- e. Landscaping with flowering species and shade trees for summer months.

## **CC2 COMMERCIAL BUILDING DESIGN**

- CC2.1 Mechanical and electrical equipment, including rooftop units, should be designed as an integral part of the building or site design and be properly screened.
- CC2.2 Exterior wall venting should be avoided.
- CC2.3 Roof penetrations should be minimized by grouping plumbing vents and ducts together and providing adequate screening from off site.
- CC2.4 Roof leader drains shall be routed through a biofilter, sand filter, or plant box.
- CC2.5 Accessory equipment capable of generating noise and vibrations should be properly insulated and the noise and vibrations shall not be apparent from adjacent properties or the public right of way.
- CC2.6 Large building masses should be avoided. Building setbacks may be varied to accommodate pedestrian-oriented facilities such as benches, café tables, and bike racks. Parking lot locations at the side or rear are encouraged. Entrances should be located close to the sidewalk to create a more pedestrian-oriented development.
- CC2.7 Architectural style should reflect and enhance the character of surrounding neighborhoods.

## **CC3 SIGNS**

- CC3.1 All signs should be related to their surroundings in terms of size, shape, color, texture, and lighting so that they are complimentary to the overall design and not in competition with other signs in the area.
- CC3.2 Signs should be subtle and unobtrusive, conveying their message in a clear and legible fashion, and should be vandal- and weather-resistant.
- CC3.3 External spot or flood sign lighting shall be arranged so that the light source is screened from view, and so that the light is directed against the sign and does not shine onto adjacent property nor into the eyes of motorists or pedestrians.
- CC3.4 Lighted signs, whether internally or externally illuminated, should be avoided, except where found to be necessary for location or identification, or as otherwise deemed appropriate by these guidelines.
- CC3.5 Decorative product type signs, such as beer signs and informative type signs used for purposes of interior design only, are termed non-accessory signs. Such signs shall be erected only within the business establishment and shall be located no closer to an exterior window or open doorway than 6 feet.

CC3.6 All lighted accessory signs (primarily business identification signs) whether or not neon, shall be submitted to the Design Review Board for approval and shall be in conformity with any approved sign and design policy for the center, building complex or area.

CC3.7 Exposed neon tubing, whether for signing or decoration, is not normally considered in good taste for exterior display and is discouraged.

CC3.8 Freestanding signs shall be integrated with the site plan and low level floodlights shall be screened.

CC3.9 Struts, braces, kickbacks or guy wires to support signing should be avoided unless they are a feature of the design.

CC3.10 Whenever site and visibility conditions allow, freestanding signs should be of a low profile.

CC3.11 Tenant signs within the Rheem Shopping Center shall follow a uniform signing program, in accordance with these standards:

- a. A "major tenant" is defined as an occupant of 10,000 square feet or more. All "major tenant" signs shall be approved by the Planning Commission acting as the Design Review Board and shall have the following characteristics:
  - i. The sign shall be constructed with a redwood frame (trim) and with redwood faces front and back. It may be internally illuminated using the tenant's standard corporate/company logo. The wood trim and rear face shall be stained to match the standard shopping center stain (Olympic stain no. 913). The redwood face containing the sign copy shall be stained to match Olympic stain no. 707.
  - ii. No sign shall exceed two hundred square feet in total area.
  - iii. Signs shall normally be affixed below the roof ridgeline and may be attached to the fascia of the building. Specific details of attachment shall be as approved by the Planning Commission acting as the Design Review Board.
  - iv. No sign face shall exceed 4 feet, 6 inches in height.
  - v. Signs shall not be illuminated when the tenants are not open for business.
- b. Signing for other than major tenants:
  - i. Basic criteria: The tenant identification on the sign board provided below the leading edge of the canopy and visible to the front of the building will utilize individual, raised, non-illuminated gold-leafed letters (8", Century Schoolbook, medium type) on the first line of copy and white letters (4" Helvetica type) on the second copy, if any.
  - ii. Basic size: Thickness----4 inches; Height----14 inches; Width----36 inches. Although other shapes may differ from basic dimensions, total area may not exceed five square feet per side.

iii. Construction standards:

- 1) Constructed of laminated, vertical, 2"x4" clear, kiln-dried redwood
- 2) Reinforced with two 3/8" threaded steel rods
- 3) 3" outside borders sandblasted
- 4) Copy, border bank, logo art, etc. raised with background hand carved out one full inch
- 5) Sandblasted borders sealed with clear sealer
- 6) Background area sealed with two coats of semi-gloss Varathane
- 7) Border band flat white

iv. "Halo-type" lighted gold-leaf signs may be "back-lighted" in accordance with official exhibit approved by the Planning Commission on 4/19/82 and attached to Resolution 49-81. All halo-type signs shall have a front setback of not less than 50 feet and shall be subject to design review by the Planning Commission acting as the Design Review Board to assure design compatibility with the use that the sign is identifying as well as neighboring uses.

- c. Accessory and other miscellaneous signs required shall be approved by the Board, consistent with the overall general sign design theme for the center.
- d. Non-conforming signs shall be changed so as to conform as new leases are negotiated and/or tenants replaced.

## 11. MORAGA CENTER SPECIFIC PLAN DESIGN GUIDELINES

### 11.1 INTRODUCTION

#### 11.1.1 Vision Statement

The Design Guidelines promote high design standards for architecture and development that reflect overall community priorities and development philosophy with a community focal point culminating in a business-friendly, walkable, active, and pedestrian friendly environment while preserving the natural beauty and open spaces of Moraga.

#### 11.1.2 Purpose, Intent, and Organization

This section is presented to guide the aesthetic nature of development within the Moraga Center Specific Plan (MCSP), adding design guidance to the development standards presented in the Land Use Element of the MSCP, which guide bulk, height, and mass.

The intent of the Design Guidelines when applied to the MCSP area is to expand the Specific Plan section on Design Guidelines as it relates to development in the MCSP. Each development block and new development should be considered unique and evaluated on how well it relates to the overall context. The guidelines encourage varied architectural styles, describing an overall traditional aesthetic for high quality development. In the MCSP area, new development projects should emphasize interpretations of Spanish Colonial and Ranch style architecture to promote a cohesive style in the town center.

These MCSP Design Guidelines establish a range of encouraged design approaches while allowing for flexibility and innovation. As projects within the MCSP are developed, the Design MCSP Guidelines will assist the Town of Moraga in evaluating their conformance with the objectives and design vision of the Specific Plan. These guidelines are designed to provide the Town of Moraga with the necessary assurance that the Specific Plan area will develop in accordance with the high quality and lasting character proposed herein; to guide developers in determining what is appropriate in character and quality for the Town of Moraga; and to assist the Town in evaluating proposals for development.

Images provided within this document depict examples of preferred architectural character selected by citizens of Moraga during a community meeting led by Town consultants. They are used to generally describe preferred arrangements of bulk and mass, use of materials, landscape techniques, and overall design ideas.

After identifying areas of particular importance in relationship to the Design Philosophy presented in Chapter 1 of these Guidelines, the MCSP Guidelines present Design Principles for each of the main MCSP land use categories: Residential, MCSP Commercial, Mixed Retail/Residential, and Mixed Office/Residential. Guidelines for architectural site features such as street lighting, benches, signage, walls, and fences follow, and this document concludes with guidelines for landscaping, street character, pedestrian and bicycle-friendly design, Town Square design, and remodels, renovations and additions within the MCSP area.

### **11.1.3 Consistency with Town of Moraga Design Philosophy**

These Design Guidelines present eight guiding principles as a Design Philosophy for the Town. These are listed as follows:

- Maintain the Town's Semi-Rural Character (SRC)
- Protect Ridgelines and Hillside Areas (RH)
- Complement Existing Landscaping (L)
- Enhance the Town's Scenic Corridors (SC)
- Minimize the Impacts of Development (ID)
- Thoughtfully Design Single Family Residential Neighborhoods (SFR)
- Thoughtfully Design Multi-Family Residential Developments (MFR)
- Promote Commercial Centers as Community Places (CC)

In addition to considering the guidance presented in the Design Philosophy, the MCSP presents several unique opportunities to reinforce these eight principles. Any development proposals that will impact these areas should be given careful consideration to ensure that the most is made of these unique opportunities.

#### **11.1.3.1 Maintain the Town's Semi-Rural Character (SRC)**

The Village concept at the heart of the MCSP implies a mix of different types of activity and areas of higher density that help to support these activities and provide an active and vibrant Village atmosphere. The Village concept does *not* imply a loss of Semi-Rural Character. These two need not be mutually exclusive. However, certain steps can be taken to reinforce the Semi-Rural character as tantamount to the vision set forth in the MCSP.

Where allowed, vertical mixed-use can provide affordable housing, create a lively and active street environment, put people right in the heart of the Village, and use land much more efficiently than spreading out uses. However, many notions of vertical mixed-use conjure images of crowded city streets and neighborhoods with an industrial character. The following guidelines should be applied throughout the MCSP area to ensure that the Village remains appropriately semi-rural in character.

- A. Care should be taken to "soften" the effect of upper floors. Examples include using pitched roofs with dormer windows for top floors, increased setbacks applied to upper floors to create a "step-back" effect, upper-floor open spaces such as balconies or porches, and landscape treatments such as rooftop vegetation and adequate use of street trees.
- B. Streetscape and public space design should include the use of "semi-rural details," with examples such as rolled curbs, curbless streets with bioswales, split rail fences, and the use of soft materials such as crushed gravel and irregular paving, where appropriate.
- C. The Moraga Ranch and the Laguna Creek Riparian Corridor run through the middle of the MCSP area. They should both be preserved and enhanced to the extent possible.

#### **11.1.3.2 Protect Ridgelines and Hillside Areas (RH)**

Prioritize low visual profiles for lower density buildings on hill sites, reserving the flattest areas within the MCSP for higher densities. Cluster zoning techniques will allow a certain average density across a large plan area. Within this area, individual projects can be allowed to build densities higher than the allowable average in exchange for areas that remain free from development. When applied, the remaining undeveloped open space areas should be designed to remain publicly accessible and be clearly marked to provide recreational opportunities in the form of trails, greenways, and pocket parks to serve the entire community.

#### **11.1.3.3 Complement Existing Landscaping (L)**

The existing landscape in the MCSP is dominated by the Laguna Creek Riparian Zone and orchard trees planted throughout, both of which help to frame the semi-rural context of the MCSP zone. To complement the existing landscape within the MCSP, drainageways should be designed as open channel bioswales that reflect natural topographic profiles, creating an opportunity for native species plantings to run throughout the community and connect to the Laguna Creek corridor, as well as employing visible green strategies for treating storm water. To reflect the historical context of orchard use, the use of both organic fruiting and non-fruited orchard species planted in linear arrangements is encouraged for buffer areas and within public parks.

#### **11.1.3.4 Enhance the Town's Scenic Corridors (SC)**

Moraga Road and Moraga Way, two of the town's major scenic corridors, play pivotal roles in the circulation concept through the MCSP. In addition to guidelines presented in this document for scenic corridor enhancements, the Town's 2006 Transportation Corridor Streetscape Plan presents specific design approaches. However, the Village character and development intensity being proposed in parts of the MCSP will result in buildings oriented toward the street, not just located adjacent to it. In these areas, planting and paving treatments that respect setback requirements but create a pedestrian streetscape rather than greenbelt, may be appropriate.

In all contexts, the importance of Scenic Corridors should be enhanced as important organizing elements within the MCSP area. Special landscaping, signs, lighting, and other streetscape design techniques should be used along streets to announce gateways into the Town and into the MCSP area.

#### **11.1.3.5 Minimize the Impacts of Development (ID)**

The most significant impacts in the MCSP are those generated by non-residential uses that affect residential areas. Items such as traffic and parking, noise, debris, light and glare, and visual impact should be given special consideration due to the close proximity of residential and non-residential uses within the MCSP, with special consideration being given to residential mixed use development.

In all areas of the MCSP, the use of green building techniques and sustainable development is encouraged, building on the success of sustainable reconstruction of the historic Moraga Barn. Strategies to employ sustainable site design, water efficiency, energy reduction, and the use of sustainable materials and resources should be used when possible. For further guidance on specific design measures to mitigate impacts of development, please see the following section dealing with General Plan EIR mitigation measures.

### **11.1.3.6 Thoughtfully Design Single Family Residential Neighborhoods (SFR)**

Single family residential neighborhoods in the MCSP will be some of the closest such dwellings to an area of commercial activity in Moraga, providing a unique opportunity for these Moraga residents to walk rather than drive for many of their daily trips. These neighborhoods should be designed with high-quality pedestrian environments with sidewalks and pathways to adjacent neighborhoods and the Moraga Center to encourage walking as a primary mode of transportation.

### **11.1.3.7 Thoughtfully Design Multi-Family Residential Developments (MFR)**

Multi-family residential developments in the MCSP will result in a high concentration of residents in close proximity to the Moraga Center. This provides Moraga Center businesses with an opportunity to attract new customers and increase sales. These developments should be designed with high-quality pedestrian environments with sidewalks and pathways to adjacent neighborhoods and the Moraga Center to encourage walking as a primary mode of transportation for local shopping trips.

### **11.1.3.8 Promote Commercial Centers as Community Places (CC)**

A community place should be inviting and comfortable, providing Moraga residents with a place to linger, stroll, and interact. Special attention should be given to creating a high-quality pedestrian environment through the use of pedestrian amenities such as seating, lighting, and signage; plaza areas; and outdoor café spaces. Through traffic and parking lot access should be directed away from main pedestrian areas, while diagonal on-street parking should be used in pedestrian areas to create an adequate buffer between the sidewalk and the roadway. To further enhance the sense of community in the Moraga Center, designs are encouraged to include a maximum amount of mixing of uses, to include retail, office and residential uses. In addition, commercial centers should include bicycle-friendly design strategies that enhance the direct access to the Lafayette- Moraga Regional Trail.

## **11.1.4 Design Consistency with General Plan EIR Mitigation Measures**

The following general design strategies should be employed where appropriate to mitigate the impacts of development within the MCSP area and on adjacent neighborhoods.

### **11.1.4.1 Traffic and Parking**

- A. On-site parking should be designed to handle maximum demand.
- B. Access points to parking areas and areas of heavier traffic should be located to direct traffic away from all residential areas.

### **11.1.4.2 Noise**

- A. Use of berms, sound walls, and additional setbacks along residential property lines is encouraged.
- B. Delivery and service areas should be enclosed and located away from all residential areas and pedestrian paths, plazas, and sidewalks.
- C. External vents and mechanical equipment should be enclosed and fully screened from view and should be directed away from residential uses and pedestrian paths, plazas, and sidewalks.

- D. Nighttime uses such as ATM machines should be oriented away from residential uses.
- E. Active recreational areas and their related service areas should be located away from lower density residential areas.
- F. Primary parking areas and building entrances should be located away from lower density residential areas.

#### **11.1.4.3 Debris and Odor**

- A. Service entrances and waste disposal facilities (trash, recycling, dumpsters) should be enclosed and fully screened from view and oriented away from all residential areas.
- B. Six foot “good neighbor” fencing should be provided along side and rear residential property lines.

#### **11.1.4.4 Light and Glare**

- A. Light sources should be shielded and directed away from interior living spaces of all residential areas and be dark sky compliant.
- B. Illuminated signs should be oriented away from interior living spaces of all residential uses. Ground signs should be used rather than pole signs.

#### **11.1.4.5 Visual Impacts**

- A. Full landscape plantings should be provided to “line-of-sight” levels to screen views from residential properties into other use areas.
- B. Building scale and massing should be compatible with surrounding uses. Higher intensity uses and larger building scale and mass are appropriate in the Moraga Center, and should transition down to be compatible with the existing building scale and mass in adjacent areas.
- C. Unobstructed view corridors from adjacent areas with views of significant topographic features such as ridgelines should be maintained.

#### **11.1.5 Procedural Considerations**

Please refer to Chapter 2 of these Design Guidelines for information regarding the implementation of the MCSP Guidelines and the Design Review Process.



## 11.2 RESIDENTIAL

The primary aim of design guidelines for residential areas within the MCSP is to create pedestrian friendly, coherent, and attractive neighborhoods that fit into the context of surrounding character of Moraga. Residential areas should support a variety of residential types and densities that all achieve the same high-quality design standard, regardless of the specific building type or density.

### 11.2.1 Site Design

#### 11.2.1.1 Circulation Patterns

Circulation patterns should define community character, provide links to recreational amenities, and encourage interaction between neighbors.

- A. Neighborhood patterns should allow residents to easily walk or bike through the neighborhood.
- B. Neighborhood patterns should be designed to work with and preserve topographic and natural features.

### **11.2.1.2 Streets**

Neighborhood Streets should be designed to provide safe and convenient access for vehicles and pedestrians. Streets should provide attractive designs where the composition of street, landscaping, sidewalks, and private front yards define a common space in which residents and visitors can walk, meet, play, and socialize. Street patterns should interconnect and encourage easy access from one neighborhood to another while discouraging high speed travel.

- A. Cul-de-sacs should be open ended and adjacent to open space or other recreational amenities such as parks where possible.
- B. Closed cul-de-sacs of homes should not back onto open space or parks.
- C. Long stretches of homes should not back onto neighborhood collectors or open space amenities such as parks or paseos.
- D. Inappropriate street termination points should be avoided. Examples include bedroom windows vulnerable to headlights, alleys, or other parking areas.

### **11.2.2 Architecture**

#### **11.2.2.1 Cohesive Neighborhood Design**

Open relationships between neighborhoods should be maintained while still allowing for market differentiation.

- A. Signature detailing should establish the community's architectural character in form, color, and materials.
- B. Abruptly disharmonious and monolithic architectural style, color, and material should not be used.

#### **11.2.2.2 Streetscapes**

Building relationships and groupings should be designed to create streetscapes that demonstrate variety and individuality to contribute to a positive sense of place.

- A. Building heights should vary along streets.
- B. Setbacks should vary along streets.
- C. Uniform and repetitive facades that present a monolithic form of development should be avoided.
- D. Window placement and building siting should not violate the privacy of a adjacent private yards.

#### **11.2.2.3 Garages and Driveways**

Important in the creation of pedestrian oriented neighborhoods is lessening the impact of garage doors.

- A. Plans should provide garages pushed to the rear of the lot or accessed from alleys.
- B. Driveway pavement should be reduced to the minimum functional width. The use of permeable materials for driveways is encouraged.

- C. Planting pockets should be used between adjacent garage doors.
- D. Living space should be forward of the garage setback.
- E. Unadorned street-facing garages should not be forward of living areas.
- F. Garages should not be the dominant feature and where possible comprise less than 50 percent of the front façade.

#### 11.2.2.4 Building Articulation

Visual interest in the streetscape should be created through building articulation and variation of building forms.

- A. Strong vertical accents and varied wall plane lines are encouraged where there is a continuous wall plane of more than 15 feet.
- B. Building forms should be appropriate to their style.
- C. Use of balconies, verandas, porches, and arcades visible from the street is encouraged.
- D. Front porches should be a minimum of 6 feet to allow for functional use.
- E. Where topography allows, porches should be elevated above the street level.
- F. Use of repetitive, unarticulated building forms is not allowed.
- G. Inappropriate mixing of styles should be avoided. (e.g., English half-timbering on 4:12 pitch roof should not be applied to a ranch style home.)
- H. Unarticulated roof forms should not be set on a constant wall plate height.



Equal concern should be given to side elevations on corner lots and rear elevations where visible from public areas and neighboring areas. All "public" facades should be articulated.

- I. Articulation, materials, and architectural details should wrap around corners to sides and rears of homes where visible.
- J. Unadorned flat side and rear elevations should not face onto open space areas and streets.
- K. Wrapping porch elements a minimum of 6 feet around the corners of buildings is encouraged on corner lots.
- L. Side elevations that face a public street should be enhanced with additional windows, pop-outs or bays, chimneys, stepped rooflines, or balconies, as appropriate.



To the extent possible and consistent with State law and applicable zoning requirements and standards, the visual mass of buildings shall be minimized.

#### **11.2.2.5 Entries**

Entries should be given special attention as a whole system including the door, side windows, porch, and entry wall.

- A. Entries should be a minimum of 4 feet and inviting from the street.
- B. Adequate protection from wind, rain, and sun should be provided at building entries.
- C. Where entries occur on the corner of a corner lot, wrapping of entry elements around the side is required with a minimum of 4 feet.
- D. Sectional garage doors should have appropriate articulation, such as panel detailing or window panels, and be recessed into the building plane.

#### **11.2.2.6 Details and Materials**

Details and materials should be appropriate to the architectural style of the building. Appropriate and well thought out detailing should enhance the perception of a project's quality.

- A. Gutters, downspouts, and rainwater leader heads should be integral to the roof and wall detailing and should be designed as part of the trim.
- B. Roofing materials should be appropriate to their related style and pitch. For example, a Spanish Colonial-style home should have a Spanish Colonial-style roof.
- C. Homes should have a color palette that at a minimum includes a body color, trim color, and accent color.



## 11.3 MCSP COMMERCIAL

The retail areas of the Moraga Center Specific Plan are important in establishing long term successful retail relationships with the surrounding community.

Retail buildings should provide a contemporary design sensibility that reflects the eclectic architectural context of Moraga. Building forms should be articulated with pedestrian scaled storefronts and a sidewalk-oriented retail presence that creates the desired Village character. Also refer to the section on Mixed Residential / Retail for additional design guidance.

### 11.3.1 Site Design

#### 11.3.1.1 Pedestrian Orientation

Consistent with the Town's principle to promote commercial centers as community places, a primary focus for site design of MCSP Commercial areas should emphasize creating comfortable spaces for pedestrians.

- A. MCSP Commercial areas should be designed to be both bicycle and pedestrian friendly.
- B. Pedestrian scaled lighting fixtures should be provided.
- C. Strong pedestrian connections should be provided from surrounding neighborhoods to the Moraga Center with connecting trails or sidewalks.
- D. Outdoor seating should be provided to include both sunny and sheltered areas.
- E. Both paved and planted areas should be incorporated into the design.
- F. Significant intersections and pedestrian routes across parking areas should be highlighted with bollards, special paving, accent trees and crosswalks.
- G. Focal points should be used to provide central opportunities for public art.

## 11.3.2 Architecture

### 11.3.2.1 Building Design

Building forms should generate interest through strong and simple forms, colors, and materials. All building facades visible from public areas should employ the same high level of articulation and quality of details and materials as the front elevation of the building. A composition of distinct but related forms should be used for overall massing.

- A. Depth and variation along the elevation may be accomplished with projected and recessed wall sections or with colonnades to establish a varying sense of physical movement.
- B. Exterior first floor facing facades along major corridors should be primarily designed with a minimum of 60% or more transparent glazing to create a strong pedestrian facing façade along the street. The majority of street frontages should be designed for active uses in the floor plan.
- C. Street façade entrances should be prominent with a pedestrian entry designed to protect from weather elements.
- D. Windowsills should be a minimum of 24 inches above grade.
- E. Where long expanses of blank wall that are more than 20 feet and are unavoidable, they should be articulated and softened with changes and relief in wall planes, material changes or landscaping such as three-dimensional details, planters, vines, and other landscaping.
- F. Buildings should incorporate three-dimensional façade elements that lend a pedestrian scale to the street level.
- G. Main entries should be easily identifiable.



- H. Roof design should be integral to the overall building design.
- I. Structures should feature a variety of roof designs, such as a gable with dormers, and wall projections to visually break up the building mass.
- J. Roof heights may vary and roof forms may include traditional pitch roofs, shed roofs, and gable forms for creating visual movement along the elevations.
- K. Rooftop mechanical equipment should be screened from view to complement the principal building in terms of quality of materials and colors.

### **11.3.2.2 Materials**

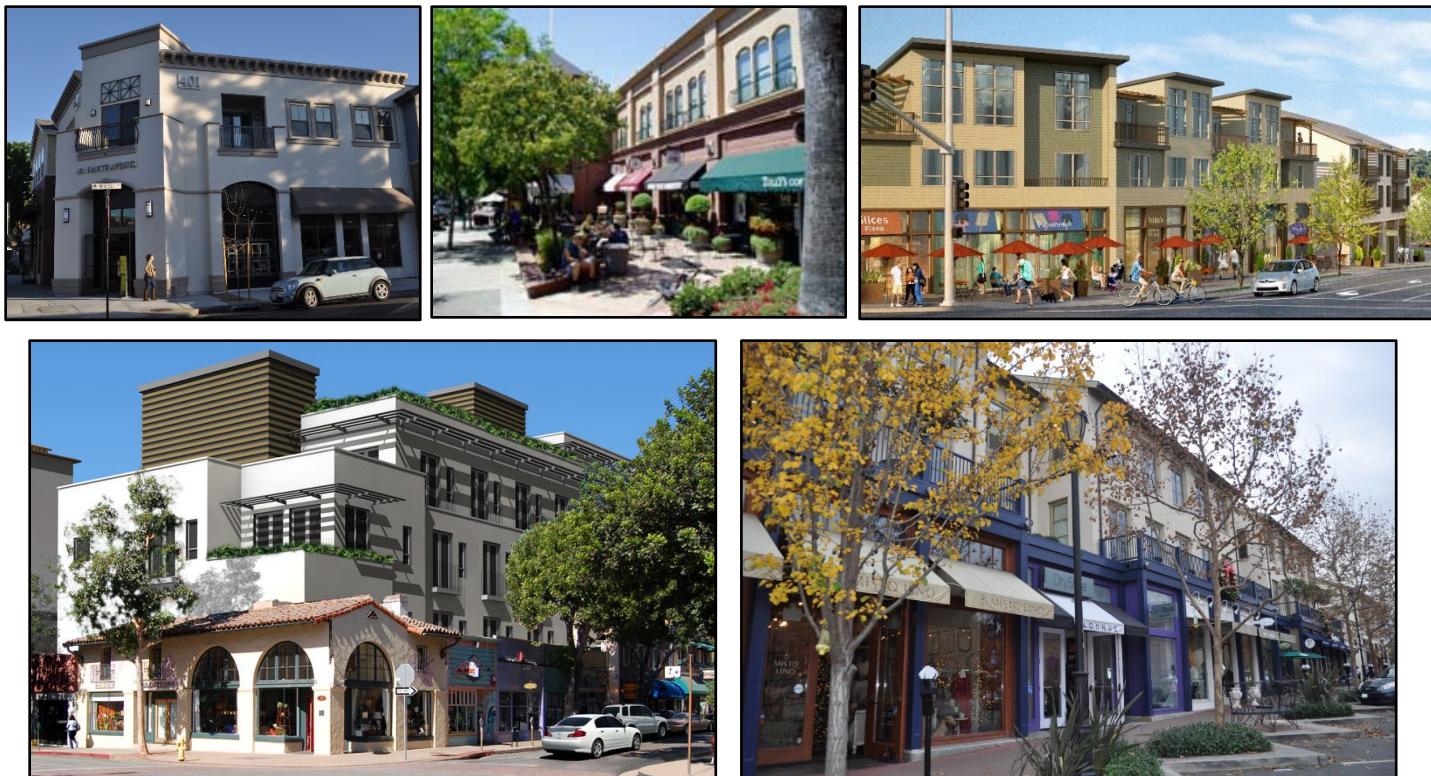
Materials should be appropriate to the building's style and character and suited to commercial construction.

- A. Use of materials such as shingle, lap siding, stucco, masonry, storefront glazing, and well-detailed concrete is encouraged.
- B. Accent materials such as brick, stone, tile, and anodized or patinaed metals are encouraged.
- C. Any changes in materials should occur at inside corners, at a natural break point or a minimum of 4 feet from where the building plane changes direction.
- D. Mirror glazing is not allowed.

### **11.3.2.3 Other Considerations.**

For retail tenants, the Moraga Center Specific Plan recognizes the importance of tenant identity and that tenant identity is often integral with the elevations or form of a particular building. Any modification and/or customization of a building(s) and/or building elevation(s) should occur within the overall character and context of these MCSP Design Guidelines and of the approved architecture and site plans.

Any changes to a building(s) and/or building elevation(s) for any land use submitted after Administrative Design Review or approval by the Planning Commission, acting as the Design Review Board, should be reviewed and approved administratively. When staff deems that the cumulative substantial changes have been too great a modification to plans previously recommended for approval by the DRB/Planning Commission and/or Town Council, then the particular proposal shall be re-submitted for review and approval.



## 11.4 MIXED RESIDENTIAL/RETAIL

Mixed Residential/Retail areas within the MCSP should be a unique combination of different land uses, including but not limited to retail, residential, office, commercial, service, entertainment, and recreation. This blending of uses creates an energy to the urban fabric with distinct yet connected public open spaces, linking the School Street retail area, the Moraga Ranch main lawn, and existing and enhanced open spaces within the Moraga Center to formal and informal pedestrian spaces throughout the plan area.

The School Street “main street” character is intended to create a focal point for the new village at the heart of the MCSP, creating a gathering place that has the potential to be a gathering place for formal and informal events and gatherings such as the weekly farmers’ market or arts and crafts exhibitions while also providing for comfortable, intimate places to pause and rest. Please also see the section on Community Commercial for additional design guidance.

### 11.4.1 Site Design

#### 11.4.1.1 Pedestrian Orientation

Consistent with the Town’s principle to promote commercial centers as community places, a primary focus for site design of Mixed Residential/Retail areas should emphasize creating comfortable spaces for pedestrians. Please refer to MCSP Commercial section for general site design considerations. Specific to the Mixed Residential/Retail land use classification, use of multi-story mixed use buildings with storefronts, awnings, and ample landscaping is encouraged to create a greater sense of street enclosure where people are comfortable walking and spending time.

- A. Mixed Residential/Retail areas should be designed to be both bicycle and pedestrian friendly.
- B. Provide for a mix of sizes of businesses to create a pedestrian friendly atmosphere that provides diverse retail components.
- C. Use of trellises, awnings, and other weather protection devices is encouraged.
- D. Create a well-defined streetwall to provide continuous retail synergy on the street and sidewalk.
- E. Design the ground floor space with height and depth to support retail and or commercial spaces, as shown in the examples below.



- F. Plazas and other outdoor seating areas should be provided to create gathering places for residents and visitors in order to enhance a village atmosphere, as shown in the examples below.



- G. Focal points should be created with features such as fountains, a clock tower, outdoor performance and gathering areas, or opportunities for public art.
- H. A generous amount of outdoor seating should be provided and should include both sunny and sheltered areas.
- I. Both hard surface and planted areas should be incorporated into the design.
- J. Colored, decorative paving patterns should be used at special focal points.

#### 11.4.1.2 Street Furnishings

Creating comfortable streets and pedestrian spaces is an important part of crafting the Village environment. These areas should be furnished with enhanced high-quality materials and furnishings that create a comfortable, convenient, and entertaining experience, as shown in the examples below. With the exception of features created as public art, the furnishings should be in a similar family of style, color, and finish to create a refined and uncluttered appearance.

- A. Formal seating areas should be provided, using benches, tables, and chairs. To create interesting public spaces, the use of concrete seat walls and steps to create informal seating at raised planters, steps, and benches cast into the plaza areas is also encouraged.
- B. Site furnishings should be of one cohesive design and integrated into the landscape design.
- C. Bicycle parking and utilities should be integrated into the landscape design to place these elements where they are needed in a discreet manner.
- D. Bollards may be placed to provide separation between auto and pedestrian crossings.
- E. Trash and ash receptacles should be placed at convenient locations to help keep these areas clean.

#### 11.4.2 Architecture

The goal of the Mixed Residential/Retail architecture is to create a character which is distinctive and memorable. The architecture should be inspired by classic Village architecture and include a semi-rural design sensibility.

##### 11.4.2.1 Building Design

All building facades visible from public areas should employ the same high level of articulation and quality of details and materials as the front elevation of the building, as shown in the example images below.



- A. Where long expanses of blank wall are unavoidable, they should be articulated and softened with three dimensional details, planters, vines, and other landscaping.
- B. A composition of distinct but related forms should be used.
- C. Loading and service areas should be integrated into the overall building composition.
- D. Architectural enclosures should be designed as integral elements of the building architecture.
- E. Use of long, unbroken forms and flat planes is discouraged.



- F. Public street facing facades should incorporate three-dimensional façade elements that lend a pedestrian scale to the street level.
- G. Trellises or permanent awnings should be occasionally incorporated where appropriate to protect sidewalks and plaza areas from the elements.
- H. Use of arcades, wide overhangs, and deep reveals is encouraged.
- I. Main entries should be easily identifiable.
- J. Where flat, unarticulated wall planes are necessary, they should be enhanced with use of materials, landscaping, public art or a relief in the wall plane.
- K. Roof design shall be integral to the overall building design.
- L. Parapets shall screen rooftop mechanical equipment from view.
- M. Tower elements should be included at key locations (entries, corners) to provide points of interest along the street.
- N. Uniform rooflines should be avoided by varying heights of adjacent buildings or storefronts.
- O. To the extent possible and consistent with State law and applicable zoning requirements and standards, the visual mass of buildings shall be minimized.

#### **11.4.2.2 Materials**

Materials should be appropriate to the building's style and character and should be suited to commercial construction.

- A. Use of Materials such as shingle, lap siding, stucco, masonry, storefront glazing, and well-detailed concrete is encouraged.
- B. Accent materials such as brick, stone, tile, and anodized or patinaed metals are encouraged.
- C. Any changes in materials should occur at inside corners where the building plane changes direction.
- D. Mirror glazing should not be used.

#### **11.4.3 Moraga Ranch**

The Moraga Ranch should be maintained and enhanced as a unique visual and cultural resource in the Specific Plan area and in Moraga as a whole.

- A. New buildings in the Moraga Ranch area should feature designs, massing and material that reflect the traditional character of the Moraga Ranch buildings and other California agricultural ranch buildings, including simple forms, wood siding, and gabled, shingled roofs.
- B. New development in the Moraga Ranch area should be organized and clustered around the existing main lawn and additional existing and enhanced open spaces that provide for formal and informal pedestrian connections.
- C. The design of new development within the Ranch shall be consistent with the existing character of the Moraga Ranch and its existing buildings, including arrangement and separation.

## **11.5 MIXED OFFICE/RESIDENTIAL**

The Mixed Office/Residential land use classification seeks to provide an employment base for the Town of Moraga in a quality environment. As an integral part of the community, it is important to maintain the quality of the character established throughout the rest of the MCSP area.

### **11.5.1 Site Design**

#### **11.5.1.1 Pedestrian Orientation**

Mixed Office/Residential development should provide for an employment environment where people are comfortable walking between buildings and parking areas, and have strong pedestrian connections to the rest of the community.

- A. Mixed Office/Residential areas should be designed to be both bicycle and pedestrian friendly.
- B. Pedestrian paths and walks should be lined with trees. Trees should also be used to create separation between pedestrian paths and parking areas.
- C. Pedestrian scaled lighting fixtures should be provided along internal walkways.
- D. There should be provision of street furniture including bus shelters, trash receptacles, and bicycle racks.
- E. Special paving should be used at key pedestrian and vehicular intersections.
- F. Loading and service areas should be screened from view and not be visible from public streets.
- G. Architectural enclosures should be designed as integral elements of the building architecture.

### **11.5.2 Architecture**

#### **11.5.2.1 Building Design**

Building design should create a quality character of architecture that is aesthetically pleasing and functionally efficient, and allow for flexibility over time. Public street facing facades of all buildings should have the same level of articulation and quality of details and materials as the “public front” of the building.

- A. A composition of distinct but related forms should be used.
- B. Roof heights may vary.
- C. Main entries should be easily identifiable.
- D. Flat, unarticulated wall planes should not be used.
- E. Roof design should be integral to the overall building design.
- F. Rooftop mechanical equipment should be screened from view.
- G. Superficial roof forms or roof forms that appear to be tacked on should not be used.

#### **11.5.2.2 Details and Materials**

Details and materials should be appropriate to the building's style and character and suited to commercial construction.

- A. Use of materials such as stucco, masonry, storefront glazing, and well detailed concrete is encouraged.
- B. Accent materials such as brick, stone, tile, glass block, and anodized or patinaed metals should be used.
- C. Mirror glazing is not allowed.

## **11.6 SITE FEATURES**

The use of accessory site elements such as lamp posts, signage, walls, and fences greatly contribute to the overall feel of a community. In addition, these elements contribute to the safety, comfort, and legibility of a community, therefore having the dual role of being functional and aesthetic at the same time. Site features used in the MCSP area should be of a similar character to contribute to a cohesive community aesthetic that preserves the semi-rural context and character of the Town.

### **11.6.1 Lighting**

The goal for the lighting guidelines is to provide a comfortable level of illumination that meets the community's needs for orientation and safety in a way that complements the aesthetic qualities of the architecture and the semi-rural character of Moraga.

#### **11.6.1.1 General Considerations**

Lighting design should be energy efficient, to create a better quality of life, an improved aesthetic, and preserve energy resources.

- A. High efficiency fixtures and sophisticated optics are encouraged to direct light where it is needed without creating excessive glare.
- B. Outdoor lighting should be related to the design of the structures and/or landscaping that it serves.
- C. Lights should be placed where they are needed for specific uses, rather than to a continuous foot-candle requirement, allowing for the appreciation of the dark sky in the residential neighborhoods and reducing the total number of fixtures and energy consumption. Wherever possible fixtures should carry approval of the International Dark Sky Association.
- D. Wherever possible, include motion- or light-detecting switches that will turn off lights when they are not needed.
- E. Use warm lighting (3,000 kelvin or lower).
- F. Lighting should be shielded to avoid excessive and unnecessary glare.
- G. The use of uplights for buildings, trees, or signs is discouraged.
- H. All lighting should comply with energy efficiency and other standards under State regulations.
- I. Outdoor light fixtures should be designed and mounted so that the source of light has minimal impact off site.
- J. Outdoor lighting should be directed inward toward the property and may require additional screening to avoid spillage onto adjacent residential properties.

### **11.6.1.2 Village Lighting**

Centers of community activity should have street and plaza lighting consistent with the MCSP Commercial and Mixed Residential/Retail guidelines in order to maintain the continuity of design character through these spaces.

- A. Light fixtures should be designed as an integral part of the streetscape with a spacing and pattern that complements tree plantings and other site furniture.
- B. Retail sidewalks and plazas should have decorative pedestrian scale pole lights that complement the architectural style of the buildings.
- C. Use of wall mounted fixtures where appropriate on the building elevations is encouraged to supplement other forms of lighting and to complement the building architecture.
- D. Use of special lighting features is encouraged to further animate public spaces by encouraging nighttime use.
- E. Festive lighting such as string lights is encouraged in focal points of pedestrian activity such as plazas, outdoor seating areas, and special sidewalk zones.
- F. Light fixtures in retail areas should provide arms for banners to provide seasonal decorative opportunities and to add a festive quality to the Village environment.
- G. Parking areas should be lighted with high efficiency pole fixtures that provide an even distribution of light while minimizing glare. Lamps should be combined with sophisticated optics and sharp cut off features to direct all of the light to the ground.

### **11.6.1.3 Residential Lighting**

Lighting in residential areas should be provided at specific points of need in keeping with a semi-rural standard to reflect a quieter and more intimate setting in residential areas.

- A. Use of pole lights with a shielded light source and/or optics to direct the light down to the ground is encouraged so that the light source is not visible outside of the light distribution area.
- B. Light poles should be provided at street intersections and along pedestrian pathways to provide orientation and way finding within the community.
- C. Street identification signs and traffic control signs should be mounted on light poles to integrate these elements into the design and minimize the visual impact of poles and signs on the community.

### **11.6.1.4 Open Space Lighting**

Lighting for parks should help characterize parks as an extension of pedestrian zones throughout the rest of the community and should provide the minimum ample lighting for safety, orientation, and way finding along the trails.

- A. The same pole lights used along streets should be placed in parks.
- B. Use of decorative pole lights along adjacent streets is encouraged to provide an amenity enhanced edge and increased illumination around park perimeters.
- C. Lighting should not be provided for active nighttime use of parks to discourage excessive light and noise to neighbors.
- D. Light sources should minimize glare through the use of side shields and cut off optics.

- E. No direct view to light sources should be visible from off site.
- F. Pedestrian pole light fixtures should complement the pattern of tree planting along paths, roads, and parking areas.
- G. Use of building mounted fixtures that match the pole lights is encouraged, as long as the fixtures are scaled appropriately for their location on the building.

## 11.6.2 Signage

Signage in the MCSP area should be functional and attractive and incorporate artistic elements when possible, using a high level of design, graphics and efficient maintenance.

### 11.6.2.1 General Considerations

- A. All signs should be related to their surroundings in terms of size, shape, color, texture, and lighting so that they are complementary to the overall design and not in competition with other signs in the area.
- B. Signs should be subtle and unobtrusive, conveying their message in a clear and legible fashion, and should be vandal- and weather-resistant.
- C. Wayfinding or directory signs may be placed at key locations to provide information and orientation for customers.
- D. Struts, braces, kickbacks, or guy wires to support signs should be avoided unless they are a feature of the design.
- E. Decorative product type signs, such as beer signs and informative type signs used for purposes of interior design only, are termed non-accessory signs. Such signs shall be erected only within the business establishment and shall be located no closer to an exterior window or open doorway than 6 feet.
- F. Use of internally illuminated box signs and exposed neon tubing should be avoided.
- G. Illuminated signs should be halo-type reverse channel letters or screened, low level spotlights.
- H. External lighting sources should be screened from view and light should be directed against the sign so that it does not shine onto adjacent property nor into the eyes of motorists or pedestrians.

### 11.6.2.2 Building Signs

All building plans should provide a signage program so that they are an integral part of the building design.

- A. Use of reverse channel halo lit signs, pedestrian oriented blade signs, sculptured cantilevered signs, non-internally lit signs backed by building face or storefront are encouraged.
- B. Individual letter characters are encouraged.
- C. Metal signs may be made of aluminum, brass, bronze, copper, or stainless or welded steel.
- D. Signs are to be free of all labels and fabricator's advertising, except for those required by code.
- E. Logos or trademark displays may be used on signs.
- F. Building signs may be halo lit or use shielded gooseneck spot lights directed away from the sidewalk to reduce glare.

### **11.6.2.3 Freestanding Monument Signs**

- A. Pole signs are not allowed.
- B. Freestanding signs should be of a low profile and integrated with the site plan.
- C. Accessory low level floodlights are allowed if properly screened from view.
- D. Color, materials, and fonts shall be integrated with the surrounding buildings, walls, or other construction and landscaping.

### **11.6.2.4 Live/Work and Home Occupation Signs**

Accessory signs for home occupations should be unobtrusive and in character with residential neighborhoods rather than retail storefronts. Home occupations are encouraged in certain areas as opportunities for St. Mary's faculty housing and as an opportunity to provide sustainable practice for small businesses.

- A. Use of pedestrian oriented blade signs, sculptured cantilevered signs, and individually crafted plaque signs is encouraged.
- B. Signage is intended to be unique and original for each establishment and executed with a high degree of craftsmanship.
- C. Accessory signs in residential areas shall not exceed 2 square feet.

### **11.6.2.5 Interpretive Signs**

Interpretive signs explaining natural features and/or the history of the MCSP area should be provided as development in the MCSP area occurs, at a minimum in the following areas:

- A. Along any pedestrian trail;
- B. The Moraga Ranch area;
- C. The orchard area located on the south-facing hillside bounded by Camino Ricardo, Moraga Way, and Moraga Creek;
- D. The orchard area bounded by Country Club Road and Canyon Road.

## **11.6.3 Walls and Fencing**

Walls and fences should be minimized to the greatest extent possible. For information about reducing the impact of site grading and retaining walls, please refer to Chapter 7 of these guidelines.

### **11.6.3.1 Walls**

- A. Site walls should be made of materials complementary to the building architecture palette.
- B. Walls located in visually prominent areas should be decorative and faced with materials that are compatible with the surrounding natural environment and from local sources, whenever possible.
- C. Keystone and other interlocking masonry wall systems are encouraged in place of concrete retaining walls.
- D. Concrete retaining walls shall be allowed only where necessary for structural and spatial requirements and shall be heavily screened from view with plantings to minimize their visual impact.

E. Plantings should be utilized to minimize the visual impact of all retaining walls.

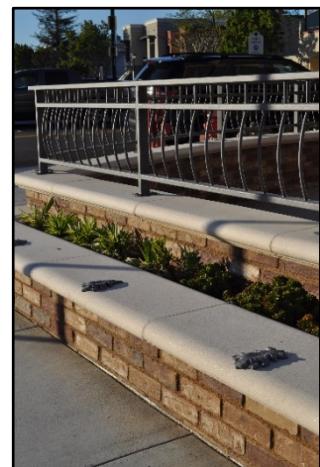
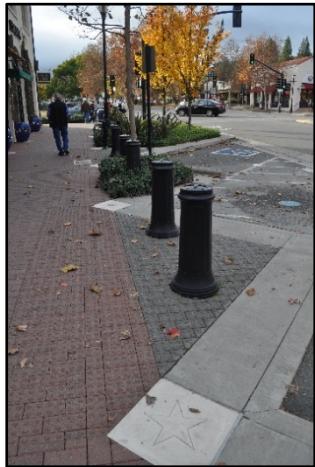
### 11.6.3.2 Fencing

- A. Fencing materials and colors should complement adjacent architecture.
- B. Use of decorative fencing styles such as grape stake, picket, and split rail fences are encouraged in areas of high visual sensitivity.
- C. Use of a variety of traditional wood “good neighbor” style fences is allowed.

### 11.6.4 Site Furniture

#### 11.6.4.1 Street Furniture and Paving Treatment

Streets and public spaces should be designed to be comfortable for pedestrians and emphasize pedestrian movement among and between various uses in MCSP area, as shown in the example images below.



- A. Benches and seat walls should be incorporated into the streetscape to provide seating areas along pedestrian promenades.
- B. Ample bicycle parking areas and bicycle racks should be provided throughout the MCSP area.
- C. Seating areas should present both shady and sunny opportunities.
- D. Tree grates, bollards, and other site furniture should be used to help articulate the street edges and provide a pleasant separation between the automobile realm and the pedestrian realm.
- E. Where the automobile realm and the pedestrian realm overlap, clear priority should be given to the pedestrian in the form of accentuated paving, bollards, special crosswalk lighting, and other pedestrian features.
- F. The use of permeable concrete or permeable asphalt paving with score lines to reduce the scale of the pavement, or permeable interlocking pavers, is encouraged.
- G. Passageways between stores that lead to parking areas are particularly important and should be accentuated by architectural gateway elements, decorative paving and plantings, bollards, and seating courts with ample shade and weather protection.

#### 11.6.4.2 Park Furniture and Paving Treatment

Pedestrian promenades flow through parks as the primary pedestrian activity zone. They should be furnished with durable materials and equipment that will support a variety of play and recreation experiences. Wood, concrete, and galvanized or patinaed metal materials may be used where appropriate to achieve the best performance possible for the furnishings specified.

- A. Use of wood or recycled plastic planks and metal is encouraged for benches and picnic tables. Wood should be specified from sustainable sources.
- B. Barbecue grills should be cast into concrete footings and made of durable cast iron materials.
- C. Bollards should be used to separate pedestrian areas from vehicular pavement, and should be made of cast iron or natural wood posts.
- D. Wood fences may provide separation between parks and adjacent uses. Where front yards or streets face parks, use of post and rail or picket fences is encouraged. Where side or rear yards occur next to parks, “good neighbor” fences six feet in height should be used.
- E. Wood trellis structures may be used as shade structures. These should be built of oversized rough lumber with patinaed or galvanized hardware that matches the metal color palette.
- F. Cast in place concrete seat walls may be used where they provide the best material solution to the need. Walls should be formed and finished to provide comfortable seating elements that flow with the site geometry.

In addition to open lawn areas, park designs should provide for passive and active play environments for all ages and interests.

- G. All play experiences shall be designed to meet the access requirements addressed in the ADA codes and regulations.
- H. Use of play surfaces such as sand, recycled rubber pavement, and artificial turf that create different play experiences as well as increase safety and provide options for comfortable and heat resistant play surfaces is encouraged.
- I. Play structures should be composed of wood, plastic, or metal components to provide the most practical and appropriate material for the intended use. Galvanized metal components may be used where it provides the best wearing treatment for the use.
- J. Variation in colors and materials of play equipment is encouraged to create different identities for neighborhood parks. Brighter colors may be used selectively for interest, and color coordination with the color palette of the planting design is encouraged.
- K. Use of interactive public “play art” is encouraged. These elements should be painted in bright colors to add interest and playful energy to these spaces.
- L. Selection of paving materials for parks should be based upon the nature of the traffic and the type of experience that is designed for the park.
- M. Use of crushed stone for the primary paving material in parks is encouraged.
- N. Use of integrally colored and natural gray concrete with decorative scoring and sandblasted patterns is encouraged for focal points of pedestrian activity.
- O. Where appropriate, asphalt paving, porous paving, and crushed stone paths should be used.
- P. Lower intensity bicycle paths should be constructed of reinforced crushed stone paving or similar materials where allowed under accessibility requirements.
- Q. Crushed stone, permeable concrete, and permeable paving stones should be used to reduce storm water runoff and to reduce the scale of parking areas.
- R. Enhanced paving should be used to articulate pedestrian crossings, buildings entrances, and site entrances that relate to parking areas.

## **11.7 LANDSCAPE**

Landscaped areas should be drought-tolerant, deer resistant, and appropriate for Moraga's chaparral landscape context.

### **11.7.1 Street Landscaping**

Street trees provide a significant landscape presence that enhances the experience of walking, riding, or driving through the MCSP neighborhoods. Street trees should be evergreen varieties which are well suited to the local environment and should be used to create a sense of continuous street enclosure and protection for pedestrian areas without creating traffic hazards.

For landscape strategies specific to Scenic Corridors, please refer to Appendix B of these guidelines for a list of recommended trees and shrubs for scenic corridors. Street trees for community streets and bioswale areas should also be taken from this list. In addition, please refer to the Moraga Transportation Corridor Streetscape Plan for additional landscape design principles appropriate to street landscaping.

### **11.7.2 Residential Landscaping**

Planting designs should be appropriate for the local site and environmental conditions present in Moraga.

- A. Neighborhood plantings should have individual expressions of landscape design consistent with the architectural character of the homes.
- B. Street trees should be placed in landscape strips that separate the roadway from the sidewalk, which should also include drought tolerant shrub and groundcover plantings to encourage sidewalk use.
- C. Residential alleys should be planted with evergreen trees and shrubs to soften and complement the architectural design.
- D. At a minimum, planting pockets should occur at each property line along alleys.
- E. Pedestrian walkways that provide garden entries to homes along common paseos should be treated with ornamental trees and flowering shrubs to accentuate their pedestrian significance.

### **11.7.3 Commercial Landscaping**

The landscape design for commercial areas should provide a festive and dynamic environment for shopping and passive recreation.

- A. Planting design of storefronts and plaza areas should have individual expressions of landscape design consistent with the architectural design.
- B. Bold use of plant material in sweeping masses of layered color and texture is encouraged.
- C. Street trees should create a continuous canopy along streets.
- D. Trees planted along commercial streets should be planted in tree wells a minimum of 6 feet length by 6 feet wide. Where diagonal parking or corner conditions permit additional landscape areas, trees should be complemented by flowering shrubs or other ornamental plants.
- E. The use of "soft" materials such as crushed rock is encouraged as a base in planting areas to enhance the semi-rural character of commercial areas.

Landscape treatments for parking areas should present a coherent planting theme that minimizes the impact of asphalt and automobile traffic as shown in the examples below.



- F. Pedestrian routes through parking areas should be clearly marked by features such as enhanced paving, pedestrian scaled light fixtures, bollards and enhanced tree canopies, and should lead directly to passageways between stores.
- G. Evergreen trees should be used to provide year-round parking lot tree coverage and to help reduce the impact of storm water runoff.
- H. Bioswales should be integrated into parking areas to improve the quality of storm water runoff and to allow infiltration of storm water into the subgrade. Curbs should have notched openings set flush or below the asphalt elevation to allow water flow into the bioswales.

#### 11.7.4 Open Space Landscaping

Planting design in parks should have distinct variations in theme based upon the site context, use, and visual concept.

- A. Smaller parks and those in higher intensity use areas should be designed in a formal style.
- B. Larger parks and those in lower intensity of use areas and residential neighborhoods should include native plantings and landforms that have an informal character.
- C. Formal gardens that make use of bold plantings in sweeping masses of layered color and texture, and that create visual interest and ease of maintenance, are encouraged.

## 11.8 STREET CHARACTER

### 11.8.1 Purpose

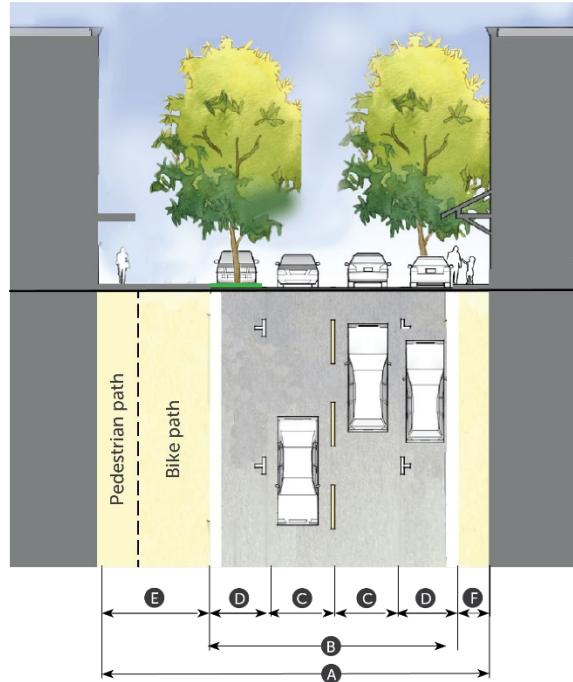
This section serves as a guide for the purpose of better urban character, neighborhood character and development along streets, trails and bridges. These are to be evaluated based on site design and project characteristics to accommodate the development by the MCSP.

### 11.8.2 General Guidelines

- A. Continuity. The continuity of vehicular lanes, bicycle facilities, and public frontages should be considered in the design of streets.
- B. Topography. Streets that traverse steep slopes may need to incorporate special design consideration for drainage facilities, additional width for bicycle lanes on the uphill side of the thoroughfare, and other slope-related issues. Streets should be located and designed to minimize the use of retaining walls, as feasible.
- C. Truck Access. Streets that provide access to high volumes of large trucks may need additional design considerations to mitigate potential negative effects on walkability.
- D. Bus and Transit Service. Streets that will serve as public transit or school bus routes may need additional design considerations, including, but not limited to, the location of bus stops and minimum 11-foot travel lane widths.
- E. Street Standards and Fire/Emergency Access. Street standards and street design are established and reviewed by Moraga-Orinda Fire District (MOFD) Fire Code in conjunction with approved Town of Moraga Subdivision Ordinance standards and any proposed standards must conform to both.
- F. Trails. The Lafayette Moraga Regional Trail and Laguna Creek, along with other trails in the MCSP area, should be constructed in accordance with the design standards established in these Design Guidelines and as approved by the Town's Department of Public Works.
- G. Green infrastructure. All public streets should incorporate green infrastructure such as tree well filters and bioretention planters. Reference Contra Costa Clean Water Program for specific guidance.
- H. Connections from Harvest Court. In the Harvest Court subdivision, provide a connection to the existing trail and street stubs to the new development in the MCSP area.

### 11.8.3 School Street

School Street should be constructed to include the Lafayette-Moraga Regional Trail along with parking. The School Street Guidelines below are provided as a guide. Street standards and street design are established and reviewed by Moraga-Orinda Fire District (MOFD) Fire Code in conjunction with approved Town of Moraga Subdivision standards and any proposed standards must conform.



#### SCHOOL STREET GUIDELINES

	Details	Figure Key
<b>A. Application</b>		
Movement Type	Slow	
Design Speed	25 mph	
<b>B. Overall Widths</b>		
Right-of-Way (ROW) Width	60 feet	A
Pavement Width	38 feet	B
<b>C. Lane Assembly</b>		
Traffic Lanes	Two (2) at 11 feet each	C
Parking Lanes	Two (2) at 8 feet each, marked (includes tree wells)	D
Tree Wells	6-ft by 6-ft tree well every 30 feet on-center average in the parking lane	
<b>D. Public Frontage Assembly – East side of street</b>		
Drainage Collection Type	Curb and gutter	
Lighting Type	Post or column	
Walkway Width	6-ft	F
Curb Type	Square	
<b>E. Lafayette Moraga Trail – West side of street</b>		
Drainage Collection Type	Curb and gutter	
Lighting Type	Post or column	
Trail Type	16-ft trail (6-ft sidewalk and 10-foot bicycle path)	E
Curb Type	Square	

## **11.9 PEDESTRIAN AND BICYCLE-FRIENDLY DESIGN**

### **11.9.1 Intersections**

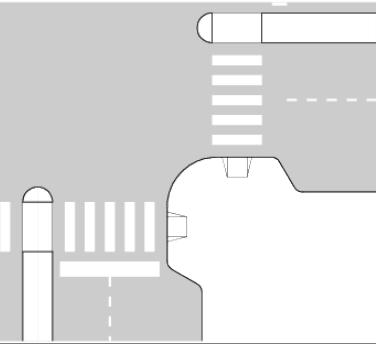
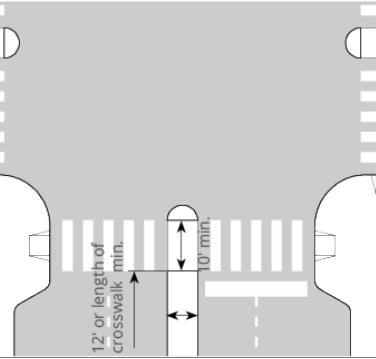
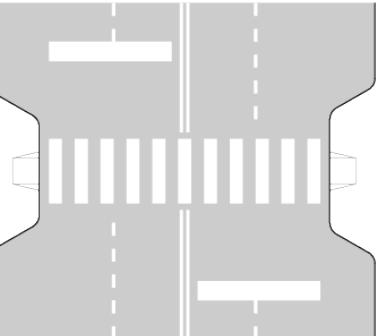
Street intersections should be safe for pedestrians and bicyclists, as well as automobiles:

- A. Street design of narrow streets and compact intersections requires designers to pay close attention to the operational needs of transit and school buses, fire and rescue, waste collection and delivery trucks. For this reason, early coordination with transit and school buses, fire and rescue equipment, and waste collection agencies and other similar stakeholder groups is essential.
- B. Encroachment of turning vehicles into opposing lanes can be expected to occur at compact intersections. Therefore, frequency of access, traffic volumes and the speeds on intersecting streets at those intersections should be considered when designing intersections. For fire and rescue, determination of the importance of that street for community access should be determined, e.g. primary or secondary access.
- C. Intersections should be designed to ensure that adequate operation of all types of vehicles that will utilize them can occur. Location of on-street parking around intersections may be evaluated during this analysis to identify potential conflicts between turning vehicles and on-street parking. Bike lanes and on-street parking will increase the effective curb return radius where curb extensions are not employed.
- D. Curb radius at intersections should generally be 10 to 15 feet. Curbs may be mountable if necessary to meet the needs of fire and emergency access.
- E. Roundabouts should be considered as an alternative for any type of intersection. Roundabouts can provide reduced vehicle speeds, reduced conflict points, separation of vehicle-vehicle conflict points from vehicle-pedestrian conflict points, and provide a two-step crossing for pedestrians.

### **11.9.2 Pedestrian Crossing Design Guidelines**

Pedestrian crossings at intersections and mid-block locations should be designed in accordance with the following guidelines. Modifications may be made to comply with ADA requirements.

## PEDESTRIAN CROSSINGS

Type	Description
Directional Curb Ramps	<p>Perpendicular corner curb ramps with a separate ramp installed in each direction should be used where feasible instead of single, diagonal corner ramps. The limit line should be set back a minimum of 4 feet from the crosswalk.</p> 
Crosswalks	<p>Crosswalks should be designed per the California Manual of Uniform Traffic Control Devices (CA MUTCD). All marked crosswalks should be striped as high-visibility crosswalks.</p> 
Medians	<p>Medians, where provided, should provide a median refuge for pedestrians at the intersection. Medians should be a minimum of 6 feet wide with a preferred width of 8 feet wide wherever possible.</p> 
Mid-block Crossings	<p>Mid-block crossings, where provided, should have mid-block curb extensions, flashing beacons (if warranted by traffic volumes), and additional signage. The limit line should be set back a minimum of 20 feet from the crosswalk. There should be no parking or vertical features on the street edge within the 20-foot setback to the crosswalk.</p>

## 11.10 TOWN SQUARE DESIGN

### 11.10.1 Purpose

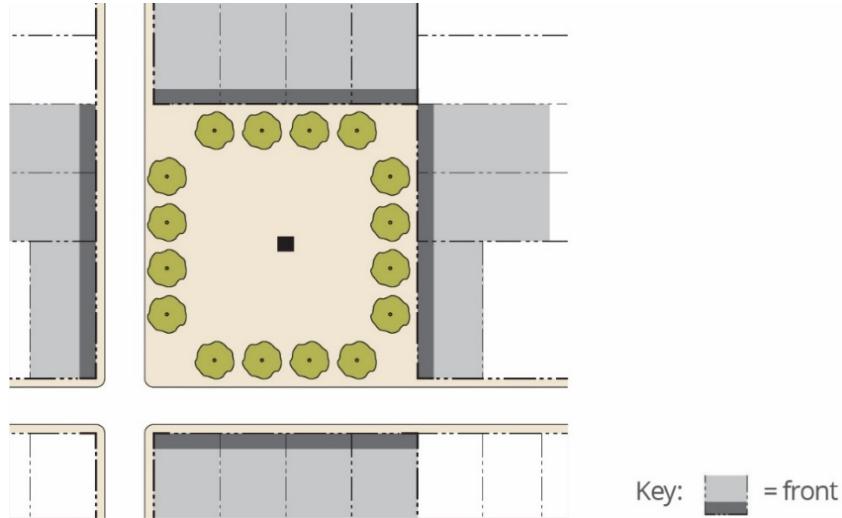
These guidelines provide guidance on design and development of the Town Square in the Moraga Center Specific Plan area.

### 11.10.2 Town Square Design

- A. The Town Square should be designed to serve as a community-wide focal point for civic and commercial activities. The Town Square should be a formal urban space, primarily featuring hardscape and/or natural turf, outdoor seating, and other passive recreation facilities, with planting accents in formal patterns. It should be spatially defined by adjacent buildings and tree-lined streets, and should feature one or more civic elements, such as sculptures, fountains, or public art. A small stage, bandstand, or outdoor performance space, as well as seating areas for adjacent cafes or restaurants, may also be included.
- B. Design Parameters. The recommended design parameters for the Town Square are as follows, subject to adjustment in connection with specific development proposals and proposed uses.

Design Parameters	
Minimum Area	0.25 acre
Minimum Dimension	80 feet

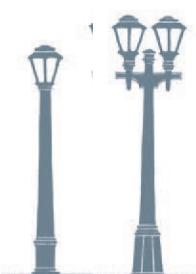
- C. Building Frontage. The facades on the lots attached to or across the street from the Town Square should be designed as a "front" on to the public, as illustrated below.



- D. Accessory Structures and Buildings. Accessory structures and buildings built in the Town Square should be designed and furnished to be consistent with the Town Square itself. Such consistency may require accessory structures and buildings to maintain building setbacks, frontage, massing, disposition, and design character similar to adjacent development. Such accessory structures and buildings may include restrooms, concession stands, pergolas, gazebos, maintenance buildings, and community gathering rooms.

### 11.10.3 Town Square Lighting Types

A. In addition to conforming with the lighting guidance in Section 6 of these MCSP Design Guidelines, public lighting in the Town Square should conform with the following examples:

Pole Type	Pipe (round)	Post (square)	Column
Illustration			

B. Pedestrian lighting shall be of a height where the luminaire is mounted between 12 to 14 feet above the sidewalk/pavement. Pedestrian lighting can have-pipe, post, or column type poles.

C. Vehicular lighting shall be of a height where the luminaire is mounted between 18 to 20 feet above the pavement. Vehicular lighting shall only have-pipe or post poles.

D. Pipe and post lighting shall feature a pendant-style light head type that is dark sky compliant. Column lighting shall feature an acorn-style light head type that is dark sky compliant.

E. The color of the light poles shall relate to the surrounding architecture and town square design features.

### 11.10.4 Town Square Examples

The following photos show examples of successful town squares from other locations whose overall character is appropriate for Moraga's Town Square. Individual design elements will differ from the examples shown. These examples are shown with reference to the town squares only, and not the architectural style or size of the surrounding buildings shown in the photographs.





Livermore Lizzie Fountain Park  $\approx$ 0.2 acres



Livermore Plaza  $\approx$ 0.2 acres



One Colorado Plaza, Pasadena, CA  $\approx$ 0.3 acres



Healdsburg Plaza Gazebo

## **11.11**

### **Remodels, Renovations and Additions**

These guidelines provide guidance on remodels and renovations of existing buildings within the MCSP area.

#### **11.11.1 Existing Buildings**

- A. On-going repair, maintenance, and stabilization of an existing building, regardless of time period or style, is encouraged.
- B. Remodels or renovations that comprise more than 50% of the building's exterior may be required to include elements to enhance the character of the building.
- C. Interior remodels and renovations of buildings that proposed no changes to the exterior of the building are exempt from design review.
- D. Buildings that are demolished or destroyed may be rebuilt at the same size, height and within the building footprint in compliance with the applicable zoning district or if applicable, Moraga Municipal Code Chapter 8.20 – Nonconforming Uses, Structures and Lots.

#### **11.11.2 Additions**

- A. Additions to existing buildings shall be designed to match the character of the existing building.

# **APPENDIX A**

## **Moraga Design Guidelines**

### **Build It Green**

#### **Single-Family GreenPoint Checklist**

The GreenPoint Checklist offers builders, homeowners and municipalities a tool to assess how environmentally friendly or green a home is. This checklist is also the basis for Build It Green's third-party verification program – GreenPoint Rated. GreenPoint Rated was developed with the cooperation of local builders, city planners and building officials. Each green measure has been assigned a point value based on its benefits to the homeowners and the environment, as well as its ease of implementation.

A home can be considered green if it fulfills the prerequisites, earns at least 50 points and meets the minimum points per category: Energy (30), Indoor Air Quality/Health (5), Resources (6), and Water (9). You can obtain additional information on the Green Building Guidelines, GreenPoint Rated Manuals and most recent versions of the GreenPoint Checklists at [GreenPointRated@BuilditGreen.org](mailto:GreenPointRated@BuilditGreen.org) or call (510) 845-0472, ext. 604. The GreenPoint Rated program is updated every three years to coincide with changes to the California Building Energy Efficiency Standards. Currently, there are checklists for existing and new single family homes and for multifamily structures. The most current checklist for new single family homes (SF Data Collection Form v3.7) is printed on the following pages. Please contact Build It Green for a list of certified GreenPoint Raters if you are interested in obtaining a green home rating.

## GreenPoint Rated Checklist: Single Family

The GreenPoint Rated checklist tracks green features incorporated into the home. A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green. GreenPoint Rated is provided as a public service by Build It Green, a professional non-profit whose mission is to promote healthy, energy and resource efficient buildings in California.

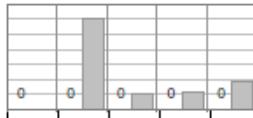
The minimum requirements of GreenPoint Rated are as follows: verification of 50 or more points; Earn the following minimum points per category: Energy (30), Indoor Air Quality/Health (5), Resources (6), and Water (9); and meet the prerequisites A.3.a (50% construction waste diversion), J.1 (Exceed Title 24 by 15%), and N.1 (Incorporate Green Point Rated checklist in blueprints).

The criteria for the green building practices listed below are described in the GreenPoint Rated Single Family Rating Manual. For more information please visit [www.builditgreen.org/greenpointrated](http://www.builditgreen.org/greenpointrated)

Single Family New Home 3.7



Total Points Achieved: 0



Enter Project Name		Points Achieved	Possible Points					Blueprint Page No.	Notes	
			Community	Energy	IAQ(Health)	Resources	Water			
<b>A. SITE</b>										
	1. Protect Topsoil and Minimize Disruption of Existing Plants & Trees									
No	a. Protect Topsoil from Erosion and Reuse after Construction	0	1				1			
No	b. Limit and Delineate Construction Footprint for Maximum Protection	0					1			
No	2. Deconstruct Instead of Demolishing Existing Buildings On Site	0				3				
	3. Recycle Job Site Construction Waste (Including Green Waste)									
No	a. Minimum 50% Waste Diversion by Weight (Recycling or Reuse) - <b>Required</b>	0					R			
No	b. Minimum 65% Diversion by Weight (Recycling or Reuse)	0				2				
No	c. Minimum 80% Diversion by Weight (Recycling or Reuse)	0				2				
	4. Use Recycled Content Aggregate (Minimum 25%)									
No	a. Walkway and Driveway Base	0				1				
No	b. Roadway Base	0				1				
	Total Points Available in Site = 12	0								
<b>B. FOUNDATION</b>										
	1. Replace Portland Cement in Concrete with Recycled Flyash or Slag									
No	a. Minimum 20% Flyash or Slag	0				1				
No	b. Minimum 25% Flyash or Slag	0				1				
No	2. Use Frost-Protected Shallow Foundation in Cold Areas (C.E.C. Climate Zone 16)	0				3				
No	3. Use Radon Resistant Construction	0			1					
	[*Point automatically granted when project qualifies for measure J3: B8 with IAQ]									
	4. Design and Build Structural Pest Controls									
No	a. Install Termite Shields & Separate All Exterior Wood-to-Concrete Connections by Metal or Plastic Fasteners/Dividers	0			1					
	[*Point automatically granted when project qualifies for measure J3: ES with IAQ]									
No	b. All New Plants Have Trunk, Base, or Stem Located At Least 36 Inches from Foundation	0			1					
	Total Points Available in Foundation = 8	0								
<b>C. LANDSCAPING</b>										
	1. Construct Resource-Efficient Landscapes									
No	a. No Invasive Species Listed by Cal-IPC Are Planted	0				1				
No	b. No Plant Species Will Require Hedging	0			1					
No	c. 75% of Plants Are California Natives or Mediterranean Species or Other Appropriate Species	0				3				
No	2. Use Fire-Safe Landscaping Techniques	0	1							
	3. Minimize Turf Areas in Landscape Installed by Builder									
No	a. All Turf Will Have a Water Requirement Less than or Equal to Tall Fescue ( $\leq 0.8$ plant factor)	0				2				
No	b. Turf Shall Not Be Installed on Slopes Exceeding 10% or in Areas Less than 8 Feet Wide	0				2				
No	c. Turf is 33% of Landscaped Area (total 2 points)	0				2				
No	d. Turf is 10% of Landscaped Area (total 4 points)	0				2				
No	4. Plant Shade Trees	0				3				
No	5. Group Plants by Water Needs (Hydrozoning)	0				2				
	6. Install High-Efficiency Irrigation Systems									
No	a. System Uses Only Low-Flow Drip, Bubblers, or Low-flow Sprinklers	0				2				
No	b. System Has Smart (Weather-Based) Controllers	0				3				
No	7. Incorporate Two Inches of Compost in the Top 6 to 12 Inches of Soil	0				3				
No	8. Mulch All Planting Beds to the Greater of 2 Inches or Local Water Ordinance Requirement	0				2				
No	9. Use 50% Salvaged or Recycled-Content Materials for 50% of Non-Plant Landscape Elements	0			1					
No	10. Reduce Light Pollution by Shielding Fixtures and Directing Light Downward	0	1							
	Total Points Available in Landscaping = 31	0								
<b>D. STRUCTURAL FRAME &amp; BUILDING ENVELOPE</b>										
	1. Apply Optimal Value Engineering									
No	a. Place Rafters and Studs at 24-Inch On Center Framing	0			1					
No	b. Size Door and Window Headers for Load	0			1					
No	c. Use Only Jack and Cripple Studs Required for Load	0			1					
	2. Use Engineered Lumber									
No	a. Beams and Headers	0			1					
No	b. Insulated Engineered Headers	0	1							
No	c. Wood I-Joists or Web Trusses for Floors	0			1					
No	d. Wood I-Joists for Roof Rafters	0			1					
No	e. Engineered or Finger-Jointed Studs for Vertical Applications	0			1					
No	f. Oriented Strand Board for Subfloor	0			1					
No	g. Oriented Strand Board for Wall and Roof Sheathing	0			1					
	3. Use FSC-Certified Wood									
No	a. Dimensional Lumber, Studs and Timber: Minimum 40%	0			2					
No	b. Dimensional Lumber, Studs and Timber: Minimum 70%	0			2					
No	c. Panel Products: Minimum 40%	0			1					
No	d. Panel Products: Minimum 70%	0			1					

## Enter Project Name

	Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
4. Use Solid Wall Systems (Includes SIPs, ICFs, & Any Non-Stick Frame Assembly)								
a. Floors	0		2	2				
b. Walls	0		2	2				
c. Roofs	0		2	2				
5. Reduce Pollution Entering the Home from the Garage [*Point automatically granted when project qualifies for measure J3: ES with IAQ]								
a. Tightly Seal the Air Barrier between Garage and Living Area	0		1					
b. Install Garage Exhaust Fan OR Build a Detached Garage	0		1					
6. Design Energy Heels on Trusses (75% of Attic Insulation Height at Outside Edge of Exterior Wall)	0		1					
7. Design Roof Trusses to Accommodate Ductwork	0		1					
8. Use Recycled-Content Steel Studs for 90% of Interior Wall Framing	0			1				
9. Thermal Mass Walls: 5/8-Inch Drywall on All Interior Walls or Walls Weighing more than 40 lb/cu.ft.	0		1					
10. Install Overhangs and Gutters								
a. Minimum 16-Inch Overhangs and Gutters [*Point automatically granted when project qualifies for measure J3: ES with IAQ]	0			1				
b. Minimum 24-Inch Overhangs and Gutters	0		1					
Total Points Available in Structural Building Frame and Envelope = 36	0							
<b>E. EXTERIOR FINISH</b>					Points Available Per Measure			
1. Use Recycled-Content (No Virgin Plastic) or FSC-Certified Wood Decking	0		2					
2. Install a Rain Screen Wall System	0		2					
3. Use Durable and Non-Combustible Siding Materials	0		1					
4. Use Durable and Non-Combustible Roofing Materials	0		2					
Total Points Available in Exterior Finish = 7	0							
<b>F. INSULATION</b>					Points Available Per Measure			
1. Install Insulation with 75% Recycled Content								
a. Walls and Floors	0		1					
b. Ceilings	0		1					
2. Install Insulation that is Low-Emitting (Certified Section 01350)								
a. Walls and Floors	0		1					
b. Ceilings	0		1					
3. Inspect Quality of Insulation Installation before Applying Drywall [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0		1					
Total Points Available in Insulation = 5	0							
<b>G. PLUMBING</b>					Points Available Per Measure			
1. Distribute Domestic Hot Water Efficiently (Additive, Maximum 7 Points)								
a. Insulate Hot Water Pipes from Water Heater to Kitchen	0		1		1			
b. Insulate All Hot Water Pipes	0		1		1			
c. Use Engineered Parallel Piping	0				1			
d. Use Engineered Parallel Piping with Demand Controlled Circulation Loop	0				1			
e. Use Structured Plumbing with Demand Controlled Circulation Loop	0		1		2			
f. Use Central Core Plumbing	0		1		1	1		
2. Install Only High Efficiency Toilets (Dual-Flush or 1.28 gpf)	0				4			
Total Points Available in Plumbing = Total 11	0							
<b>H. HEATING, VENTILATION &amp; AIR CONDITIONING</b>					Points Available Per Measure			
1. Design and Install HVAC System to ACCA Manual J, D, and S Recommendations [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0		4					
2. Install Sealed Combustion Units [*Points automatically granted when project qualifies for measure J3: ES with IAQ]								
a. Furnaces	0		2					
b. Water Heaters	0		2					
3. Install Zoned, Hydronic Radiant Heating	0		1	1				
4. Install High Efficiency Air Conditioning with Environmentally Responsible Refrigerants	0	1						
5. Design and Install Effective Ductwork [*Subd. e are automatically granted when project qualifies for measure J3: ES with IAQ]								
a. Install HVAC Unit and Ductwork within Conditioned Space	0		3					
b. Use Duct Mastic on All Duct Joints and Seams	0		1					
c. Install Ductwork under Attic Insulation (Buried Ducts)	0		1					
d. Pressure Relieve the Ductwork System	0		1					
e. Protect Ducts during Construction and Clean All Ducts before Occupancy	0		1					
6. Install High Efficiency HVAC Filter (MERV 6+) [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0			1				
7. Don't Install Fireplaces or Install Sealed Gas Fireplaces with Efficiency Rating NOT Less Than 60% using CSA Standards	0			1				
8. Install Effective Exhaust Systems in Bathrooms and Kitchens [*Subd. a & c are automatically granted when project qualifies for measure J3: ES with IAQ]								
a. Install ENERGY STAR Bathroom Fans Vented to the Outside	0		1					
b. All Bathroom Fans Are on Timer or Humidistat	0		1					
c. Install Kitchen Range Hood Vented to the Outside	0		1					
9. Install Mechanical Ventilation System for Cooling (Max. 4 Points)								
a. Install ENERGY STAR Ceiling Fans & Light Kits in Living Areas & Bedrooms	0		1					
b. Install Whole House Fan with Variable Speeds	0		1					
c. Automatically Controlled Integrated System	0		2					
d. Automatically Controlled Integrated System with Variable Speed Control	0		3					
10. Install Mechanical Fresh Air Ventilation System (Maximum 3 Points)								
a. Any Whole House Ventilation System That Meets ASHRAE 62.2	0		2					
b. Install Air-to-Air Heat Exchanger that meets ASHRAE 62.2 [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0		1	2				
11. Install Carbon Monoxide Alarm(s) [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0			1				
Total Points Available in Heating, Ventilation and Air Conditioning = 30	0							

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
			Points Available Per Measure						
<b>L. RENEWABLE ENERGY</b>									
No	1. Pre-Plumb for Solar Hot Water Heating	0	4						
No	2. Install Solar Water Heating System	0	10						
No	3. Install Wiring Conduit for Future Photovoltaic Installation & Provide 200 ft of South-Facing Roof	0	2						
No	4. Install Photovoltaic (PV) Panels								
No	a. 30% of electric needs OR 1.2 kW (total 6 points)	0	6						
No	b. 60% of electric needs OR 2.4 kW (total 12 points)	0	6						
No	c. 90% of electric need OR 3.6 kW (total 18 points)	0	6						
Total Available Points in Renewable Energy = 28		0							
<b>J. BUILDING PERFORMANCE</b>									
	1. Diagnostic Evaluations		Points Available Per Measure						
No	a. House Passes Blower Door Test [*Points automatically granted when project qualifies for measure J3: ES with IAO]	0	1						
No	b. House Passes Combustion Safety Backdraft Test	0		1					
No	2. Design and Build High Performance Homes - 15% above 2005 Title 24 - <b>Required</b>	0	≥30						
No	3. House Obtains ENERGY STAR with Indoor Air Package Certification - <b>Pilot Measure</b> (Total 45 points; read comment)	0		5	2				
Total Available Points in Building Performance = 39		0							
<b>K. FINISHES</b>									
No	1. Design Entryways to Reduce Tracked in Contaminants	0	Points Available Per Measure						
No	2. Use Low-VOC or Zero-VOC Paint (Maximum 3 Points)								
No	a. Low-VOC Interior Wall/Ceiling Paints (<50 gpl VOCs (Flat) & <150 gpl VOCs (Non-Flat))	0	1						
No	b. Zero-VOC: Interior Wall/Ceiling Paints (<5 gpl VOCs (Flat))	0	3						
No	3. Use Low VOC, Water-Based Wood Finishes (<250 gpl VOCs)	0	2						
No	4. Use Low-VOC Caulk and Construction Adhesives (<70 gpl VOCs) for All Adhesives	0	2						
No	5. Use Recycled-Content Paint	0		1					
No	6. Use Environmentally Preferable Materials for Interior Finish: A) FSC-Certified Wood, B) Reclaimed, C) Rapidly Renewable, D) Recycled-Content or E) Finger-Jointed								
No	a. Cabinets (50% Minimum)	0		1					
No	b. Interior Trim (50% Minimum)	0		1					
No	c. Shelving (50% Minimum)	0		1					
No	d. Doors (50% Minimum)	0		1					
No	e. Countertops (50% Minimum)	0		1					
No	7. Reduce Formaldehyde in Interior Finish (CA Section 01350)								
No	a. Subfloor & Stair Treads (90% Minimum)	0	1						
No	b. Cabinets & Countertops (90% Minimum)	0	1						
No	c. Interior Trim (90% Minimum)	0	1						
No	d. Shelving (90% Minimum)	0	1						
No	8. After Installation of Finishes, Test of Indoor Air Shows Formaldehyde Level <27 ppb	0		3					
Total Available Points in Finishes = 21		0							
<b>L. FLOORING</b>									
	1. Use Environmentally Preferable Flooring: A) FSC-Certified Wood, B) Reclaimed or Refinished, C) Rapidly Renewable, D) Recycled-Content, E) Exposed Concrete. Flooring Adhesives Must Have <70 gpl VOCs.		Points Available Per Measure						
No	a. Minimum 15% of Floor Area	0		1					
No	b. Minimum 30% of Floor Area	0		1					
No	c. Minimum 50% of Floor Area	0		1					
No	d. Minimum 75% of Floor Area	0		1					
No	2. Thermal Mass Floors: Floor Covering Other than Carpet on 50% or More of Concrete Floors	0	1						
No	3. Flooring Meets Section 01350 or CRI Green Label Plus Requirements (50% Minimum) [*Points automatically granted when project qualifies for measure J3: ES with IAO]	0		2					
Total Available Points in Flooring = 7		0							
<b>M. APPLIANCES AND LIGHTING</b>									
	1. Install Water and Energy Efficient Dishwasher		Points Available Per Measure						
No	a. ENERGY STAR (total 1 point)	0	1						
No	b. Dishwasher Uses No More than 6.5 Gallons/Cycle (total 2 points)	0			1				
	2. Install ENERGY STAR Clothes Washing Machine with Water Factor of 6 or Less								
No	a. Meets Energy Star and CEE Tier 2 requirements (modified energy factor 2.0, Water Factor 6.0 or less) (total 3 points)	0	1		2				
No	b. Meets Energy Star and CEE Tier 3 requirements (modified energy factor 2.2, Water Factor 4.5 or less) (total 5 points)	0			2				
	3. Install ENERGY STAR Refrigerator								
No	a. ENERGY STAR Qualified & < 25 Cubic Feet Capacity	0	1						
No	b. ENERGY STAR Qualified & > 20 Cubic Feet Capacity	0	1						
	4. Install Built-In Recycling Center and Composting Center								
No	a. Built-In Recycling Center	0		2					
No	b. Built-In Composting Center	0		1					
Total Available Points in Appliances and Lighting = 12		0							
<b>N. OTHER</b>									
No	1. Incorporate GreenPoint Rated Checklist in Blueprints - <b>Required</b>	0			R				
No	2. Develop Homeowner Manual of Green Features/Benefits [*Points automatically granted when project qualifies for measure J3: ES with IAO]	0	1	1	1				
Total Available Points in Other = 3		0							
<b>O. COMMUNITY DESIGN &amp; PLANNING (maximum 20 points in this section)</b>									
	1. Develop Infill Sites		Points Available Per Measure						
No	a. Project is Located in a Built Urban Setting with Utilities in Place for Fifteen Years	0	1		1				
No	b. Development is Located within 1/2 Mile of a Major Transit Stop	0	2						

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
2. Cluster Homes & Keep Size in Check									
a. Cluster Homes for Land Preservation	0	1			1				
b. Conserve Resources by Increasing Density (1 pt for every 5 u/s greater than 10 u/s) <a href="#">Enter Project Density (In Units Per Acre)</a>	0	2			2				
c. Home Size Efficiency	0				9				
3. Subdivision Layout & Orientation to Improve Natural Cooling and Passive Solar Attributes	0	3	7						
4. Design for Walking & Bicycling									
a. Pedestrian Access to Neighborhood Services within 1/4 Mile: 1) Community Center/Library; 2) Grocery Store; 3) School; 4) Day Care; 5) Laundry; 6) Medical; 7) Entertainment/Restaurants; 8) Post Office; 9) Place of Worship; 10) Bank: <a href="#">Enter number of services</a>	0	2							
b. Development is Connected with A Dedicated Pedestrian Pathway to Places of Recreational Interest within 1/2 mile	0	1							
c. At Least Two of the Following Traffic-Calming Strategies: - Designated Bicycle Lanes are Present on Roadways; - Ten-Foot Vehicle Travel Lanes; - Street Crossings Closest to Site are Located Less Than 300 Feet Apart; - Streets Have Rumble Strips, Bulbouts, Raised Crosswalks or Refuge Islands	0	2							
5. Design for Safety & Social Gathering									
a. All Home Front Entrances Have Views from the Inside to Outside Callers	0	1							
b. All Home Front Entrances Can be Seen from the Street and/or from Other Front Doors	0	1							
c. Orient Porches (min. 100sf) to Streets and Public Spaces	0	1							
6. Design for Diverse Households									
a. All Homes Have at Least One Zero-Step Entrance	0	1							
b. All Main Floor Interior Doors & Passageways Have a Minimum 32-Inch Clear Passage Space	0	1							
c. Locate at Least a Half-Bath on the Ground Floor with Blocking in Walls for Grab Bars	0	1							
d. Provide Full-Function Independent Rental Unit	0	1							
Total Achievable Points in Community Design & Planning = 20	0								
<b>P. INNOVATION (maximum 20 points in this section)</b>			<b>Possible Points</b>						
<b>A. Site</b>									
1. Reduce Heat-Island Effect - Install light-colored, high albedo materials (solar reflectance index >= 0.3) for at least 50% of site's non-roof impervious surfaces	0	1							
2. Build on Designated brownfield site	0	3							
<b>B. Foundation</b>									
[*Points automatically granted when project qualifies for measure J3: ES with IAQ]									
1. Install a Foundation Drainage System	0		2						
2. Sealed and Moisture Controlled Crawlspace	0		2						
<b>C. Landscaping</b>									
1. Meets Bay-Friendly Landscape Program Requirement (mutually exclusive with P.C.2)	0				4				
2. Meets California-Friendly Landscape Program Requirement	0				4				
3. Rain Water Harvesting System (1 point for <350 gallons, 2 points for > 350 gallons)					2				
a. Less than 350 gallon capacity	0				1				
b. Greater than 350 gallon capacity	0				2				
4. Assess Site Climate, Exposure, Topography, and Drainage	0				1				
5. Perform a Soil Analysis	0				1				
6. Irrigation System Uses Recycled Wastewater	0				1				
7. FSC Certified, Recycled Plastic or Composite Lumber - Fencing: 70%	0				1				
<b>D. Structural Frame and Building Envelope</b>									
1. Design, Build and Maintain Structural Pest and Rot Controls									
a. Locate All Wood (Siding, Trim, Structure) At Least 12" Above Soil	0				1				
b. All Wood Framing 3 Feet from the Foundation is Treated with Boretes (or Use Factory-Impregnated Materials) OR Walls are Not Made of Wood	0				1				
2. Use Moisture Resistant Materials in Wet areas of Kitchen, Bathrooms, Utility Rooms, and Basements									
[*Points automatically granted when project qualifies for measure J3: ES with IAQ]					1				
3. Use FSC Certified Engineered Lumber (3 points maximum)									
a. Beams and Headers	0				1				
b. Insulated Headers	0				1				
c. Wood I-Joists or Web Trusses for Floors	0				1				
d. Wood I-Joists for Roof Rafters	0				1				
e. Engineered or Finger-Jointed Studs for Vertical Applications	0				1				
f. Roof Trusses: 100%	0				1				
4. FSC Certified Wood									
a. Dimensional Lumber, Studs and Timber: 100%	0				2				
b. Panel Products: 100%	0				2				
<b>E. Exterior Finish</b>									
1. Green Roofs (25% of roof area minimum)	0	1	1						
2. Flashing Installation Techniques Specified	0				1				
[*Points automatically granted when project qualifies for measure J3: ES with IAQ]									
<b>F. Insulation</b>									
<b>G. Plumbing</b>									
1. Graywater Pre-plumbing (includes washing machine at minimum)	0					1			
2. Graywater System Operational (includes washing machine at minimum)	0					2			
3. Innovative Wastewater Technology (Constructed Wetland, Sand Filter, Aerobic System)	0					1			
4. Composting or Waterless Toilet	0					2			
5. Install Drain Water Heat-recovery System	0					1			
6. Install Water Efficient Fixtures									
a. Showerheads or Shower Towers Use <2.0 Gallons Per Minute (GPM) Total	0					1			
b. Faucets - bathrooms <1.5 gpm	0					1			
c. Faucets - Kitchen & Utility <2.0 gpm	0					1			
<b>H. Heating, Ventilation, and Air Conditioning</b>									
1. Humidity Control Systems (only in California humid/maritime climate zones 1,3,5,6,7)	0					1			

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
	I. Renewable Energy								
No	1. Extraordinary Passive Solar Design (> 50% of load) That is Not Already Reflected in T-24 Modeling	0		5					
	J. Building Performance								
No	1. Test Total Supply Air Flow Rates	0		1					
	2. Energy Analysis Design Review								
No	a. Title-24 prepared and signed by CABEC Certified Energy Analyst	0		1					
No	b. Participation in utility incentive program	0		1					
	K. Finishes								
	1. Use Environmentally Preferable Materials for Interior Finishes								
No	a. Cabinets (80% minimum)	0			1				
No	b. Interior Trim (80% minimum)	0			1				
No	c. Shelving (80% minimum)	0			1				
No	d. Doors (80% minimum)	0			1				
No	e. Countertops (80% minimum)	0			1				
	L. Flooring								
No	1. Flooring Meets Section 01350 or CRI Green Label Plus Requirements (80% Minimum) [Points automatically granted when project qualifies for measure J3: ES with IAQ]	0			1				
	M. Appliances								
	N. Other								
No	1. Homebuilder's Management Staff are Certified Green Building Professionals	0	1						
No	2. Detailed Durability Plan [Points automatically granted when project qualifies for measure J3: ES with IAQ]	0			2				
No	3. Third-Party Verification of Implementation of Durability Plan	0			2				
0	4. Materials Sourced, Processed and Manufactured Within a 500 Mile Radius of the Home	0	1+						
No	5. Comprehensive Owner's Manual and Homeowner Educational Walkthroughs	0		1					
	6. Additional Innovations: Points to be assessed by Build It Green and GreenPoint Rater.								
No	a. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	b. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	c. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	d. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	e. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	f. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	g. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	h. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
	Total Achievable Points in Innovation = 20	0							

### Summary

Total Available Points in Specific Categories	32+	125+	51+	103+	71+
Minimum Points Required in Specific Categories	0	30	5	6	9
<b>Total Points Achieved</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Project has not yet met the following recommended minimum requirements:

- Total Project Score of At Least 50 Points
- Required measures:
  - A3a: 50% waste diversion by weight
  - J2: 15% above Title 24
  - N1: Incorporate GreenPoint Rated Checklist into blueprints
- Minimum points in specific categories:
  - Energy (30 points)
  - IAQ/Health (5 points)
  - Resources (6 points)
  - Water (9 points)

# **APPENDIX B**

## **Moraga Design Guidelines**

### **Planting Palettes from the Moraga Transportation Corridor Streetscape Plan and Drought Tolerant, Fire Resistant Native Trees and Shrubs**

# Planting and Character

## Moraga Character

The Town of Moraga is nestled in rolling California hills. It has a distinct sense of place, connected to its natural setting. It has a semi-rural feel, and is characterized by the use of natural materials, such as stone and wood, and by the predominance native plants. Beautification projects should build on these aspects of Moraga's identity. The images on this page show examples of existing elements in the Town.

### Plant palettes

The Town of Moraga is characterized by predominantly native plantings. The use of natives has numerous advantages and benefits, including:

- Integrating the community into the natural surroundings
- Suitability to the local climate and soil conditions
- Lower water and maintenance requirements
- Habitat value
- Emphasizing and highlighting Moraga's "sense of place"

The Town of Moraga encourages planting of native species over non-native species and encourages applicants to refer to the Native Plant Society website at [www.nps.org](http://www.nps.org) to check that the plants that you select are not invasive species.

Plantings for the Moraga area fall within several general groupings or "palettes," which may be appropriate in different contexts. In some circumstances, it may be appropriate to use non-native plants that are horticulturally compatible with Moraga's climate and soils. For example, non-natives may be more suitable as street trees planted in sidewalk cutouts, or as accent planting at commercial areas.

The following pages give examples of plant palettes appropriate for use along Moraga's scenic corridors.



## Oak Palette

The oak palette is the predominant plant grouping which occurs naturally in the Moraga area. Plants from this group are appropriate on hillside locations, sunny open areas, and along the tops of stream banks. Excessive water during the normally dry summer periods may cause root fungus in oaks, so they should not be planted adjacent to lawns or other areas that will be watered regularly during summer months.

### OAK PALETTE

Scientific Name	Common Name	Deer Resistant	Native Plant	Low Water	Maintenance
<b>Tree</b>					
<i>Aesculus californica</i>	California Buckeye	•	•	•	L*
<i>Cercis occidentalis</i>	Western redbud	•	•	•	L*
<i>Quercus agrifolia</i>	Coast Live Oak	•	•	•	L*
<i>Quercus ilex</i>	Holly Oak	•		•	L*
<i>Quercus suber</i>	Cork Oak	•		•	L*
<b>Shrubs</b>					
<i>Arbutus unedo</i> 'Compacta'	Strawberry Tree	•		•	L
<i>Arctostaphylos</i> spp.	Manzanita	•	•	•	L
<i>Arctostaphylos</i>	Vine Hill Manzanita		•	•	L
<i>Berberis</i> spp.		•	•		L
<i>Carpenteria californica</i>	Bush Anemone		•	•	L
<i>Ceanothus</i> spp.	Wild Lilac	•	•	•	L
<i>Cistus</i> sp.	Rockrose	•		•	L
<i>Correa</i> sp.	Australian Fuchsia	•		•	L
<i>Cotoneaster</i> 'Low Fast'	Bearberry Cotoneaster	•		•	L
<i>Dendromecon harfordii</i>	Island Bush Poppy		•	•	L
<i>Eriogonum</i> species	Wild Buckwheat	•	•	•	L
<i>Fragaria</i> spp.	Ornamental Strawberry	•	•		L
<i>Fremontodendron</i> cvs	Flannel Bush	•	•	•	L
<i>Garrya elliptica</i>	Coast Silktassel	•	•	•	L
<i>Heteromeles arbutifolia</i>	California Holly	•	•	•	L
<i>Myrica californica</i> 'Compacta'	Pacific Wax Myrtle	•	•	•	L
<i>Prunus ilicifolia</i>	Hollyleaf Cherry		•	•	L
<i>Prunus lyonii</i>	Catalina Cherry		•	•	L
<i>Rhamnus californica</i> 'Eve Cae'	Coffeeberry	•	•	•	L
<i>Rhamnus crocea</i>	Redberry	•	•	•	L
<i>Rhus integrifolia</i>	Lemonade Berry	•	•	•	L
<i>Rhus ovata</i>	Sugar Bush	•	•	•	L
<i>Ribes indecorum</i>	White Flowering Currant	•	•	•	L
<i>Ribes malvaceum</i>	Chaparral Currant	•	•	•	L
<i>Ribes</i> spp.	Currant, Gooseberry	•	•	•	L
<i>Sarcococca ruscifolia</i>		•			L
<i>Salvia clevelandii</i>	California Blue Sage	•	•	•	L
<b>Low Shrubs</b>					
<i>Arctostaphylos edmundsii</i> & cvs	Little Sur Manzanita	•	•	•	L
<i>Arctostaphylos hookeri</i> & cvs	Monterey Manzanita	•	•	•	L
<i>Baccharis pilularis</i> cvs	Dwarf Coyote Brush	•	•	•	L
<i>Ceanothus griseus horizontalis</i>	Carmel Creeper	•	•	•	L
<i>Ceanothus</i>			•	•	L

L: Low maintenance - annual cleanup

L\*: Annual pruning first two years to establish proper branching habit

AM: Annual mowing or cutback

AP: Annual pruning

HP: Multiple prunings per year

Correa pulchella		•	•		L
Cotoneaster dammeri 'Lowfast'	Bearberry Cotoneaster	•		•	L
Cotoneaster salicifolius 'Repens'	Willowleaf Cotoneaster	•		•	L
Cotoneaster spp.	Cotoneaster	•		•	L
Galvezia speciosa	Island Bush Snapdragon		•	•	L
Keckiella cordifolia			•	•	L
Mahonia aquifolium 'Compacta'	Oregon Grape	•	•		L
Myrtus communis	Myrtle	•		•	L
Ribes speciosum	Fuchsia-Flowering Gooseberry		•	•	L
Ribes viburnifolium	Catalina Perfume, Evergreen Currant	•	•	•	L
Santolina		•			L
Sollya heterophylla	Australlian Bluebell Creeper	•		•	L
Syphocarpus spp.	Snowberry, Coralberry	•	•	•	L
<b>Perennials</b>					
Mimulus spp.	Sticky Monkey Flower	•	•	•	L
Heuchera maxima & hybrids	Island Alum Root	•	•		L
Iris douglasiana		•	•		L
Penstemon heterophylla		•	•		L
Penstemon species	Beard Tongue	•	•		L
Romneya coulteri & cultivars	Matilija Poppy	•	•	•	L
Salvia spp.	Sage	•		•	L
<b>Grass</b>					
Muhlenbergia rigens	Deer Grass	•	•	•	AM
<b>Ground Cover</b>					
Erigeron Karvinskianus	Santa Barbara Daisy			•	AM
Fragaria spp.			•	•	L
Geranium spp.		•		•	L
Rubus pentalaobus	Bramble				L



## Redwood Palette

The redwood palette is appropriate in canyon and valley settings. Redwoods need summer irrigation at least for the first 5 years, and hot dry locations inhibit their growth.'

### REDWOOD PALETTE

Scientific Name	Common Name	Deer Resistant	Native Plant	Low Water	Maintenance
<b>Tree</b>					
<i>Acer circinatum</i>	Vine Maple	•	•		L*
<i>Acer macrophyllum</i>	Big Leaf Maple		•		L*
<i>Arbutus menziesii</i>	Madrone, Madrona	•	•	•	L*
<i>Cercis occidentalis</i>	Western Redbud	•	•	•	L*
<i>Cornus canadensis</i>	Dogwood			•	L*
<b>Large Shrub</b>					
<i>Calycanthus occidentalis</i>	Spice Bush	•	•	•	L
<i>Philadelphus lewisii</i>	Wild Mock Orange		•	•	L
<i>Rhododendron</i> spp.		•	•		AP
<i>Ribes sanguineum</i>		•	•		L
<i>Ribes</i> spp. ( <i>aureum</i> , , <i>viburnifolium</i> , <i>speciosum</i> )	Currant, Gooseberry	•	•	•	L
<i>Woodwardia fimbriata</i>	Giant Chain Fern	•	•		L
<b>Small Shrub</b>					
<i>Anemone hybrida</i>	Japanese Anemone	•			L
<i>Carpenteria californica</i>	Bush Anemone	•	•	•	L
<i>Gaultheria shallon</i>	Salal	•	•	•	L
<b>Perennials</b>					
<i>Brunnera macrophylla</i>	Brunnera				L
<i>Dicentra formosa</i>	Western Bleeding Heart	•	•		L
<i>Helleborus</i> spp.		•			L
<i>Heuchera</i> spp.	Coral Bells, Alum Root	•	•	•	L
<i>Helichrysum petiolare</i>	Licorice Plant	•			L
<b>Ground Cover</b>					
<i>Asarum caudatum</i>	Wild Ginger		•		L
<i>Bergenia</i> spp.		•			L
<i>Fragaria</i> spp.	Ornamental Strawberry	•	•		L
<i>Iris douglasiana</i>		•	•	•	L
<i>Lamium maculatum</i>	Spotted Nettle				L
<i>Oxalis oregana</i>	Redwood Sorrel, Oregon Oxalis		•		L
<i>Polystichum munitum</i>	Sword Fern	•	•		L
<i>Symphoricarpos</i> spp.	Snowberry, Coralberry	•	•	•	L
<b>Grass</b>					
<i>Carex</i> spp.	Sedge	•	•		AM
<i>Juncus</i> spp.	Rush	•	•		AM

L: Low maintenance - annual cleanup

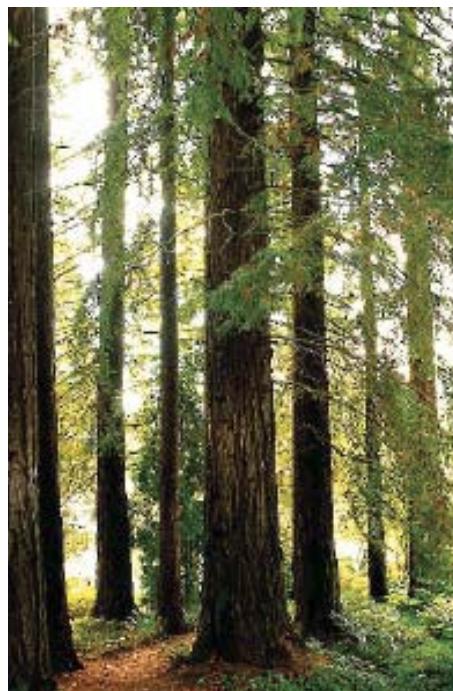
L\*: Annual pruning first two years to establish proper branching habit

AM: Annual mowing or cutback

AP: Annual pruning

HP: Multiple prunings per year

## REDWOOD PALETTE



## Traditional Palette

Many non-native plants commonly used in landscape applications are well suited for Moraga's climate, and may be appropriate where particular shapes, forms, or colors are desired. This traditional palette may be appropriate in commercial areas, or along streetscapes with a more suburban feel. They often add color and interest and may be used for emphasizing focal areas.

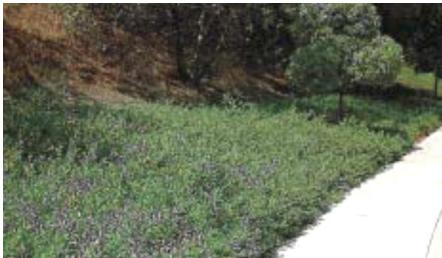
### TRADITIONAL PALETTE

Scientific Name	Common Name	Deer Resistant	Native Plant	Low Water	Maintenance
<b>Tree</b>					
<i>Fraxinus oxycarpa 'Raywood'</i>	Raywood Ash				L*
<i>Magnolia grandiflora</i>	Southern Magnolia	•			L*
<i>Pistacia chinensis</i>	Chinese Pistache	•			L*
<i>Prunus 'Krauter Vesuvius'</i>	Flowering Plum				L*
<i>Pyrus calleryana 'Bradford'</i>	Bradford Pear				L*
<i>Robinia ambigua 'Idahoensis'</i>	Idaho Locust				L*
<i>Ulmus parvifolia</i>	Chinese Elm				L*
<b>Medium Shrubs</b>					
<i>Arbutus unedo 'Compacta'</i>	Compact Strawberry Bush	•		•	AP
<i>Callistemon 'Little John'</i>	Dwarf Bottlebrush	•		•	L
<i>Cistus sp.</i>	White Rock Rose	•		•	L
<i>Coleonema spp.</i>	Breath of Heaven			•	L
<i>Daphne odora</i>	Winter Daphne	•		•	L
<i>Dietera vegeta</i>	African Iris	•			L
<i>Escallonia sp.</i>	Escallonia			•	L
<i>Euryops pectinatus</i>		•		•	L
<i>Gaura lindheimerii</i>	Gaura				L
<i>Grevillea 'Noelii'</i>		•		•	L
<i>Lavandula sp.</i>	Lavender	•		•	L
<i>Myrtus communis</i>	Myrtle	•		•	AP
<i>Nandina domestica</i>	Heavenly Bamboo			•	L
<i>Perovskia atriplicifolia</i>	Russian Sage	•		•	L
<i>Phormium tenax sp.</i>	New Zealand Flax	•		•	L
<i>Pittosporum tobira 'Wheeler's Dwarf'</i>	Dwarf Mock Orange			•	L
<i>Teucrium fruticans</i>	Bush Germander	•		•	L
<i>Viburnum tinus</i>	Laurustinus				AP

Low Shrubs					
<i>Agapanthus sp.</i>	Lily of the nile	•			L
<i>Buxus microphylla var. japonica</i>	Japanese boxwood				HP
<i>Carex sp.</i>	Sedge		•		L
<i>Coreopsis spp.</i>	Coreopsis				L
<i>Correa sp.</i>	Australian Fuchsia			•	L
<i>Geranium spp.</i>	Hardy Scented Geranium				L
<i>Hemerocallis evergreen</i>	Day Lily	•			L
<i>Heuchera sanguinea</i>	Coral Bells		•	•	L
<i>Iris douglasiana</i>	Pacific Coast Iris	•	•		L
<i>Kniphofia uvaria</i>	Devil's Poker/Red Hot Poker			•	L
<i>Lantana sp.</i>	Lantana			•	L
<i>Limonium perezil</i>	Statice			•	L
<i>Liriope muscari</i>	Lily Turf	•		•	L
<i>Muhlenbergia rigens</i>	Deer Grass	•	•		L
<i>Myrtus communis 'Compacta'</i>	Dwarf Myrtle	•		•	AP
<i>Nepeta sp.</i>	Catnip	•		•	L
<i>Penstemon sp.</i>	Penstemon	•	•		L
<i>Santolina sp.</i>	Lavender Cotton	•		•	L
<i>Scaevola 'Mauve Clusters'</i>	Fan Flower			•	L
<i>Stipa sp.</i>	Needle Grass	•		•	L
<i>Teucrium chamaedrys</i>	Germander	•		•	L
<i>Tulbaghia violacea 'Silver Lace'</i>	Society Garlic	•			L
<i>Viburnum tinus compacta</i>	Viburnum				AP

Groundcovers					
Acacia redolens		•		•	L
Ajuga reptans	Carpet Bugle	•			L
Carpobrotus	Sea Fig	•		•	L
Ceanothus sp.	California Lilac	•	•	•	L
Ceratostigma plumbaginoides	Dwarf Plumbago	•		•	L
Coprosoma kirkii 'Verde Vista'	Prostrate Mirror Plant	•		•	L
Cotoneaster 'Low Fast'	Cotoneaster	•		•	L
Delosperma alba	White Trailing Ice Plant	•		•	L
Drosanthemum floribundum rosea	Ice Plant	•		•	L
Erigeron karvinskianus	Santa Barbara Daisy	•	•	•	AM
Festuca glauca	California Fescue	•	•	•	AM
Gazania	Orange Gazania				L
Myoporum parvifolium prostrate	Myoporum			•	L
Oenothera speciosa childsii	Mexican Evening Primrose			•	L
Osteospermum fruticosum	African Daisy	•		•	AM
Rosa 'Carpet Rose'	Carpet Rose				L
Rosmarinus officinalis	Rosemary	•		•	L
Trachelospermum asiaticum	Asiatic Jasmine				L
Trachelospermum jaminoides	Star Jasmine	•			AM
Vinca minor	Dwarf Periwinkle				L
Viola labradorica			•		L

## TRADITIONAL PALETTE



## Grasses and Bioswale

Bioswale planting must be adaptable to high moisture during winter months as well as dry summer conditions. The bioswale and grass palette includes plants that help filter stormwater runoff. Many are seasonal grasses that will turn dry in summer months without supplemental irrigation, as do Moraga's grassy hillsides.

### BIOSWALES

Scientific Name	Common Name	Deer Resistant	Native Plant	Low Water	Maintenance
<i>Acorus gramineus</i>	Japanese Sweet Flag	•			L
<i>Carex spp.</i>	Sedge	•	•	•	L
<i>Hemerocallis spp.</i>	Daylily	•		•	L
<i>Juncus spp.</i>	Rush		•		L
<i>Molinia caerulea 'Moor Flamme', 'Varigata'</i>	Moor Grass	•			L
<i>Panicum virgatum</i>	Switch Grass	•			L

### SWALES & GRASSES



## Drought Tolerant, Fire Resistant, Native Tree and Shrub Species

<b>Native Trees</b>	
California Buckeye ( <i>Aesculus californica</i> )	California Sycamore ( <i>Platanus racemosa</i> )
Incense-cedar ( <i>Calocedrus decurrens</i> )	Hollyleaf Cherry ( <i>Prunus ilicifolia</i> )
Western Redbud ( <i>Cercis occidentalis</i> )	Blue Oak ( <i>Quercus douglasii</i> )
Mountain Mahogany ( <i>Cercocarpus</i> )	California Black Oak ( <i>Quercus kelloggii</i> )
Desert Willow ( <i>Chilopsis linearis</i> )	Valley Oak ( <i>Quercus lobata</i> )
Ash ( <i>Fraxinus</i> )	Sumac ( <i>Rhus parvifolia</i> )
Toyon ( <i>Heteromeles arbutifolia</i> )	Elderberry ( <i>Sambucus mexicana</i> )
Catalina Ironwood ( <i>Lyonia ferruginea</i> )	California Redwood ( <i>Sequoia sempervirens</i> )
Pacific Wax Myrtle ( <i>Myrica californica</i> )	

<b>Native Shrubs</b>	
California Buckeye ( <i>Aesculus californica</i> )	Mahonia ( <i>Mahonia repens</i> )
Manzanita ( <i>Arctostaphylos</i> )	Bush Mallow ( <i>Malacothamnus</i> )
Artemesia ( <i>Artemesia</i> )	Wax Myrtle ( <i>Myrica</i> )
Saltbrush ( <i>Atriplex</i> )	Wild Mock Orange ( <i>Philadelphus lewisii</i> )
Bush Anemone ( <i>Carpenteria</i> )	Hollyleaf Cherry ( <i>Prunus ilicifolia</i> )
California Lilacs ( <i>Ceanothus</i> )	Oak ( <i>Quercus</i> )
Western Redbud ( <i>Cercis occidentalis</i> )	Rhamnus ( <i>Rhamnus</i> )
Mountain Mahogany ( <i>Cercocarpus</i> )	Sumac ( <i>Rhus parvifolia</i> )
Desert Willow ( <i>Chilopsis linearis</i> )	Currant ( <i>Ribes</i> )
Bush Poppy ( <i>Dendromecon rigida</i> )	Rose ( <i>Rosa</i> )
Encelia ( <i>Encelia</i> )	Bramble ( <i>Rubus</i> )
Flannel Bush ( <i>Fremontodendron</i> )	Sage ( <i>Salvia</i> )
Silktassel ( <i>Garrya</i> )	Elderberry ( <i>Sambucus</i> )
Toyon ( <i>Heteromeles arbutifolia</i> )	Solanum ( <i>Solanum</i> )
Cream Bush ( <i>Holodiscus</i> )	Snowdrop Bush ( <i>Styrax</i> )
Tree Mallow ( <i>Lavatera assurgentifolia</i> )	Snowberry ( <i>Symporicarpos</i> )
Pitcher Sage ( <i>Lepechinia</i> )	Woolly Blue Curls ( <i>Trichostema</i> )
Lupine ( <i>Lupinus</i> )	

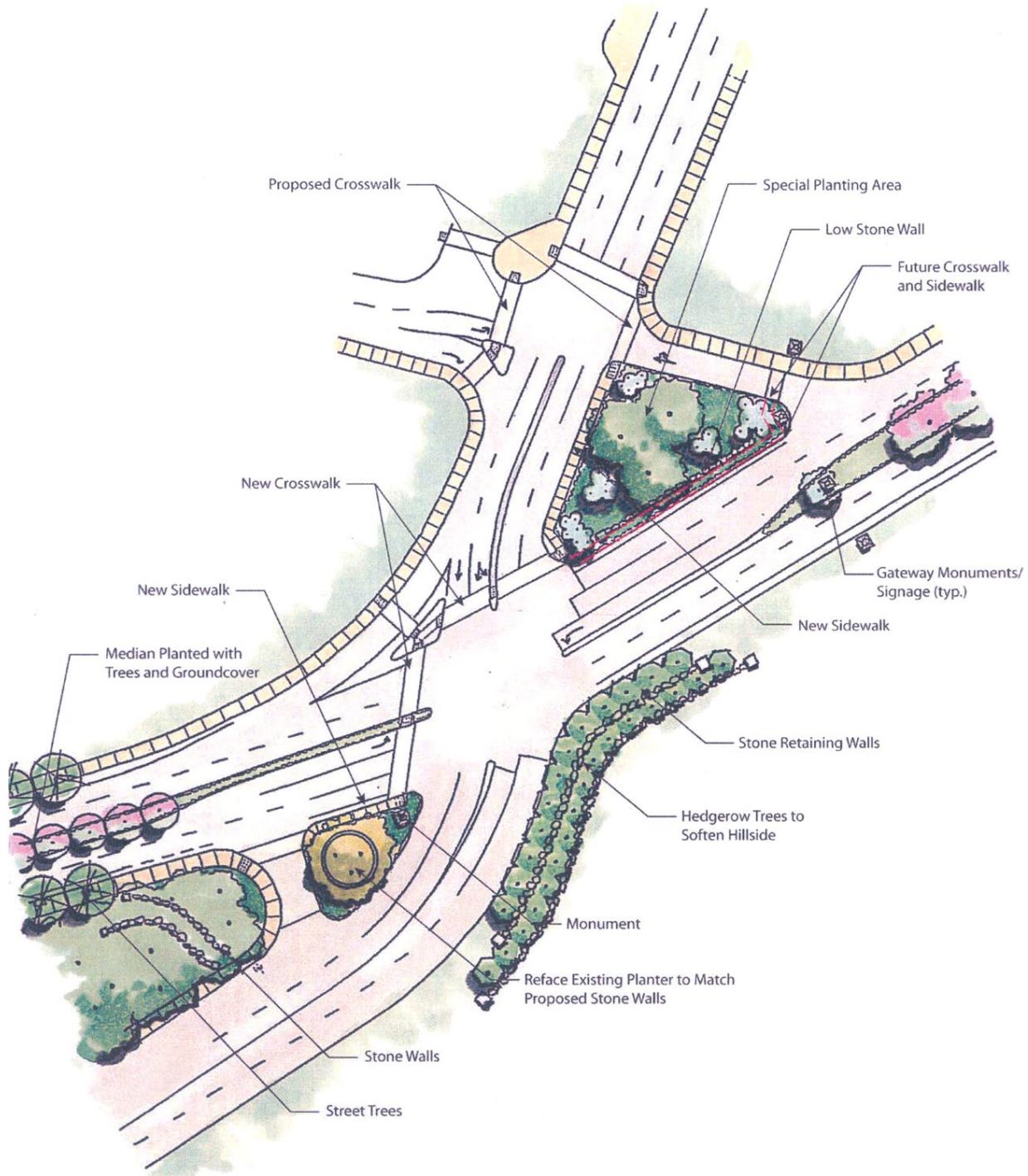
# **APPENDIX C**

## **Moraga Design Guidelines**

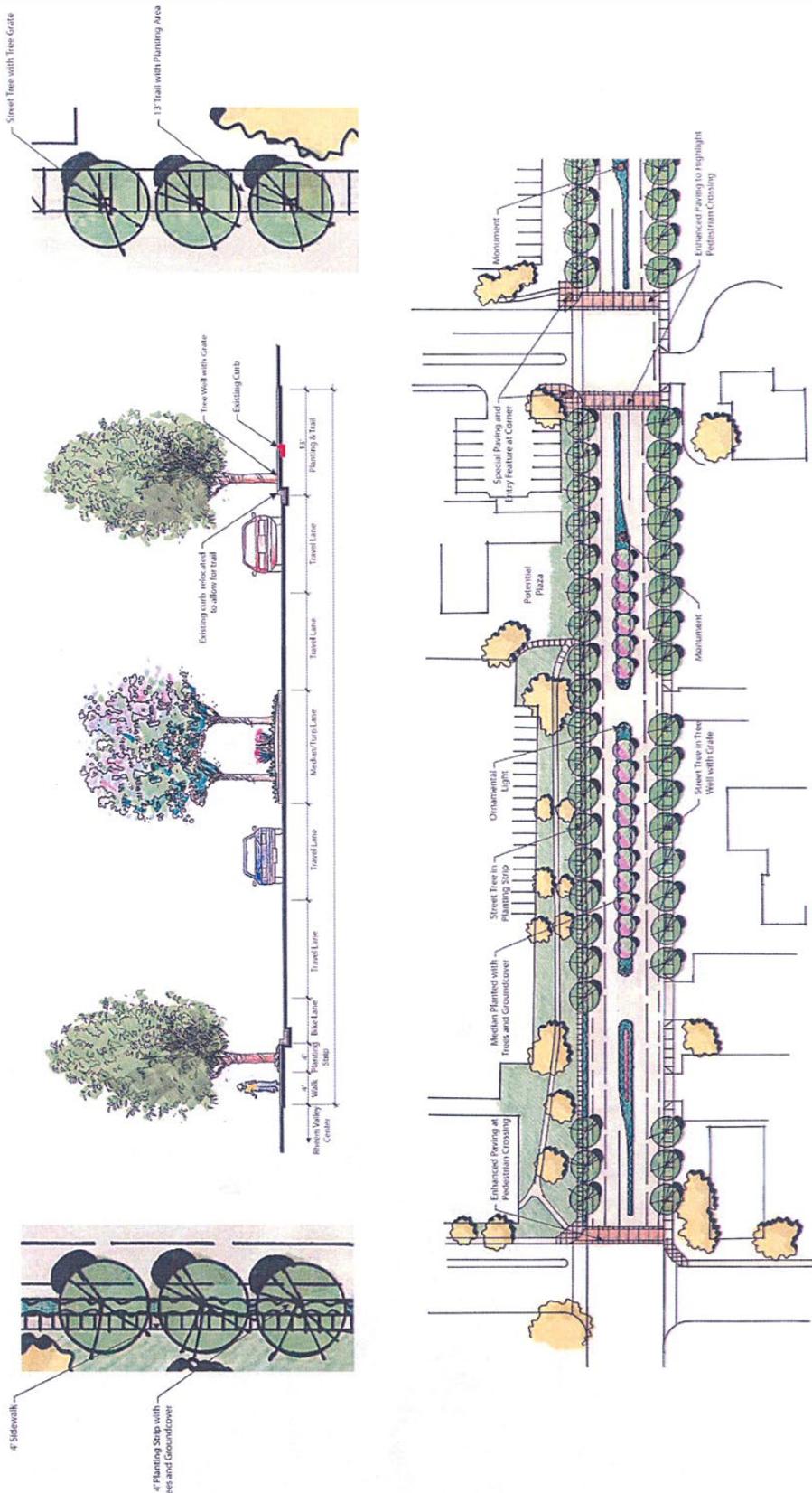
### **Street and Roadway Enhancement From the Moraga Transportation Corridor Streetscape Plan**

This appendix addresses desired types of improvements to Moraga's street and roadway corridors in the context of Moraga's semi-rural character. Using Moraga Road as a template, this appendix offers measures to add aesthetic enhancements, increase planting, provide biological storm water treatment where feasible, and enhance pedestrian and bicycle connections and safety. These should be applied along the scenic corridors, as well as at other locations throughout Moraga.

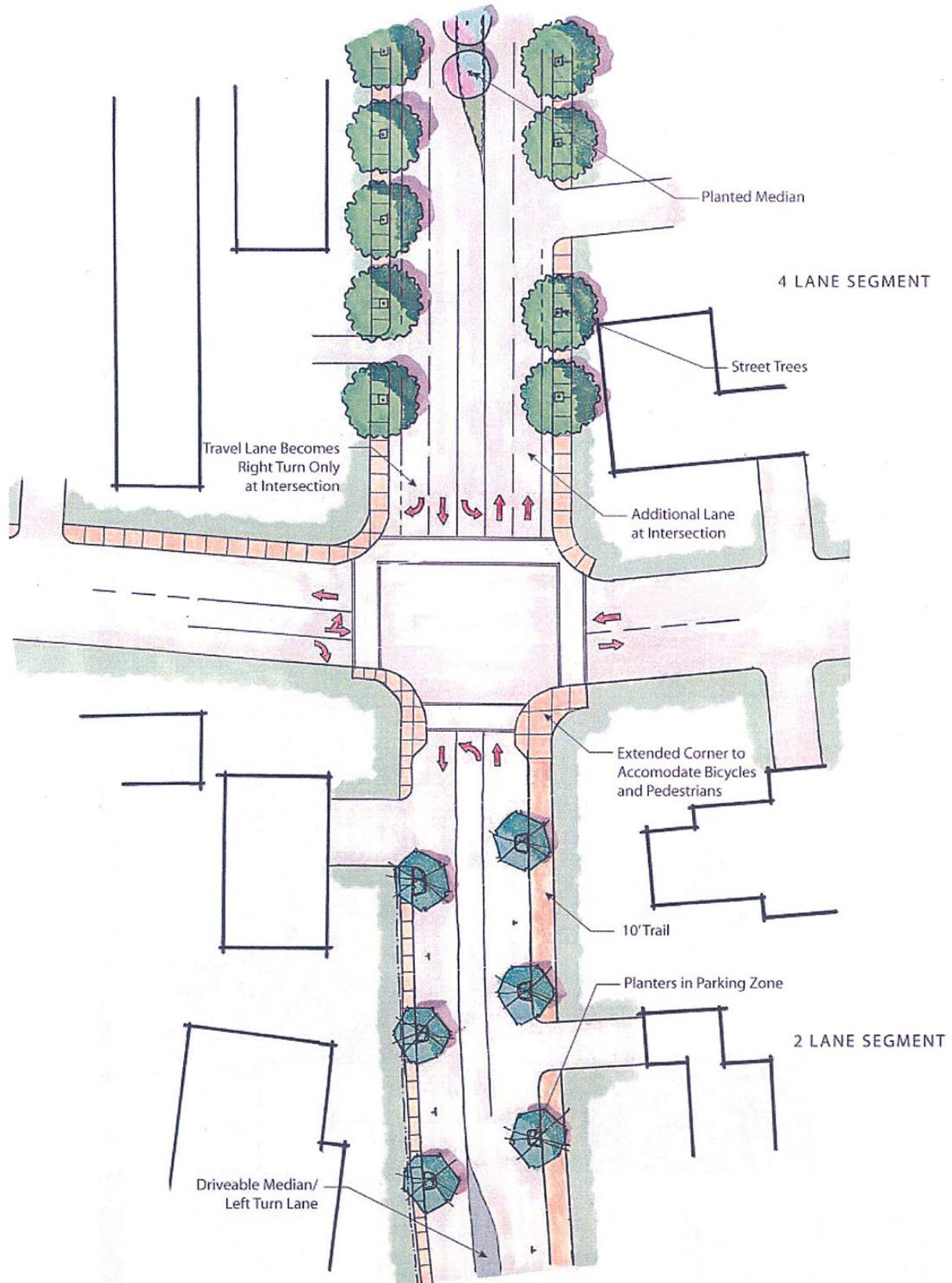
### Example of an Intersection of Two Four Lane Roads



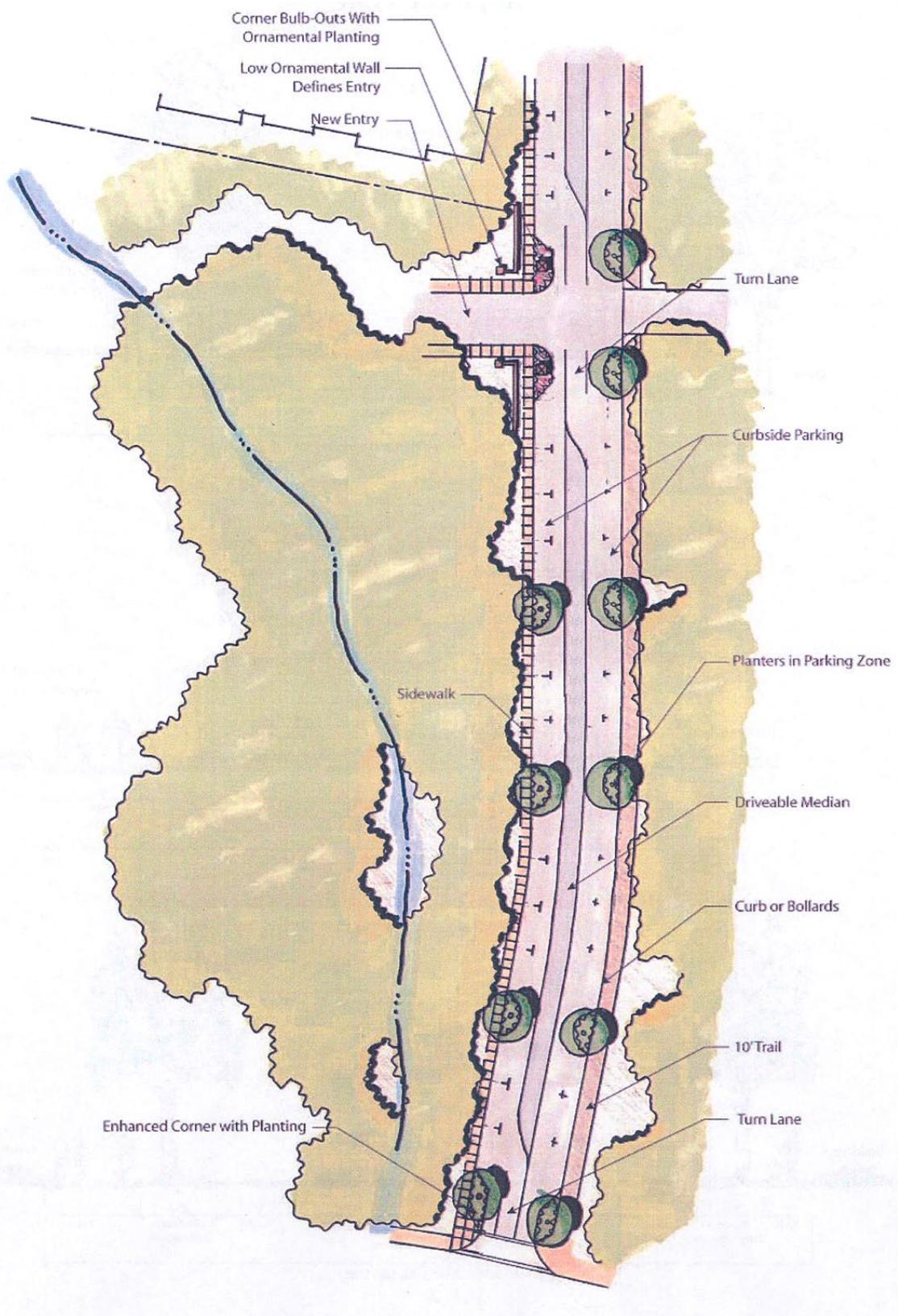
## Example of Commercial Center frontage



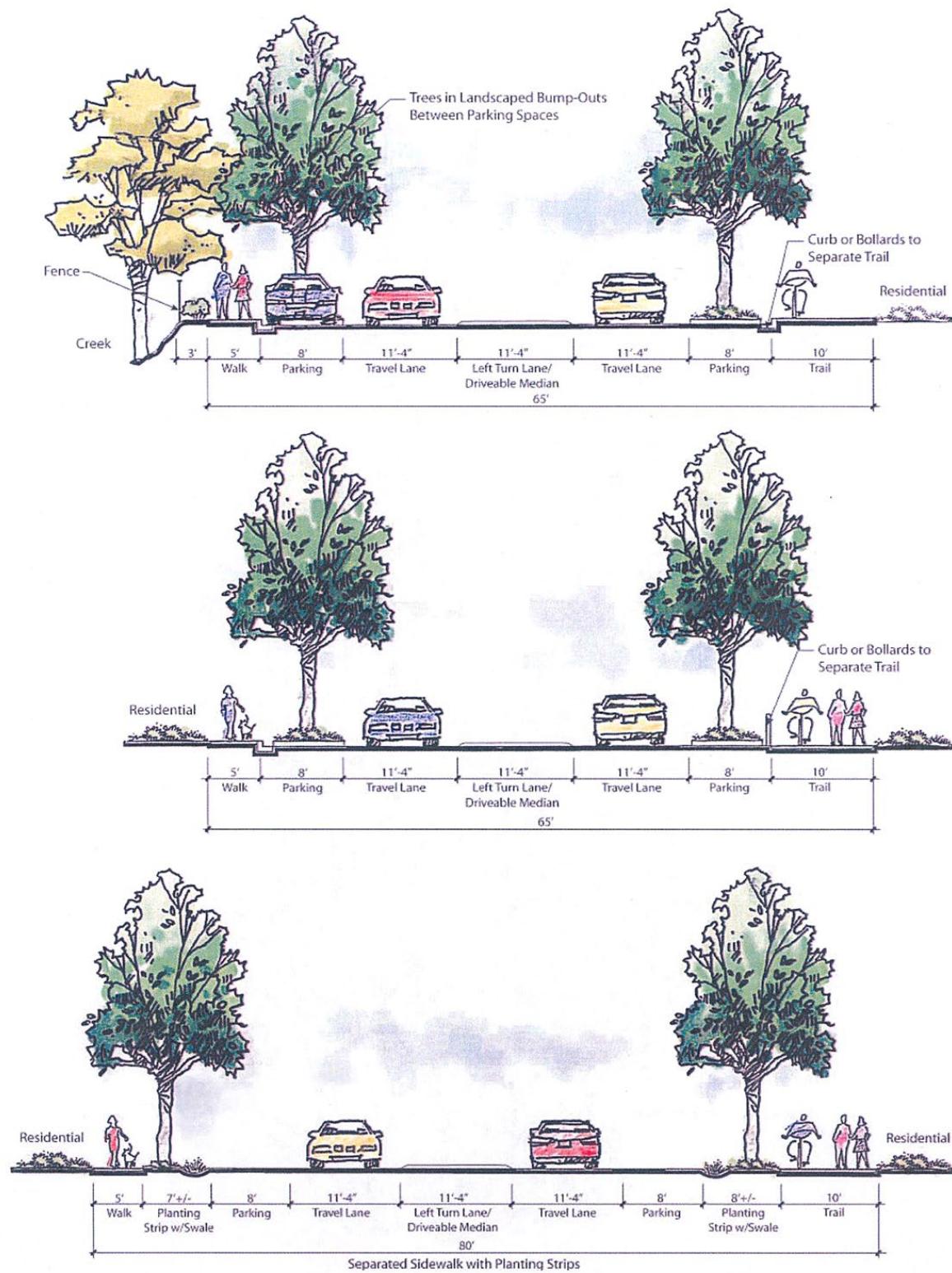
## Example of an Intersection with a Four to Two Lane Transition



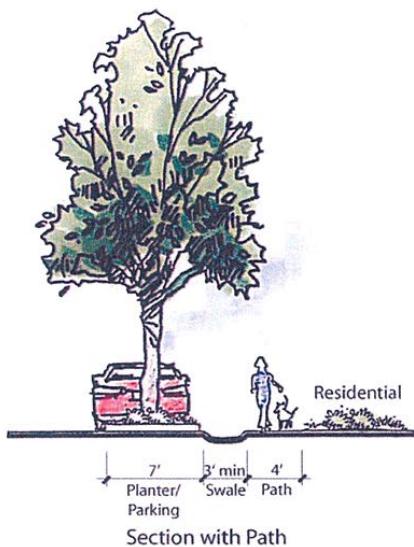
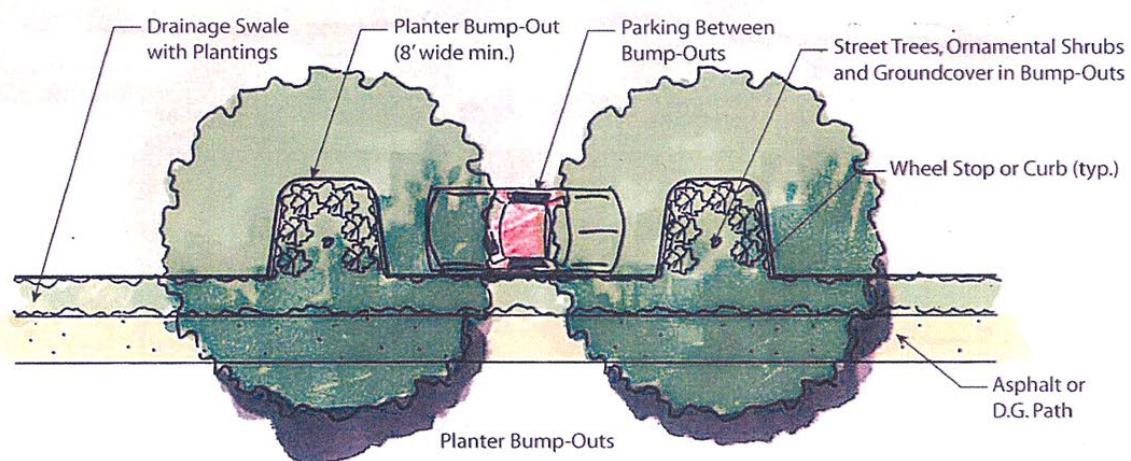
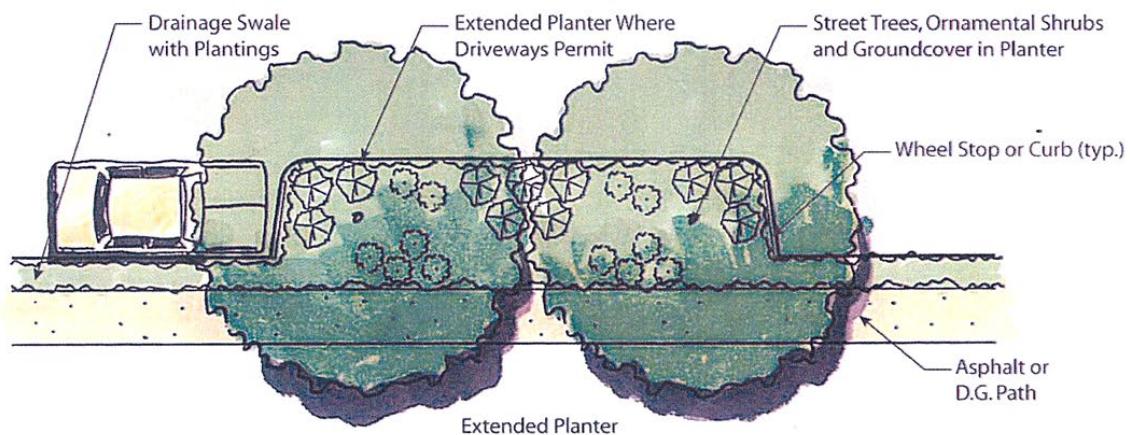
## Example of a Two Lane Road with Drivable Turn Lane/Median and Adjacent Trail



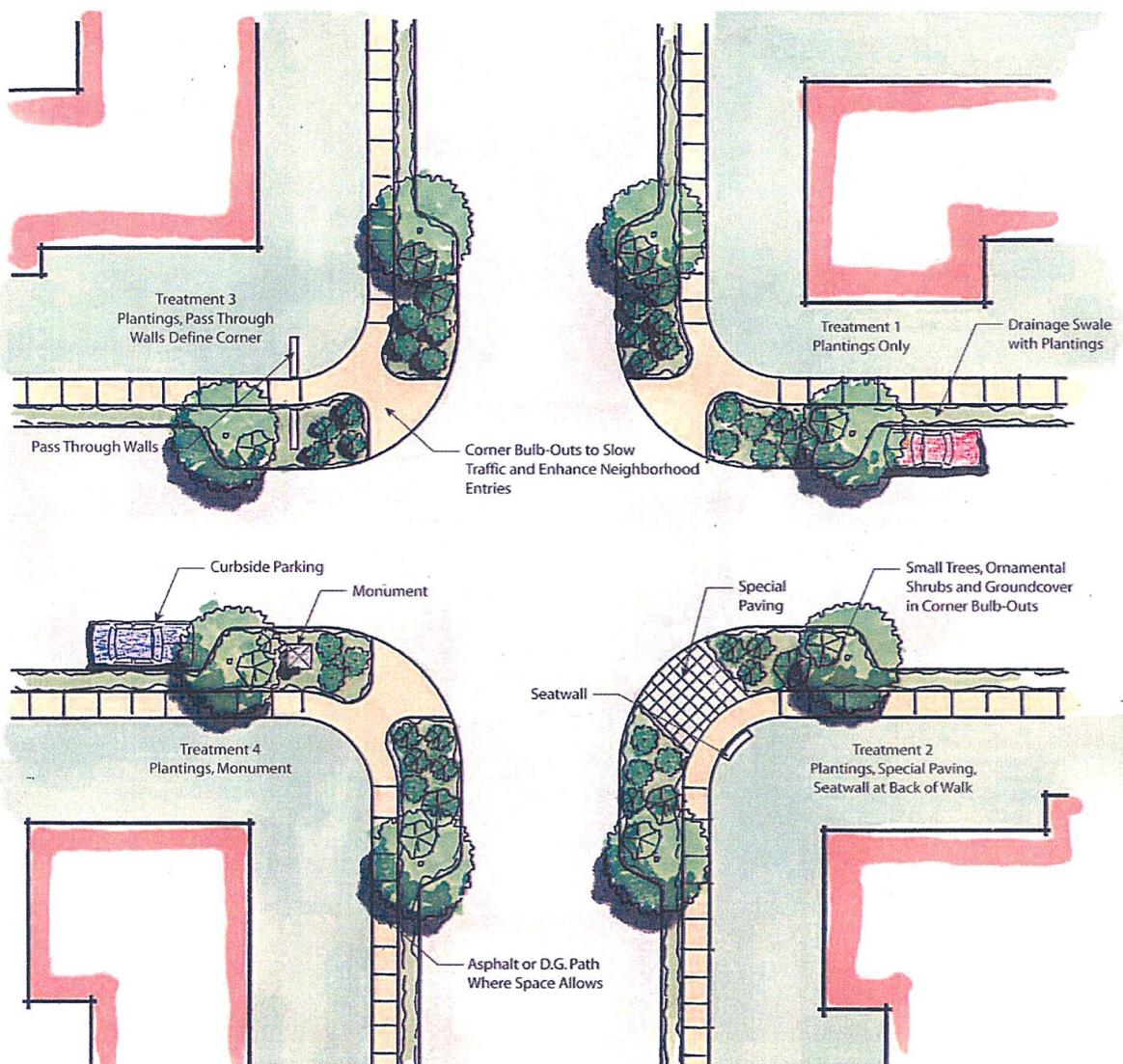
## Examples of a Two Lane Road with Drivable Turn Lane/Median and Adjacent Trail



## Example of Planters in the Parking Zone

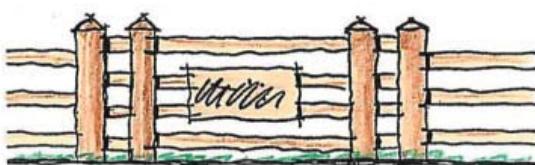
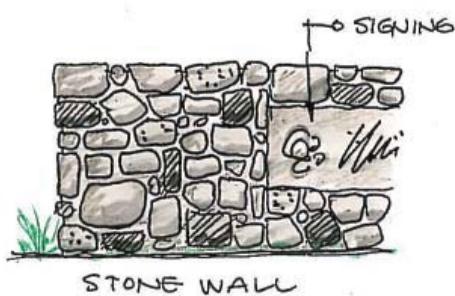
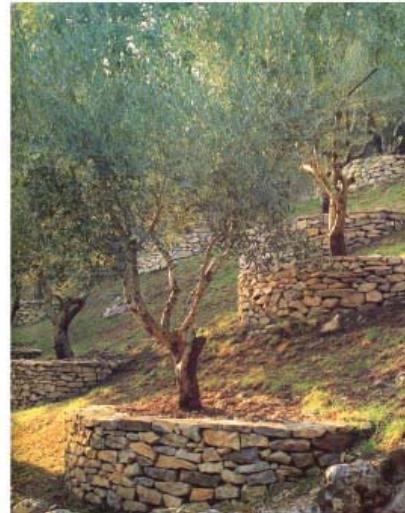
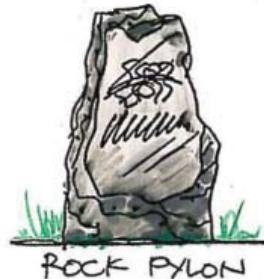
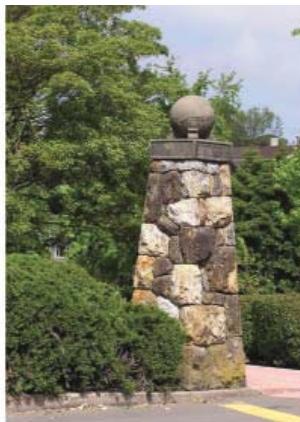


## Example of Residential Corner Options

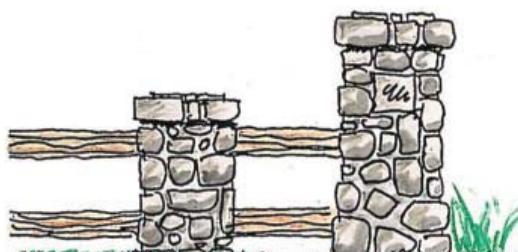


## Example Site Elements

Hardscape elements and site furnishings should reflect Moraga's semi-rural character. Use of natural material, particularly stone, is appropriate. The following pages show examples of site elements and furnishings that may be compatible with Moraga's sense of place.



TIMBER



TIMBER and ROCK PYLONS

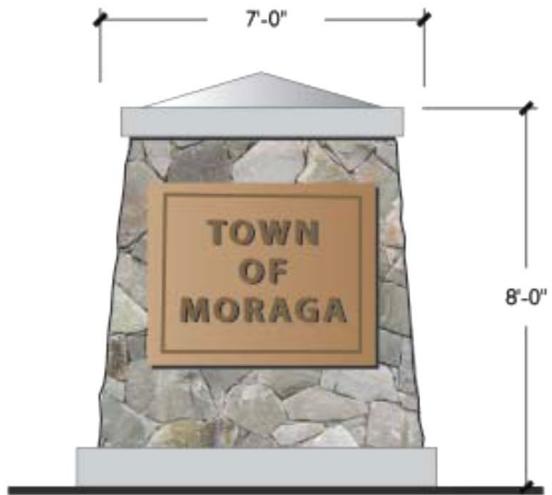
## SIGNAGE AND MONUMENTS



Existing Signage

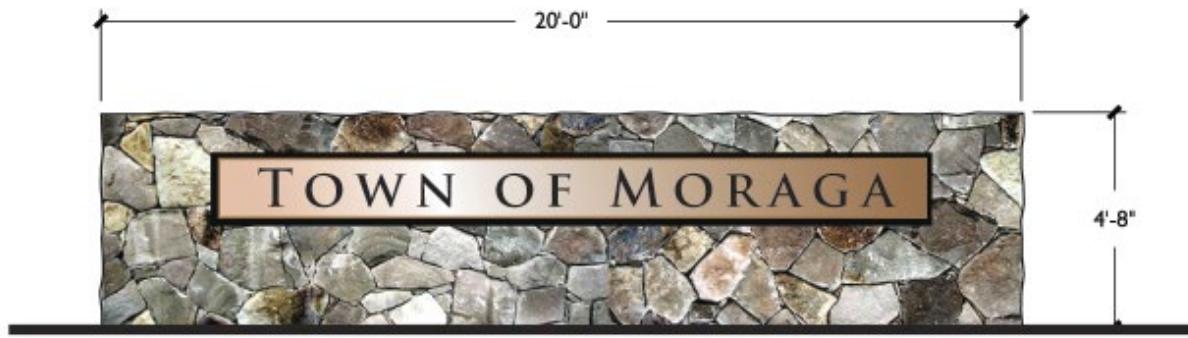


Column Option 1



Column Option 2

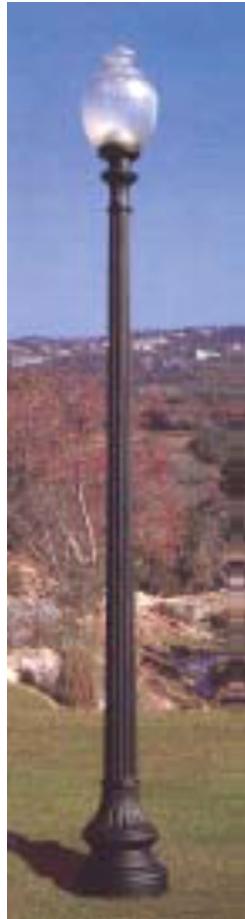
## SIGNAGE



## SITE FURNISHINGS



## LIGHTING





# **APPENDIX D**

## **Moraga Design Guidelines**

### **Single Family Residential Floor Area Ratio (FAR) Guidelines**

**Adopted by the Planning Commission on  
April 15, 2002**

## **I. Purpose**

The purpose of these guidelines is to set forth standards that will help prevent new single family residential homes and additions to existing homes where the size and scale of the proposed home would be out of character with an existing neighborhood or surrounding homes; and to maintain the semi-rural character of the Town, while still providing a variety of house sizes. The guidelines are intended to establish the maximum size of a home based on the size of the property, in order to achieve the following goals:

- a. Maintain the existing character of established residential neighborhoods;
- b. Minimize the out-of-scale appearance of large homes relative to their lot size and to other homes in a neighborhood;
- c. Minimize loss of light and privacy to neighbors caused by the construction of large homes;
- d. Minimize the dominance of structures on sloping hillside properties;
- e. Minimize the environmental damage of tree removal and grading or destruction of natural features which may result from overbuilding;
- f. Permit reasonable expansion of existing dwellings.

## **II. Applicability**

These FAR guidelines apply to new single-family residences, additions and remodels to existing residences, and infill development involving new single-family residences. These guidelines do not apply in cases where the Planning Commission or Town Council established alternative FAR standards for new homes approved as part of a Planned Development or Major Subdivision project.

The reviewing body has the authority to permit a floor area greater than the maximum allowed provided that appropriate findings are made as described in Section VI - Modifications. If the findings are geotechnically related, they should be supported by a site specific geotechnical analysis consistent with the Town's General Plan.

The maximum permitted FAR for a proposed project will be determined by the Town through the Design Review and permit approval process. The Town may require a reduced FAR depending on individual site characteristics such as parcel size, visibility from streets and other public places, proximity to adjacent development, and project design.

## **III. Definitions used in these guidelines**

- a. ATTIC means that space of the building above a story and which is not habitable and may be utilized for storage. The space must be unconditioned.
- b. BASEMENT means that portion of a building, which is either partly above finished ground surface or all below finished ground surface found between the floor and ceiling or finished floor level directly above. If the height between the ceiling and the finished ground surface adjoining the exterior walls exceeds six feet at any point or if it is utilized as a habitable space/room, the space will be considered a story.
- c. FLOOR AREA RATIO means the ratio of the buildings gross floor area divided by the net lot area.
- d. GROSS FLOOR AREA means the sum of:
  - (1) The area measured on outside walls of the first story of the dwelling;

- (2) Garage area measures on outside walls;
- (3) That portion of any first story room with a ceiling height of 15 feet or more and not a part of a second story;
- (4) Area of the second story measured on outside walls;
- (5) The area of that portion of any attic space that has a clear height of 7 feet above the floor;
- (6) The area of accessory structures greater than 400 square feet in area with permanent foundations, measured on outside walls.

- e. INFILL DEVELOPMENT means the development of a lot(s) within an existing subdivision.
- f. LOT AREA means the area of a lot in square feet, excluding access easements.
- g. MAXIMUM ALLOWABLE FLOOR AREA means the maximum floor area that may be developed on a lot, based on the lot size.

#### **IV. Exemptions**

Each of the following structures is excluded from the calculation to determine the maximum allowable floor area.

- a. A one-time only building addition of 200 square feet or less in area to an existing residence, if no other additions have been previously approved;
- b. A basement or attic, as defined by these guidelines;
- c. An accessory building(s) with a total area of less than 400 square feet, other than a garage or carport; and
- d. A covered or uncovered balcony, porch, and deck.
- e. A legally constructed building which exceeds the maximum floor area permitted by the guidelines and which is destroyed by fire, flood, landslide or other act of nature. Such a building may be rebuilt with up to the same amount of floor area, subject to approval in accord with Section 8-1704 of the Town's Municipal Code.
- f. A new residence in a Planned Development or Major Subdivision, where the maximum floor area of the new homes was approved by the Planning Commission and/or the Town Council.

#### **V. Maximum Floor Area.**

Table 1 shows the maximum FAR guidelines that apply to proposed homes on a lot with an area of 1 acre or less.

**Table 1: Maximum Floor Area – Lots 1 Acre and Less**

<b>Lot Size (sq. ft.)</b>	<b>FAR</b>	<b>Home Size (sq. ft.)</b>
4,999 and less		1,900
5,000	0.380	1,900
5,200	0.378	1,965
5,400	0.376	2,030
5,600	0.374	2,094
5,800	0.372	2,157
6,000	0.370	2,220
6,200	0.368	2,281
6,400	0.366	2,342
6,600	0.364	2,402
6,800	0.362	2,461
7,000	0.360	2,520
7,200	0.358	2,577
7,400	0.356	2,634
7,600	0.354	2,690
7,800	0.352	2,745
8,000	0.350	2,800
8,200	0.348	2,853
8,400	0.346	2,906
8,600	0.344	2,958
8,800	0.342	3,009
9,000	0.340	3,060
9,200	0.338	3,109
9,400	0.336	3,158
9,600	0.334	3,206
9,800	0.332	3,253
10,000	0.330	3,300
10,200	0.328	3,345
10,400	0.326	3,390
10,600	0.324	3,434
10,800	0.322	3,477
11,000	0.320	3,520
11,200	0.318	3,561
11,400	0.316	3,602
11,600	0.314	3,642
11,800	0.312	3,681
12,000	0.310	3,720
12,200	0.308	3,757
12,400	0.306	3,794
12,600	0.304	3,830
12,800	0.302	3,865
13,000	0.300	3,900
13,200	0.298	3,933
13,400	0.296	3,966
13,600	0.294	3,998
13,800	0.292	4,029

<b>Lot Size (sq. ft.)</b>	<b>FAR</b>	<b>Home Size (sq. ft.)</b>
14,000	0.290	4,060
14,200	0.288	4,089
14,400	0.286	4,118
14,600	0.284	4,146
14,800	0.282	4,173
15,000	0.280	4,200
15,200	0.278	4,225
15,400	0.276	4,250
15,600	0.274	4,274
15,800	0.272	4,297
16,000	0.270	4,320
16,200	0.268	4,341
16,400	0.266	4,362
16,600	0.264	4,382
16,800	0.262	4,401
17,000	0.260	4,420
17,200	0.258	4,437
17,400	0.256	4,454
17,600	0.254	4,470
17,800	0.252	4,485
18,000	0.250	4,500
18,200	0.248	4,513
18,400	0.246	4,526
18,600	0.244	4,538
18,800	0.242	4,549
19,000	0.240	4,560
19,200	0.238	4,569
19,400	0.236	4,578
19,600	0.234	4,586
19,800	0.232	4,593
20,000	0.230	4,600
21,000	0.22	4,720
22,000	0.22	4,820
23,000	0.21	4,910
24,000	0.21	4,990
25,000	0.20	5,060
26,000	0.20	5,120
27,000	0.19	5,170
28,000	0.19	5,215
29,000	0.18	5,255
30,000	0.18	5,290
31,000	0.17	5,320
32,000	0.17	5,346
33,000	0.16	5,369
34,000	0.16	5,389
35,000	0.15	5,406
36,000	0.15	5,422
37,000	0.15	5,437

<b>Lot Size (sq. ft.)</b>	<b>FAR</b>	<b>Home Size (sq. ft.)</b>
38,000	0.14	5,451
39,000	0.14	5,464
40,000	0.14	5,476
41,000	0.13	5,486
42,000	0.13	5,493
43,000	0.13	5,498
43,560	0.13	5,500
Greater than 1 acre		5,500 [1]

[1] Applies only to homes that would be visible from a scenic corridor.

For lots greater than one acre where the home would be visible from a scenic corridor, the maximum home size is 5,500 square feet. If a home on a lot greater than one acre would not be visible from a scenic corridor, the maximum size of the home shall be as determined by the Planning Commission (acting either as the Design Review Board or in its regular planning capacity) after consideration of Town policies applicable to the size and scale of proposed new homes.

The maximum gross floor area is determined by multiplying the net square footage of the parcel by the floor area ratio. The maximum floor area shall be adjusted downward in increments of two-tenths of one percent (.002) based upon each additional 200 square feet of net parcel area. For example, a lot with a net parcel size of 10,350 square feet will have a maximum floor area ratio of .328 and a maximum permitted house size of 3,394 square feet.

It is the responsibility of the property owner to provide accurate site and building area data to the Town. The Town, at its sole discretion, may require that the data be prepared at owner's expense by a licensed surveyor or civil engineer.

The maximum FAR guidelines in Table 1 is a starting point for the Town's analysis of a proposed project and do not create any entitlement for an applicant. In each case, site-specific factors may require the Town to reduce the allowed maximum floor area below the default maximum FAR guidelines shown in Table 1. Table 1 does not account for all constraining factors, including but not limited to:

- A buildable area on the lot that is significantly smaller than the total lot size, thus necessitating an unusual siting or building design approach.
- Adjacent existing homes that are significantly smaller than would be allowed by Table 1.
- Lot size in combination with hillside location would result in significant visual impacts on adjacent or nearby existing homes.

Infill lots and remodel expansion projects are often especially challenged by these factors and may require reduced floor areas below the Table 1 values. The maximum FAR for each project shall be evaluated based on the site-specific characteristics.

## **VI. Modifications**

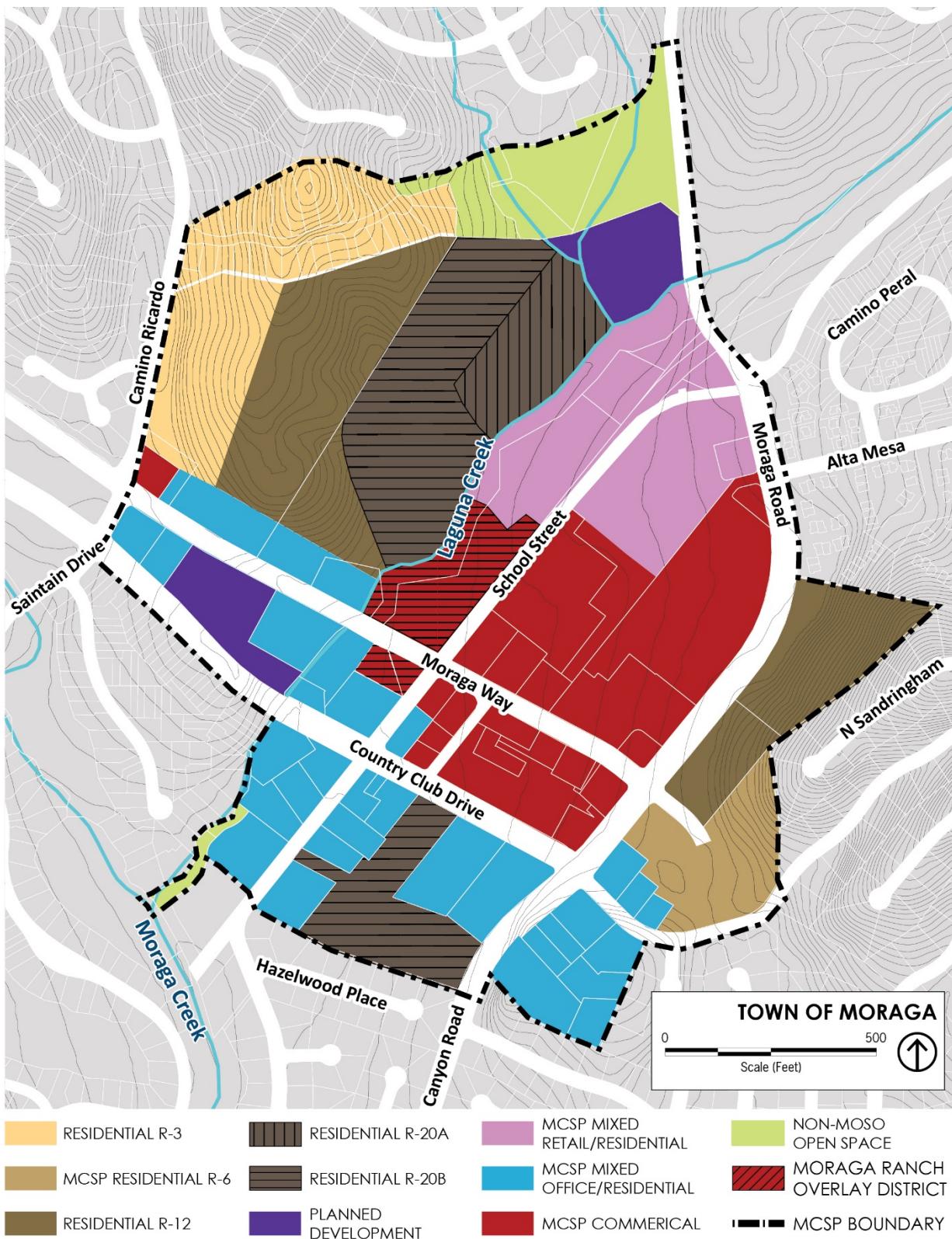
The reviewing body may grant a modification to the FAR standards with appropriate findings relating to the goals identified under Section I (Purpose). The reviewing body should not grant a modification to the FAR standard for projects with one or more of the following adverse design characteristics:

1. Any building addition that requires a variance to a front, side or rear yard property line setback.
2. The use of multiple or stacked retaining walls or retaining walls higher than three (3) feet to create level yard areas on hillside lots.
3. The lack of sufficient driveway maneuvering space or very tight turning radius for access in and out of garages or insufficient guest parking on lots with less than 45- feet of frontage to a public street.
4. Angled exterior wall solely for the purpose of making the house plan conform to the minimum building setback from a property line that is not parallel with the existing building.

The reviewing body may grant a modification to increase the allowed FAR only for projects with low visibility from neighboring properties, streets and other public places. The Town may allow increased FAR to accommodate reasonable use and enjoyment of properties where new development would not create visual impacts or diminish the quality of life for surrounding properties.

## **ATTACHMENT C**

Draft Zoning Code October 28, 2020 Redline-Strikeout  
Version



**1. Addition of Definitions**. The following definitions are hereby added to Section 8.04.020, Definitions, of Title 8, Planning and Zoning:

“Accessory Dwelling Unit”, or “ADU,” means a residential dwelling unit attached to or detached from an existing primary unit, or entirely enclosed within an existing building, which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel where the existing primary unit is situated. An accessory dwelling unit also includes the following:

- A. An efficiency unit, as defined in Section 17958.1 of the California Health and Safety Code.
- B. A manufactured home, as defined in Section 18007 of the California Health and Safety Code.

“Adjacent to the parking spaces for the existing primary unit” means within fifteen (15) feet of the nearest edge of the parking structure (garage or carport) including any storage areas within the parking structure; or within fifteen (15) feet of a legal, uncovered parking space for the existing primary unit.

“Adult Day Care Center” means a state-licensed facility that provides nonmedical care and supervision for dependent adult clients for periods of less than 24 hour per day for any client.

“Adult (Sex-oriented) Business” means a business establishment or concern which as a regular and substantial course of conduct offers, sells or distributes adult-oriented material or sexually oriented merchandise, or which offers to its patrons materials, products, merchandise, services or entertainment characterized by an emphasis on matters depicting, describing, or relating to specified sexual activities or specified anatomical areas.

“Animal Services” means any of the following:

- A. “Boarding, Kennel” means a commercial establishment that provides overnight boarding for household pets as a paid service and/or breeding services. This classification does not include animal hospitals that provide 24-hour accommodations for animals receiving medical services. (See also “Hospital, veterinary clinic” under “Animal Services.”)
- B. “Dog Day Care, Dog Training” means a commercial establishment that provides less than 24-hour keeping, boarding, or training for household pets as a paid service. This classification does not include facilities that provide overnight accommodations.
- C. “Grooming” means a commercial establishment that provides household pet grooming services with no boarding services.
- D. “Hospital, Veterinary Clinic” means office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. (See also “Boarding, Kennel” under “Animal Services.”)

“Antique, Collectible Stores” means a retail establishment that sells antiques, curios, gifts and souvenirs, and collectible items including sports cards and comic books. This classification does not include stores

selling other types of secondhand items, including clothing, household items, or furniture, including consignment stores or pawn shops (see "Restrictions" under "Retail Business").

"Area A" means the 6.135-acre area of the R-20 district designated as Area A on the MCSP Zoning Map in Chapter 8.200.030

"Area B" means the portion of the R-20 district not designated as Area A and designated as Area B on the MCSP Zoning Map in Chapter 8.200.

"Assembly or Meeting Facility" means a facility for public or private meetings, including community centers, civic and private auditoriums, Grange halls, union halls, meeting halls for clubs, lodges and other membership organizations. Also includes functionally related internal facilities such as kitchens, multi-purpose rooms, and storage. Does not include conference and meeting rooms accessory and incidental to another primary use that are typically used only by on-site employees and clients, and occupy less floor area on the site than the offices they support (see "Offices"). Does not include sports or other commercial entertainment facilities (see "Cultural Institution"; "Theater, Auditorium" and "Fitness Facility, Health Club"). Does not include religious facilities (see "Religious Facilities" and "Major Religious Facilities").

"Attached ADU" means an ADU that does not qualify as a fully contained ADU and that is located at least partially within a newly constructed expansion of, or addition to, an existing primary unit.

"Automobile Services and Repair" means any of the following:

- A. "Car Wash, Attended" means a commercial facility for washing cars where a service attendant washes the vehicle using on-site equipment or the car operator drives through an automated car washing and drying facility. An owner or his representative is on location to participate in the operation of the facility.
- B. "Car Wash, Unattended" means a commercial facility where the car operator uses water hoses, soap dispensers, drying and other on-site equipment to wash the vehicle with no facility owner or representative present during the washing. For example, the customer feeds coins into a machine in order to operate the hoses and drying vacuums for a set period of time.
- C. "Gas Station" means a commercial facility that sells gasoline and/or diesel fuel for the on-site fueling of individual vehicles and may include a small mini-mart, minor maintenance/repair facilities and services, and unattended car wash as incidental uses. This classification does not include vehicle or truck rentals such as U-haul rentals or fleet services. (see "Vehicle and Equipment Facilities.")
- D. "Maintenance Services" means an establishment that provides maintenance services as opposed to repair while customers wait, such as oil changes, tune-ups, smog checks, tire sales and installation, auto radio/electronics installation, auto air conditioning/heater service, and the sale of related parts and accessories. There is no overnight storage and most work is performed within a building or under covered bays.
- E. "Major Repair/Body Work" means an establishment that provides major repair that may require vehicles to be stored on an overnight basis such as body and fender work, vehicle painting, transmission shops, exhaust and suspension systems, engine overhauls involving the removal of

engine blocks, painting and undercoating, glass replacement, upholstery and convertible top service, radiator, transmission, and wheel and axle repair. This classification does not include vehicle dismantling or salvaging and tire retreading or recapping.

- F. "Minor Repair" means an establishment that provides repair, service, alteration, restoration, painting, cleaning, or maintenance of automobiles, light-duty trucks, motorcycles, including the sale, installation, and servicing of parts, where repairs are made or service provided in enclosed bays. Activities could include auto detail or brake and muffler work.
- G. This classification does not include automobile repair when incidental to a new car dealership, and dismantling and salvage yards, or repair of heavy trucks, construction vehicles, motor homes, and recreational vehicles (see "Heavy Vehicle and Large Equipment, Sales/Rental, Service, and Repair" under "Vehicle and Equipment Facilities").

"Banks and Financial Services" means any of the following:

- A. "Bank, Credit Union," which means a financial institution that provides retail banking services. Examples include institutions engaged in the on-site circulation of money, including credit unions. This classification does not include check cashing businesses.
- B. "Bank with Drive-Through Service," which means a facility where banking services may be obtained by motorists without leaving their vehicles.
- C. The above facilities may include automatic teller machines (ATM's).
- D. This classification includes state or federally chartered banks, savings associations, credit unions, or industrial loan companies and retail sellers that cash checks or issue money orders incidental to the main business.

"Banquet Hall" means a space or venue intended for hosting of a party, banquet, wedding or other reception, or other social event.

"Big Box Retail Business" means a retail establishment that is over 80,000 square feet that engages in the sale or rental of retail goods, wares, merchandise, services and other personal or real property.

"Building Materials Sales and Services" means an indoor or outdoor establishment selling building and landscaping materials such as cabinetry, fixtures, flooring, glass, lumber, paint, wallpaper, electrical and HVAC equipment, plants and landscaping materials including rock, stone, and masonry products to the general public. Establishments may include stores with indoor service areas and showrooms. Does not include large format retail home stores in buildings over 80,000 square feet (see "Big Box Retail Business"). May include Outdoor Storage.

"Business Support Services" means an establishment that provides goods and services primarily to other businesses. Examples include:

- A. Graphics, and advertising services.
- B. Bookkeeping.
- C. Computer-related services.
- D. Copying and blueprint services.

- E. Office equipment rental and leasing.
- F. Publishing services.
- G. Secretarial, word processing and temporary clerical services.
- H. This classification does not include professional, executive, editorial, or management services. (see "Professional Services")

"Catering Service" means a business that prepares food for consumption on the premises of a client or at any other location separate from where the food was prepared.

"Child Day Care Center" means facilities that provide nonmedical care and supervision of minors for periods of less than 24 hour per day. These facilities, all of which are required to be licensed by the California State Department of Social Services, include the following:

- A. "Family Day Care Home," as defined by Health and Safety Code Section 1596.78, means a home that regularly provides care, protection, and supervision for 14 or fewer children in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away, including the following:
  - 1. Small. A day care facility in a single-family dwelling where an occupant of the residence provides childcare for six or fewer children under the age of six or up to eight children when two of the children are at least six years of age, including children under the age of 10 years who reside at the residence.
  - 2. Large. A day care facility in a single-family dwelling where an occupant of the residence provides childcare for seven to 12 children under the age of six or up to 14 children when two of the children are at least six years of age, including children under the age of 10 years who reside at the residence.
- B. "Nursery School, Preschool, Childcare" means a commercial or nonprofit child day care facility designed and approved to accommodate 15 or more children. Examples include nursery schools, preschools, and day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.

"Compact Single-Family Housing" means ~~a single family residence of less than 1,800 square feet attached or detached residential dwelling units of smaller size developed to accommodate members of the community, such as students, teachers, and public safety employees, who otherwise cannot find housing in the area. (excluding up to 650 square feet of garage space), on a lot area of less than 4,500 square feet.~~

"Congregate Care Housing", also known as "Residential Care Facility", means housing for senior citizens with individual living units which provides residents with central management, a minimum of one meal per day in a central dining facility, transportation services, recreational activities and facilities, and social activities and facilities. These facilities may also include additional maid and linen service, sundries, beautician, banking and other similar services where they are appurtenant to the congregate care use on the site. Congregate Care Housing may also be conjoined with a nursing and medical facility.

"Contractors, Special Trade" means the following:

- A. "Cabinet Shop" means a facility that provides indoor and outdoor carpentry workspace, as well as areas where finished products are sold.
- B. "Sheet Metal Shop" means a facility that provides indoor and outdoor sheet metal fabrication workspace, as well as areas where finished products are sold.
- C. "Lumber Yard" means a facility that provides outdoor storage facilities operated by, and/or on behalf of, a licensed construction or landscape contractor for the storage of lumber materials and products along with vehicles and equipment commonly used for receiving, processing, storing, and delivering lumber. The facility may include an office and other indoor working or storage space.
- D. "Contractor Office, No Outdoor Storage" means a facility with offices operated by, and/or on behalf of, a licensed construction or landscape contractor. It may include indoor working or storage space for the storage of materials, equipment, vehicles, and other materials commonly used in the individual contractor's type of business including repair and maintenance of the equipment and vehicles, and related buildings or structures for such use. The facility does not include outdoor working or storage space.
- E. "Contractor Yard, with Outdoor Storage" means a facility that provides outdoor storage facilities operated by, and/or on behalf of, a licensed construction or landscape contractor for the storage of materials, equipment, vehicles, and other materials commonly used in the individual contractor's type of business including repair and maintenance of the equipment and vehicles, and related buildings or structures for such use. The facility may include an office and other indoor working or storage space.

"Convenience Store" means a neighborhood serving establishment that sells a range of food and merchandise oriented to daily convenience shopping needs such as limited groceries, prepackaged food, tobacco products, beverages, and other household goods for off-site consumption. A convenience store may be part of a service station or an independent land use and may typically have late hours or 24-hour operation. Convenience stores may include sale of alcoholic beverages.

"Creeks and Drainage Channels" means any creeks, channels, and tributaries shown in the map titled "Moraga Storm Drainage System", as may be amended, on file with the Town of Moraga Public Works Department.

"Cultural Institution" means a public or quasi-public facility that provides displays, entertainment, display of art or science objects, including performing arts centers for theater, dance, and events, museums, historical sites and exhibits, art galleries, and botanical gardens and may include retail uses such as a gift shop, bookshop, or restaurant.

"Density Bonus" means an increase in the established residential density in accordance with Government Code Section 65915 et seq.

"Dependent Senior Residential Dwelling Unit" means a "Residential Dwelling Unit" without provisions for cooking within the unit, provided that one hundred (100) percent of the housing meets the requirements of Section 51.3 of the California Civil Code and that cooking and eating facilities are provided on site.

"Detached ADU" means an ADU that does not qualify as a fully contained ADU and that is located at least partially within new construction that is part of a physical structure which is detached from the existing primary unit. More specifically, a detached ADU is located within a newly and legally constructed separate accessory building, or a newly constructed expansion of, or addition to, a pre-existing legally constructed separate accessory building.

"Discretionary Review Process" means the review processes identified in MMC Chapters 8.72, 8.48 and 8.132, if applicable.

"Eating and Drinking Establishments" means any of the following:

- A. "Bar, Night Club, Lounge" means an establishment that serves beer, wine, and distilled spirits on the premises under a Type 48 License (On-Sale General for Public Premises) issued in accordance with applicable California Department of Alcoholic Beverage Control regulations.
- B. "Micro-Brewery/Micro-Distillery" means a facility for the production and packaging of alcoholic beverages for distribution, retail, or wholesale, on or off premises and which meets all applicable California Department of Alcoholic Beverage Control regulations.
- C. "Restaurant, Full Service" means a restaurant that prepares food, may include alcoholic drinks, and serves seated customers who select food from a menu. Take-out service is optional and may not be available.
- D. "Restaurant, Limited Service" means an establishment that prepares food or sells packaged food for on-site consumption, take-out, or delivery. Typically customers self-serve or are served partially. This classification includes cafeterias, delicatessens, fast-food restaurants, sandwich shops, pizza parlors, snack bars, take-out restaurants, and catering businesses or bakeries that have a storefront restaurant component.
- E. "Restaurant with Drive-In Service" means a restaurant where food or coffee type beverages may be purchased by motorists who remain in their vehicles during the sales transaction.
- F. "Restaurant with Live Entertainment" means a full service or limited service restaurant that also provides live music, a disc jockey, karaoke, dancing to live or recorded music, and/or comedy or theatrical performances to patrons. This classification does not include coin-operated music player machines, i.e., jukeboxes, or other recorded music.
- G. "Tasting Room" means a facility allowing on-site tasting of alcoholic beverages and retail sales directly to the public and possessing the appropriate California Department of Alcoholic Beverage Control license type. The tasting room may be operated within a micro-brewery/micro-distillery facility, accessory to a separate on-site use, or as a stand-alone retail use. Outdoor eating areas shall be permitted as an accessory use to a tasting room consistent with CDC 18.200.190, Sidewalk cafes and outdoor eating areas.
- H. All Eating and Drinking Establishments may include outdoor seating.

"Existing Primary Unit" means an existing single-family residence with a valid certificate of occupancy.

"Firearm Store" means a retail store or wholesale business that derives its principal income from buying and selling firearms, with or without sale of ammunition and/or firearms accessories.

"Fitness Facility, Health Club" means a large scale fitness center, health, or athletic club with activities and facilities such as fitness centers, fitness classes, gymnasiums, indoor and outdoor sport courts, spa facilities, swimming pools, and other member facilities and services. This classification may include limited retail sales and restaurant facilities. This classification does not include adult entertainment businesses [See "Adult (Sex-oriented) Business"].

"Floor Area Ratio" means the ratio of the building(s) gross floor area (including the garage) divided by the net lot area.

"Food, Beverage Sales" means any of the following:

- A. "Grocery Store" means a retail establishment where the majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the store. This classification includes retail chains that carry a full range of food and household products and have more than one location. Grocery stores may include sale of alcoholic beverages. This also includes retail bakeries where any on-site baking is only for on-site sales. This classification does not include large-scale grocery stores that are combined with a retail store.
- B. "Specialty Food Shops" means a retail establishment that sells specialty foods such as seafood or meat markets, retail bakeries, and similar uses
- C. "Liquor Store" means a retail establishment that sells packaged alcoholic beverages including beer, wine, and distilled spirits. This classification does not include large format retail establishments that have hours of operation similar to retail department stores.

"Fully Contained ADU" means an ADU which is established entirely within the pre-existing building envelope of either (i) an existing primary unit or (ii) any other pre-existing, legally constructed building located upon any lot containing an existing primary unit.

"General Retail Store" means a business establishment that engages in the sale or rental of a broad array of retail goods, wares, merchandise or other personal or real property for profit or livelihood, including grocery stores and pharmacies.

"Government Office" means a facility that provides administrative, clerical, or public contact and/or service offices of a local, state, or federal government agency or service facility. Examples include city halls, post offices, fire stations, and police substations with incidental storage and maintenance of vehicles. This classification does not include facilities such as corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services, and storage facilities for vehicles and equipment. (see "Public Maintenance and Service Facility").

"Hotel" means a facility that provides guest rooms or suites, with or without kitchen facilities, intended or designed for transient lodging and includes any hotel, boutique hotel, motel, inn, guest house, or bed

and breakfast at a fixed location. These facilities may include in addition a variety of services such as restaurants, meeting facilities, spas or other personal services, and accessory guest facilities including swimming pools, sport courts, exercise facilities, and accessory retail sales.

"Indoor Entertainment Facility" means a business establishment offering participant and/or spectator/viewer recreation or entertainment within a building, including bowling alleys, billiard halls, movie theaters, karaoke halls, video game arcades and virtual reality gaming cafes. This does not include any establishments or venues offering games of chance, gambling or internet sweepstakes, all of which are prohibited in any zoning district in the town.

"Interior Living Area" means the gross interior horizontal area of a dwelling unit including but not limited to all rooms, hallways, closets, bathrooms and storage areas and specifically including the depth of all walls that divide any interior spaces but excluding the depth of all exterior walls and excluding an enclosed garage.

"Junior Accessory Dwelling Unit," or "JADU," means a residential dwelling unit that provides independent and permanent living facilities for one or more persons (including provisions for living, sleeping, and eating), is no more than 500 square feet in size, and is contained entirely within the pre-existing building envelope of an existing primary unit. A junior accessory dwelling unit shall include either separate sanitation facilities, or sanitation facilities shared with the existing primary unit.

"Licensed Massage Establishment" means a business which offers or administers massage services by massage practitioners holding a current and valid state certificate issued by the California Massage Therapy Council pursuant to California Business and Professions Code §§ 4600 et seq. as amended from time to time, whether as a massage practitioner or therapist, as defined therein.

"Live Entertainment Venue" means a business establishment which offers participant and/or spectator live entertainment, including concert halls, cabarets, dance halls and dinner theaters.

"Lot Coverage" means the portion of a lot that is covered by buildings, including principal and accessory buildings, garages, carports, and roofed porches, but not including unenclosed and unroofed decks, open roofed garden structures such as a gazebo, landings, or balconies.

"Major Religious Facility" means a religious facility that is larger than 5,000 square feet in total building size.

"MCSP" means the Moraga Center Specific Plan, adopted in January 2010, as it may be amended.

"Media Production Facility" means a facility that provides indoor commercial and public communication/telecommunication uses, as well as outdoor sets, backlots, and other outdoor facilities for motion picture, television, video, sound, computer, and other communications media production. Indoor communication uses would include radio and television broadcasting, receiving stations and studios with facilities entirely within buildings. This classification does not include exterior-mounted antennas and transmission towers (see "Utility Facility, Transmission Towers") or transmission and receiving apparatus, antennas and towers (see "Wireless Communications Facility" Section 8.144.020).

"Medical" means any of the following:

- A. "Hospital, Medical Center" means hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds for overnight stays, emergency services, and equipment and facilities to provide complete health care. These facilities may also include accessory uses such as on-site clinics, laboratories, emergency heliports, nursing facilities, extended care facilities, physical therapy, gift shops, retail pharmacies, cafeterias or restaurants, and related uses operated primarily for the benefit of patients, staff, and visitors and on-site ambulance dispatch facilities.
- B. "Medical Services Facility" means a facility, other than a hospital, where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis. A medical services facility use would provide consultation, diagnosis, therapeutic, preventative or corrective treatment services by doctors, dentists, chiropractors, counselors, physical therapists, respiratory therapists, acupuncturists, psychiatrists, psychologists, and similar practitioners of medical and healing arts for humans licensed for such practice by the state of California. This classification does not include counseling services and other services provided by nonmedical or health professionals (see "Offices, Professional" or "Social service facility"), massage therapy (see "Personal Services, General" or "Personal Services, Restricted"), or cannabis-related uses.
- C. "Nursing Facility/Extended Care" means state-licensed residential facilities that provide 24-hour nursing and health-related care as a primary use with inpatient beds. Examples include board and care homes, convalescent hospitals, rest homes, extended care facilities, and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under residential care facility.
- D. "Urgent Care Facility" means a state-licensed facility other than a hospital that provides medical care services and treatment on an outpatient basis, with an emphasis on minor emergency care. These facilities may also include incidental medical laboratories. This classification does not include private medical and dental offices.

"Ministerial Review Process" means the review process identified in Section 8.34.080 of this chapter.

"Offices" means any of the following:

- A. "Administrative, information processing" means an establishment that provides information processing, computer-dependent, and telecommunications-based activities, typically characterized by high employment densities.
- B. Airline, lodging chain, and rental car company reservation centers (no vehicle storage).
- C. Computer software and hardware.
- D. Design and development.
- E. Consumer credit reporting.
- F. Data processing services.

- G. Health management organization (HMO) offices where no medical services are provided
- H. Insurance claim processing.
- I. Mail order and electronic commerce transaction processing.
- J. Wireless communications facility design and management.
- K. Telemarketing.
- L. This classification does not include dispatch offices or offices for service-oriented businesses that have company vehicles or require storage of materials or equipment.

"Outdoor Retail Sales" means the outdoor retail sales facilities that display merchandise that either are incidental to an adjacent indoor retail use or are an independent retail use. Includes news and flower stands. Includes nurseries or garden centers. Does not include the sale of automobiles and recreational vehicles (see "Automobile Sales and Rental/Leasing"), mobile homes, or building or landscape materials (see "Building Materials Sales and Services").

"Outdoor Living Areas" means an area on the exterior of an ADU that is designed for human use or habitation including but not limited to a patio, deck or yard that can accommodate appurtenances including but not limited to a barbecue pit, an outdoor dining table, a hammock, a lounge chair, a bench or a spa.

"Park and Outdoor Recreational Facility" means an outdoor recreation facility that provides a variety of recreational opportunities such as playground equipment, open space areas for passive recreation and picnicking, interpretative facilities and trails, and sport and active recreation facilities. This classification includes related community facilities and accessory commercial facilities that provide visitor services. This classification does not include Sports Recreation Facilities, nor does it include pocket parks (*See "Pocket Park"*).

"Passageway" means a pathway that is unobstructed clear to the sky and extends from the street to one entrance of an ADU.

"Payday Lending Establishment" means a person or entity that offers, originates, or makes a deferred deposit transaction, whereby a person or entity defers depositing a customer's personal check until a specific date, pursuant to a written agreement. "Payday lending establishment" is equivalent to a "deferred deposit originator" as defined in Section 23001(f) of the California Financial Code, as amended from time to time. "Payday lending establishment" does not include a state or federally chartered bank, thrift, savings association, industrial loan company, or credit union.

"Personal Services, General" means an establishment that provides recurrently needed nonmedical services of a personal nature, which may involve the retail sales of products related to the services provided. This classification applies to establishments with a primary focus of household and consumer product repair, as opposed to a retail sales establishment that offers service and repair of their merchandise as an ancillary use. (See "General" under "Retail Business"). Does not include massage services (see "Licensed Massage Establishment"). Examples include:

- A. Barber and beauty shops.

- B. Clothing rental.
- C. Day spas.
- D. Dry cleaning pick-up stores with limited equipment (excludes central dry cleaning plants).
- E. Computer, home electronics and small appliance repair.
- F. Laundromats (self-service laundries).
- G. Parcel delivery.
- H. Pharmacies.
- I. Portrait photography.
- J. Shoe repair shops.
- K. Tailors and seamstresses.
- L. Tanning salons.
- M. Travel agencies.

“Personal Services, Improvement or Instructional” means an establishment that provides instructional services or facilities for personal improvement including fine arts, crafts, dance or music studios, exercise or fitness studios, learning centers, after-school tutoring centers, driving schools, photography, diet centers, and martial arts. This classification does not include vocational training.

“Personal Services, Other” means an establishment that provides personal services that are not covered by “Personal Services, General” or “Personal Services, Improvement or Instructional”. Examples include:

- A. Bail bonds.
- B. Fortune tellers.
- C. Palm and card readers.
- D. Pawn shops.
- E. Psychic readers.
- F. Spas and hot tubs for hourly rental.
- G. Tattoo and body piercing services

“Pocket Park” means a small, privately-owned and privately-managed outdoor space, usually no more than a one-half acre, often located in an area surrounded by buildings or houses on small lots, that can be used for activities such as outdoor recreational purposes, events, leisurely gathering, or other activities serving the immediate vicinity of the pocket park.

“Professional Services” means an establishment that provides professional, executive, editorial or management services. Examples include:

- A. Accounting, auditing, bookkeeping, financial management and investment services, and tax preparation.
- B. Advertising agencies, commercial art and design services.
- C. Design professionals, architects, engineers, landscape architects, urban planners.
- D. Educational, scientific and research organizations.
- E. Employment agencies.
- F. Legal offices.

- G. Management and public relations services.
- H. Nonmedical counseling services. Examples include, but are not limited to, career or life coaching, financial consulting.
- I. Real estate offices.
- J. This classification does not include dispatch offices or offices for service-oriented businesses that have company vehicles or require storage of materials or equipment.

“Public Maintenance and Service Facility” means a facility that provides maintenance and repair services for local, state, or federal government agencies or service facilities, including storage of vehicles, equipment, and materials. Examples include corporation yards, equipment service centers, and similar facilities.

“Religious Facility” means a space or venue intended for people to visit and gather for religious activities, including worship, congregation, and other activities affiliated with the religion, but does not include a Major Religious Facility as defined in this Section.

“Research and Development, or Laboratory” means an establishment that performs laboratory work and/or conducts research, development, and controlled production of high-technology electronics, biotechnology, industrial or scientific products or commodities. Laboratory tasks include testing, analysis, medical, dental, or optical laboratory services, and photographic development services. Other typical tasks include limited manufacturing, fabricating, processing, assembly or storage of prototypes, devices, compounds, products or materials, or similar related activities, where such activities are incidental to research, development or evaluation. All activities in this classification occur within a building. This classification may include uses that produce noise, vibrations, illumination, or particulate matter that is perceptible to adjacent land uses, but not offensive or obnoxious.

“Residential Dwelling Unit” means a building or area within a building that provides complete independent living facilities for one or more persons including permanent provisions for living, sleeping, cooking, eating, and sanitation. A motor home, trailer, camper, dormitory room, motel or hotel room, suite or extended stay unit is not a residential dwelling unit.

“Schools” means the following:

- A. “College, University” means public or private institutions of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees or certificates, with associated facilities including conference centers and academic retreats associated with such institutions. This classification does not include business and computer schools, management training, technical and trade schools, and personal instructional services (see “Improvement or Instructional” under “Personal Services” and “Trade school, Vocational Training” under “Schools.”)
- B. “Elementary, Middle, Secondary” means a public or private academic educational institution offering instruction in courses of study required by the California Education Code and maintained in compliance with standards set by the State Board of Education, including elementary (kindergarten through sixth grade), middle and junior high schools (seventh and eighth grades),

secondary and high schools (ninth through twelfth grades). Some of these schools also provide room and board.

C. "Trade School, Vocational Training" means private institutions that provide education and/or training, including vocational training in limited subjects. Examples include:

1. Business, secretarial, and vocational.
2. Computers and electronics.
3. Courses by mail or online.
4. Seminaries/religious ministry training.

D. Does not include preschools and child day care facilities (see "Child Day Care"), smaller-scale facilities offering specialized instruction in arts, ballet, dance, music, languages, and martial arts (see "Personal Services, Improvement or Instructional"), or after-school tutoring to school-age children.

"Secondhand Sales" means an establishment that sells used or new and previously owned goods including jewelry, camera equipment, sound/viewing equipment and tools, often for the purpose of raising funds to benefit religious, educational, hospital or charitable purposes. Goods are generally obtained on consignment, in a trade, and often as a donation.

"Self-Storage Facility, Mini-Storage" means a facility that provides individual storage spaces or compartmentalized stalls or lockers for individual use and is characterized by low parking demand.

"Senior Housing" or "Active Senior Housing" means a project consisting of residential dwelling units designed for senior citizens as defined in Section 51.3 of the California Civil Code. Senior housing may be either of the following:

"Congregate Care Housing", also known as "Residential Care Facility", means housing for senior citizens with individual living units which provides residents with central management, a minimum of one meal per day in a central dining facility, transportation services, recreational activities and facilities, and social activities and facilities. These facilities may also include additional maid and linen service, sundries, beautician, banking and other similar services where they are appurtenant to the congregate care use on the site. Congregate care housing may also be conjoined with a nursing and medical facility. Does not include active senior housing (see "Active Senior Housing" below).

A. "Active Senior Housing" means housing for senior citizens which does not provide any of the supporting amenities and facilities listed under Congregate Care Housing.

"Senior Citizen Housing" means "Senior Housing".

"Short Term Promotional Program" means a temporary use that operates for ten calendar days or less and may include an art exhibit, sale, charitable fund-raising drive, bazaar, or similar activity.

"Site" means the contiguous gross land area within the parcel or parcels on which housing development is located.

"Sports Recreation Facility" means a public or private facility that provides various indoor and/or outdoor recreational activities. Examples include:

- A. Archery and shooting ranges,~~outdoor~~.
- B. Basketball courts.
- C. Batting cages.
- D. Bocce ball courts.
- E. Equestrian facilities.
- F. Fitness training paths and facilities.
- G. Golf driving ranges.
- H. Lighted or amplified outdoor athletic fields or sport courts.
- I. Miniature golf courses.
- J. Skateboard parks.
- K. Swimming pools.
- L. Tennis courts.
- M. Waterslides.
- N. This classification includes park facilities that have one or more of the uses within this classification such as swimming pools or lighted sport courts, etc. May also include accessory commercial facilities customarily associated with the above including concessions, bars and restaurants, electronic games, etc.

"Stepback" is the minimum required distance an upper-story building face is set back from the building face of the ground floor, measured perpendicularly to the building face. See diagram to the right.

"Temporary Use" means a use that occupies a site for a limited time, including special events, sales, promotional activities, seasonal activities, temporary construction-related activities, and other similar temporary activities, events, and uses. Short-term promotional programs are a form of temporary use.

"Theater, Auditorium" means an indoor facility for public assembly and group entertainment, other than sporting events, including:

- A. Civic theaters, and facilities for "live" theater and concerts.
- B. Exhibition and convention halls.
- C. Motion picture theaters.
- D. Public and semi-public auditoriums.
- E. Does not include outdoor theaters, concert and similar entertainment facilities and indoor and outdoor facilities for sporting events (see "Sports Recreation Facility").

"Tobacco Store" means any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, consumption, or marketing of tobacco, tobacco products, or tobacco paraphernalia, including, without limitation, electronic cigarettes ("e-cigarettes") and/or liquid solutions containing nicotine used in such devices; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes, e-cigarettes or tobacco as an ancillary sale shall not be defined as a "tobacco store" pursuant to this chapter.

“Utility Facility, Transmission Towers” means a facility that provides a fixed base structure or facility serving as a junction point for transferring electric utility services from one transmission voltage to another or to local distribution and service voltages, and similar facilities for water supply and natural gas distribution. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

- A. Co-generation facilities.
- B. Electrical substations and switching stations.
- C. Natural gas regulating and distribution facilities.
- D. Public water system wells, treatment plants and storage tanks.
- E. Telephone switching facilities.
- F. Wastewater treatment plants, settling ponds and disposal fields.
- G. This classification does not include offices or customer service centers.

“Vehicle and Equipment Facilities” means the following:

- A. “Heavy Vehicle and Large Equipment, Sales/Rental, Service, and Repair” means an establishment that sells/rents and may provide service and repairs to construction, farm or other heavy equipment. This classification does not include autos, trucks and other passenger vehicles used for personal or business travel. (see “Automobile Services and Repair” for automobiles, motorcycles and other smaller passenger vehicles.)
  - 1. “Commercial Vehicles and Equipment” means a facility that sells/rents or services and makes repairs to construction, farm, or other heavy equipment, as well as vehicles for moving or towing property (such as cranes, earthmoving equipment, forklifts, tractors, heavy trucks, cargo trucks, vans, and trailers).
  - 2. “Recreational Vehicles” means an establishment that sells, rents and/or leases motor homes, trailers, and boats, including incidental storage, installation of accessories and maintenance. This classification also includes facilities that service or repair recreational vehicles.
- B. “Towing Services” means a facility that dispatches tow trucks and provides temporary storage of operative or inoperative vehicles. This classification does not include automobile wrecking or dismantling.
- C. “Vehicle Storage” means a facility for the storage of operative cars and other fleet vehicles, trucks, buses, recreational vehicles, and other motor vehicles. Includes facilities for the storage and/or servicing of fleet vehicles.

“Workforce Housing” means housing intended for sale or rental with a unit purchase price or rental amount that is affordable to regionally-employed persons or students of moderate, low, very low, and extremely low income levels as established by the California Department of Housing and Community Development income limits.

**2. Amendment of Definitions.** The following definitions in Section 8.04.020, Definitions, of Title 8, Planning and Zoning, are hereby deleted and replaced as follows:

"Agriculture" means the tilling of soil, the raising of crops, horticulture, dairying, and the raising and managing of livestock, and any accessory buildings or structures for agricultural activities.

"Average Lot Width", or "Lot Width" or "Width of a Lot" is the total area of the lot divided by the depth of the lot.

"Building" means a structure, whether free-standing or attached, enclosed by exterior and/or interior or party walls, or a combination thereof, that is covered by a single roof structure, and which may house single or multiple tenants or tenant spaces.

"Depth of a Lot" or "Lot Depth" means the horizontal distance between the front and rear lot lines. If the front and rear lot lines are not parallel, "lot depth" means the length of a straight line joining the middle of the front lot line with the middle of the rear lot line. If there is no rear lot line, "lot depth" means the length of a straight line joining the middle of the front lot line with the apex of the triangle formed by the side lot lines.

"Drive-in Service" means a feature or characteristic of a use involving the sale of products or the provision of services to an occupant in a vehicle and includes a drive-in or drive-up window or a drive-through service, such as mechanical automobile washing or a drive-through pharmacy or bank.

"Emergency Shelter" means housing in conformance with requirements under Chapter 8.164 that is designed for and occupied by homeless persons for no more than six months in a consecutive 12-month period.

"Frontage" means the lot line along the street or circulation thoroughfare which provides primary access to the lot. "Retail business" means the following:

- A. General: An establishment that sells or rents retail goods, wares, merchandise, services and other personal or real property. Examples include appliances and electronics stores, department stores, office and stationery supplies, bookstores, clothing and apparel, pet stores, specialty food stores selling premade or packaged food for off-site consumption (e.g., candy stores, wine shops), sporting goods, toy stores, and audio and video rental.
- B. Specialty: An establishment that engages in the sale of specific categories of products for profit or livelihood, including furniture stores, appliance stores, clothing stores, and hardware stores.
- C. Shopping Centers: These establishments primarily operate within an enclosed store but may also include permanent and partly enclosed facilities for outdoor display of merchandise when incidental to the main store (e.g., garden centers operated in conjunction with a neighborhood drug store or hardware store). Services related to the merchandise sold may be permitted as an ancillary use (e.g., photo processing, pet grooming, computer repair).
- D. Restrictions: Does not include big box retail (see "Big Box Retail Business"), the sale of used goods such as secondhand stores, used specialty goods store and pawn shops (see "Secondhand Sales"), retail sales or rentals of vehicles and equipment (see "Automobile Sales and Rental/Leasing" and

"Heavy vehicle and large equipment, sales/rental, service, and repair" under "Vehicle and Equipment Facilities"), outdoor retail sales (see "Outdoor Retail Sales"), convenience stores, and liquor stores (see "Food, Beverage Sales") or cannabis dispensary.

"Structure" means anything constructed or erected that has location on the ground, or is attached to something having location on or in the ground, except the following:

- A. Sidewalks and trails, and any appurtenances thereto such as benches;
- B. Pipes, meters, meter boxes, manholes;
- C. Mailboxes; and
- D. Poles, wires, pipes and other devices, and their appurtenant parts, for the transmission or transportation of electricity and gas for light, heat or power, or of telephone and telegraphic messages, or of water.

"Supportive Housing" means housing with no limit on length of stay, that is occupied by a target population and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type allowed in the district.

"Transitional Housing" means rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months, and in no case more than two years. Transitional housing units are residential uses subject only to those requirements and restrictions that apply to other residential uses of the same type allowed in the district "Tutoring Facility" means a facility offering academic after-school tutoring or lessons to school-aged children. This classification does not include schools (see "Schools").

**3. Deletion of Section 8.04.080.** Section 8.04.080, Lot Coverage, is hereby deleted from Title 8, Planning and Zoning.

**4. Amendment of Section 8.24.040.** Section 8.24.040, Permitted Uses, of Chapter 8.24, One, Two, and Three Dwelling Units per Acre Residential Districts, of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**"8.24.040 – Permitted Uses.**

- A. A detached single family dwelling on each lot and the accessory structures and uses normally auxiliary to it;
- B. Agriculture (Crop and tree farming with no on-site sales only);
- C. Park and Outdoor Recreational Facility if the planning commission makes a specific finding that the use is consistent with the general plan;
- D. Accessory Dwelling Units;
- E. Supportive Housing and Transitional Housing of the same type allowed in this district;
- F. Animal Keeping in accordance with Chapter 8.92, Article 1;
- G. Home Occupations in conformance with Chapter 8.112;
- H. Child Day Care Center (Family Day Care Home only); and

I. Pocket Parks.”

5. **Amendment of Section 8.24.050.** Section 8.24.050, Conditional Uses, of Chapter 8.24, One, Two, and Three Dwelling Units per Acre Residential Districts, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**“8.24.050 - Conditional ~~uses~~Uses.**

In these districts, each of the following uses is permitted on issuance of a conditional use permit:

- A. Animal Keeping in accordance with Chapter 8.92, Article 2;
- B. Assembly or Meeting Facility;
- C. Religious Facility;
- D. Sports Recreation Facility (private, not organized and operated for profit; for use by residents of the neighborhood or subdivision where it is located);
- E. Park and Outdoor Recreational Facility not organized and operated for profit; and
- F. A use which the Planning Commission, after notice and public hearing, has found to be comparable to any of the foregoing uses.”

6. **Addition of Section 8.24.055.** Section 8.24.055, Density, is hereby added to Chapter 8.24, One, Two, and Three Dwelling Units per Acre Residential Districts, of Title 8, Planning and Zoning as follows:

**“8.24.055 – Density.**

- A. One dwelling unit per acre residential.
  - 1. No more than one dwelling unit shall be constructed on any one acre, except as provided in subsection A(2) of this section.
  - 2. The density may be increased on any one acre sized parcel in compliance with all applicable state laws.
- B. Two dwelling units per acre residential.
  - 1. No more than two dwelling units shall be constructed on any one acre sized parcel, except as provided in subsection B(2) of this section.
  - 2. The density may be increased on any one acre sized parcel, in compliance with all applicable state laws.
- C. Three dwelling units per acre residential.
  - 1. No more than three dwelling units shall be constructed on any one acre sized parcel, except as provided in subsection C(2) of this section.
  - 2. The density may be increased on any one acre sized parcel in compliance with all applicable state laws.”

7. **Amendment of Section 8.24.060.** Section 8.24.060, Minimum Lot Area and Yard Setback Regulations, of Chapter 8.24, One, Two, and Three Dwelling Units per Acre Residential Districts, of Title 8, Planning and Zoning, is hereby deleted and replaced with following:

### **“8.24.060 – Minimum Lot Area and Yard Setback Regulations.**

A. The minimum lot area and setbacks for principal structures in the one, two, and three dwelling units per acre residential land use districts are set forth in the following table and shall apply to the extent consistent with state law:

Standard	SFR 1 DU/acre	SFR 2 DU/acre	SFR 3 DU/acre
Minimum lot area	30,000 sq. feet	20,000 sq. feet	10,000 sq. feet
Minimum lot width	140 feet	120 feet	80 feet
Minimum lot depth	140 feet	120 feet	100 feet
Minimum front yard setback (see A1)	25 feet	25 feet	20 feet (see A2)
Exterior side yard setback (corner lots)	25 feet	20 feet	15 feet
Minimum side yard setback	20 feet	15 feet	10 feet
Sum of side yards	N/A	35 feet	20 feet
Minimum rear yard setback	25 feet	20 feet	15 feet
Maximum lot coverage (see A3)	N/A	N/A	60 Percent

1. The front yard setback for two or more lots fronting on a private street is governed by Section 8.68.110.
2. The portion(s) of the building where the driveway is located shall be setback a sufficient distance to accommodate a minimum driveway length of 25 feet.
3. Maximum Lot Coverage for SFR 3 DU/Acre applies only to developments within the Moraga Center Specific Plan area.”

8. **Addition of Chapter 8.31.** Chapter 8.31 is hereby added to Title 8, Planning and Zoning, as follows:

### **“Chapter 8.31 – Six Dwellings per Acre Multifamily Residential District (R-6)**

#### **8.31.010 – Purpose.**

The purpose of this district is to provide for low density and low intensity multifamily structures and selected office uses in developments which will conform with existing and future neighboring development and which are designed to be compatible with site constraints, such as topography, drainage and existing vegetation.

#### **8.31.020 – Permitted Uses.**

- A. Agriculture (Crop and tree farming with no on-site sales only);
- B. One duplex residential structure on one lot;
- C. An Accessory Dwelling Unit(s) second living unit (attached to an existing single-family dwelling) approved underconsistent with Chapter 8.124.
- D. Supportive Housing and transitional housing of the same type allowed in this district.

### **8.31.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. A residential structure other than one duplex on one lot;
- B. Offices ~~use~~ upon finding such ~~a~~ use is:
  - 1. Consistent with an overall plan of development,
  - 2. Compatible with existing and proposed uses, and
  - 3. Proposed to be located in an area transitional to a commercial or office district; ~~and~~
- C. The keeping of livestock (see Chapter 8.92).

### **8.31.040 – Density.**

- A. No more than six dwelling units shall be erected on any one acre, except as provided in subsection B of this section and in Goal 4, Policy 8 of the land use element of the general plan.
- B. The allowable density may be increased in compliance with all applicable state laws.
- C. Within new condominium projects no more than six dwelling units shall be erected on any one acre.

### **8.31.050 - Requirement for market analysis.**

The planning commission may require an applicant for a conditional use permit to submit a market analysis in accord with criteria established by it.

### **8.31.060 – Site Standards**

- A. Minimum Site Standards.

Standard	
Minimum lot area:	10,000 square feet
Minimum lot width:	100 feet
Minimum front yard setback:	25 feet
Minimum side yard setback:	25 feet
Minimum side and rear yard setback:	20 feet, but not less than the height of the building.

- B. Increase in Side and Rear Yard Setback Requirements. The design review board upon review of the building permit application, and the planning commission upon review of the conditional use permit application may require an increase or permit a decrease in the minimum side yard or rear yard requirements, or both, upon finding that the adjustment is necessary to establish a proper site planning relationship to existing and proposed uses.
- C. Site Standards for Proposed Subdivision Parcels. The minimum site standards in subsection A of this section are minimum standards and are not intended to apply as a matter of right to a parcel which is proposed to be subdivided. The planning commission shall fix the minimum lot area, frontage, front yard setback and side and rear yard setback requirements for each parcel in this district which is created by the subdivision process after the date the ordinance codified in this chapter is adopted.

### **8.31.070 – Development Standards.**

- A. Lot Coverage. The lot covered by buildings and paved areas may not exceed fifty (50) percent.
- B. Maximum Building Height. At no point shall the building height of a structure in this district exceed two stories or thirty-five (35) feet, whichever is less. However, if upon design review, the reviewing authority finds that the building height proposed for the structure will create a significant adverse effect on neighboring properties or is incompatible with the natural terrain or vegetation, the reviewing authority may reduce the maximum building height permitted to a height which eliminates or mitigates the adverse effects of the building height proposed.
- C. Landscaped Areas. All areas not covered by buildings and paved areas shall conform to a landscape plan approved by the reviewing authority.
- D. Building Design. The building design shall conform to the building design concept established for the area. If a design concept does not exist at the time an application for a building permit or a conditional use permit, as the case may be, is filed, the applicant shall propose a design concept for the site and show how the design relates to neighboring properties.
- E. Recreational Facilities. As a condition of approval, the reviewing authority may require private recreational facilities consistent with the needs of those who may occupy the units proposed.
- F. Conceptual Site Plan Submittal. An application for a conditional use permit shall be accompanied by a plan containing conceptual planning, including the siting and elevation of buildings for the entire parcel.
- G. Specific Plan Submittal. As a condition to approving a conditional use permit, the planning commission may require the applicant to prepare and submit for commission approval a specific plan. The planning commission may impose this condition only when it finds that the design access, building location or circulation proposed cannot be adequately addressed on a parcel by parcel basis.
- H. Maximum Aggregate Building Height. On sloped lots where a structure is stepped down the slope, the maximum aggregate building height shall not exceed forty-five (45) feet. However, if upon design review, the reviewing authority finds that the building height proposed for the structure will create a significant adverse effect on neighboring properties or is incompatible with the natural terrain or vegetation, the reviewing authority may reduce the maximum building height permitted to a height which eliminates or mitigates the adverse effects of the building height proposed.”

9. Amendment of Chapter 8.32. Chapter 8.32 of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

## **“Chapter 8.32 – MCSP Six Dwellings per Acre Multifamily Residential District (MCSP R-6)**

### **8.32.010 – Purpose.**

Districts zoned MCSP R-6 in the MCSP area can accommodate compact single-family homes (attached or detached), single-family homes, and medium density residential development of 4 to 6 dwellings per acre.

Development shall conform with surrounding neighboring development and be designed to be mindful of site constraints, such as topography, drainage and existing vegetation. Acceptable medium density housing could take the form of compact single family homes, townhomes, duplexes, tri-plexes, and/or four-plexes or other multi-family structures. Acceptable medium density housing must be designed to achieve compatibility with existing office and residential uses. The purpose is to maximize opportunities for the development of housing to accommodate anticipated growth, facilitate mobility within both the ownership and rental markets, and encourage a diverse community.

### **8.32.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

- A. Compact Single-Family Housing and the accessory structures and uses normally auxiliary to a single family home;
- B. A detached single family dwelling with the accessory structures and uses normally auxiliary to it;
- C. One duplex and the accessory structures and uses normally auxiliary to the structure(s);
- D. Other multi-family residential structures, and the accessory structures and uses normally auxiliary to the structure(s).
- E. Accessory Dwelling Unit(s) consistent with Chapter 8.124;
- F. Supportive Housing and Transitional Housing of the same type allowed in this district;
- G. Animal Keeping in accordance with Chapter 8.92, Article 1;
- H. Home Occupations in conformance with Chapter 8.112;
- I. Child Day Care Center (Family Day Care Home only); and
- J. Pocket Parks.

### **8.32.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Animal Keeping in accordance with Chapter 8.92, Article 2 for such dwellings;
- B. Up to 5,000 cumulative square feet per lot located in an area transitional to a commercial or office district of the following:
  1. Personal Services, General;
  2. Personal Services, Improvement or Instructional;
  3. Professional Services.
- C. Sports Recreation Facility, (private, not organized and operated for profit; for use by residents of the neighborhood or subdivision where it is located);
- D. Park and Outdoor Recreational Facility not organized and operated for profit; and
- E. Other uses found by the Planning Commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.

### **8.32.040 – Density.**

- A. To the extent consistent with State law, the developer/property owner may choose to develop property in this district at a minimum of four (4) dwelling units per acre, and at no more than six (6) dwelling units per acre, except as provided in subsection B of this section.
- B. The allowable density may be increased in compliance with all applicable state laws.

## 8.32.050 – Development Standards Applicable Within the MCSP.

The following standards shall apply to the extent consistent with state law for lots within the MCSP.

### A. MCSP R-6 Site Standards.

Standard	Compact Single Family Housing		1 dwelling unit	More than 1 dwelling unit
	1 dwelling unit per lot	per lot	per lot	per lot
Minimum lot area	3,600 square feet	108,000 square feet	6,500 square feet	
<u>Maximum lot area</u>	<u>4,500 square feet</u>	<u>N/A</u>	<u>N/A</u>	
Minimum lot width	50 feet	80-70 feet average	70 feet average	
Minimum lot depth	70 feet	100-90 feet	90 feet	
Minimum front yard setback:	15 feet (see A1, A2 & A5)	20 feet (see A5)	15 feet (see A1, A2 & A5)	
Minimum side yard setback	5 feet (see A5)	10 feet (see A5)	10 feet; 20 feet average for three-story structures (see A5)	
Minimum exterior side yard setback	10 feet (see A5)	10 feet (see A5)	At least 10 feet, but not less than the height of the building (see A5)	
Minimum rear yard setback	15 feet (see A5)	15 feet (see A5)	15 feet (see A5)	
Maximum Building Height	35 feet (see A5)	35 feet (see A5)	35 feet (see A5)	35 feet (see A5)
Minimum private open space	N/A	N/A	Greater than or equal to 5 percent of each dwelling unit floor area (minimum of 50 square feet and minimum dimension of 5 feet width)	
Minimum building separation for multiple buildings on a single lot				
1 and 2 stories	N/A	N/A	25 feet (see A3)	
3 stories	N/A	N/A	35 feet (see A3)	
Maximum lot coverage	60 percent	60 percent	60 percent	
Maximum Stories	2	2	2	2 2 3 3 2 2
Maximum Floor Area Ratio (FAR)	<u>N/A</u> <u>See A4</u>	See A4	See A4	

1. The portion(s) of the building where the driveway is located shall be setback a sufficient distance to accommodate a minimum driveway length of 20 feet.
2. A porch and/or entry way feature may have a 9-foot minimum front yard setback.
3. Where two different building heights are adjacent, taller building controls separation.
4. Floor Area Ratio (FAR) The maximum gross floor area for dwelling units shall be in accordance with MCSP Table 4-11: Residential Floor Area Ratio. As stated in MCSP Table 4-10, the maximum FAR for a subdivision should be calculated on a pre-subdivision basis. In other words, the FAR multiplier identified for an entire parcel prior to its subdivision shall likewise to be deemed to be the FAR multiplier applicable to each individual lot created by the subdivision of that parcel. Except as set forth in the Minimum Site Standards table above, the maximum gross floor area for dwelling units shall be in accordance with MCSP Table 4-11: Residential Floor Area Ratio. FAR should be calculated on a pre-subdivision basis

- 5. Proposed developments fronting onto a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and stepback requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).
- B. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.

### **8.32.060 – Development Standards.**

The following standards shall apply to developments within this district to the extent consistent with state law:

- A. Landscaped Areas. All areas not covered by buildings and paved areas shall conform to a landscape plan approved by the reviewing authority.
- B. Building Design. The building design shall conform to the building design concept established for the area. If a design concept does not exist at the time an application for a building permit or a conditional use permit, as the case may be, is filed, the applicant shall propose a design concept for the site and show how the design relates to neighboring properties.
- C. Maximum Aggregate Building Height. On sloped lots where a structure is stepped down the slope, the maximum aggregate building height shall not exceed forty-five (45) feet. However, if upon design review, the reviewing authority finds that the building height proposed for the structure will create a significant adverse effect on neighboring properties or is incompatible with the natural terrain or vegetation, the reviewing authority may reduce the maximum building height permitted to a height which eliminates or mitigates the adverse effects of the building height proposed.”

10. Addition of Chapter 8.33. Chapter 8.33 is hereby added to Title 8, Planning and Zoning, as follows:

### **"Chapter 8.33 – Twelve Dwelling Unit per Acre Multifamily Residential District (R-12)**

#### **8.33.010 – Purpose.**

Districts zoned R-12 in the MCSP area can accommodate medium density residential development of 10 to 12 dwellings per acre. Development shall conform with surrounding neighboring development and be compatible with site constraints, such as topography, drainage and existing vegetation. Acceptable medium density housing could take the form of compact single-family homes, townhomes, duplexes, triplexes, and/or four-plexes or other multi-family structures. Acceptable medium density housing must be designed to achieve compatibility with existing office and residential uses.

#### **8.33.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

- A. Compact Single-Family Housing and the accessory structures and uses normally auxillary to a single family home;

- B. A detached single family dwelling and the accessory structures and uses normally auxiliary to it;
- C. One duplex and the accessory structure and uses normally auxiliary to the structure;
- D. Other multi-family residential structure on one lot, and the accessory structures and uses normally auxiliary to the structure and a small (less than 5,000 square foot) private not for profit either i) Religious Facility or ii) Assembly or Meeting Facility constructed as part of the multi-family development on the lot;
- E. Accessory Dwelling Unit(s) consistent with Chapter 8.124;
- F. Supporting Housing and Transitional Housing of the same type allowed in this district;
- G. Home Occupations in conformance with Chapter 8.112;
- H. Child Day Care Center (Family Day Care Home only); and
- I. Pocket Parks.

### **8.33.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use

- A. Up to 5,000 cumulative square feet per lot located in an area transitional to a commercial or office district of the following:
  - 1. Personal Services, General
  - 2. Personal Services, Improvement or Instructional;
  - 3. Professional Services.
- B. Sports Recreation Facility, (private, not organized and operated for profit, for use by residents of the neighborhood or subdivision where it is located); and
- C. Park and Outdoor Recreational Facility not organized and operated for profit; and
- D. A use which the Planning Commission has found to be consistent with the purpose of the district and compatible with surrounding existing uses.

### **8.33.040 – Density.**

- A. To the extent consistent with State law, the developer/property owner may choose to develop property in this district at a minimum of ten (10) dwelling units per acre, and at no more than twelve (12) dwelling units per acre except as provided in subsection B of this section.
- B. The allowed density may be increased on any one acre sized parcel, see 8.42.040 in compliance with all applicable state laws.

### **8.33.050 – Development Standards.**

- A. Development Standards. These standards shall apply to the extent consistent with state law

Standard	Compact Single Family Housing	1 Dwelling Unit	More than 1 dwelling unit
	1 dwelling unit per lot	per Lot	per lot
Minimum lot area	3,600 square feet	<del>108,000</del> square feet	6,500 square feet
<u>Maximum lot area</u>	<u>4,500 square feet</u>	<u>N/A</u>	<u>N/A</u>
Minimum lot width	50 feet	<del>80-70</del> feet <u>average</u>	70 feet average
Minimum lot depth	70 feet	<del>100-90</del> feet	90 feet
Minimum front yard setback:	15 feet (see A1, A2 & A5)	20 feet (see A5)	15 feet (see A1, A2 & A5)

Standard	Compact Single Family Housing	1 Dwelling Unit	More than 1 dwelling unit
	1 dwelling unit per lot	per Lot	per lot
Minimum side yard setback	5 feet (see A5)	10 feet (see A5)	10 feet; 20 feet average for 3-story structures (see A5)
Minimum rear yard setback	15 feet (see A5)	15 feet (see A5)	15 feet (see A5)
Maximum building height	35 feet (see A5)	35 feet (see A5)	35 feet (see A5)
Minimum private open space	N/A	N/A	Greater than or equal to 5 percent of each dwelling unit floor area, minimum of 50 square feet and minimum dimension of 5 feet
Minimum building separation (for multiple buildings on a single lot)			
2 stories	N/A	N/A	25 feet (see A3)
3 stories	N/A	N/A	35 feet (see A3)
Maximum lot coverage	60 percent	60 percent	60 percent
Maximum stories	2	2	3
Maximum Floor Area Ratio (FAR)	N/A <a href="#">See A4</a>	See A4	See A4

1. The portion(s) of the building where the driveway is located shall be setback a sufficient distance to accommodate a minimum driveway length of 20 feet.
2. A porch and/or entry way feature may have a 9-foot minimum front yard setback.
3. Where two different building heights are adjacent, taller building controls separation.
4. Floor Area Ratio (FAR). [The maximum gross floor area for dwelling units shall be in accordance with MCSP Table 4-11: Residential Floor Area Ratio. As stated in MCSP Table 4-10, the maximum FAR for a subdivision should be calculated on a pre-subdivision basis. In other words, the FAR multiplier identified for an entire parcel prior to its subdivision shall likewise to be deemed to be the FAR multiplier applicable to each individual lot created by the subdivision of that parcel. Except as set forth in the Minimum Site Standards table above, the maximum gross floor area for dwelling units shall be in accordance with MCSP Table 4-11: Residential Floor Area Ratio. FAR shall be calculated on a pre-subdivision basis.](#)
5. Proposed developments fronting onto a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and stepback requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).

B. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.

11. Amendment of Section 8.34.010. Section 8.34.010, Purpose, of Chapter 8.34, Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**“8.34.010 - Purpose.**

The purpose of this district is to establish regulations and procedures for high-density and high-intensity multifamily structures and selected service uses located in the R-20 residential district. This district shall only be applied to properties within the Moraga Center Specific Plan Area, consistent with policies of the adopted specific plan. This district shall not be applied to properties which have an average predevelopment slope in excess of twenty (20) percent. Development projects within this district shall be subject to either the ministerial review process or the discretionary review process as provided for in this chapter.”

12. Amendment of Section 8.34.030. Section 8.34.030, Permitted Uses, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**“8.34.030 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

- A. Residential dwelling units in accordance the provisions of this chapter;
- B. Dependent Senior Residential Dwelling Units in accordance with the provisions of this chapter;
- C. Accessory structures and uses incidental to the dependent senior and residential dwelling units such as parking, laundry, dining, grooming, healthcare and recreation facilities for the exclusive use and enjoyment of the Dependent Senior and Residential Dwelling Unit occupants and their guests;
- D. Supportive Housing and Transitional Housing of the same type allowed in this district;
- E. Congregate Care FacilitiesHousing;
- F. Child Day Care Center (Family Day Care Home only);
- G. Home Occupations in conformance with Chapter 8.112; and
- H. Pocket Parks.”

13. Amendment of Section 8.34.035. Section 8.34.035, Conditional Uses, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**“8.34.035 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Up to 5,000 cumulative square feet per lot located in an area transitional to a commercial or office district of the following:
  - a. Personal Services, General;
  - b. Personal Services, Improvement or Instructional;
  - c. Professional Services.

- B. Sports Recreation Facility, (private, not organized and operated for profit; for use by residents of the neighborhood or subdivision where it is located;
- C. Park and Outdoor Recreational Facility not organized and operated for profit; and
- D. A use which the Planning Commission has found to be consistent with the purpose of the district and compatible with surrounding existing uses.”

**14. Amendment of Section 8.34.040.** Section 8.34.040, Density, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**“8.34.040 – Density.**

- A. To the extent consistent with State law, and except as set forth in subsections below, the developer/property owner may choose to develop property in this district at a minimum of sixteen (16) dwelling units per acre, and at no more than twenty (20) dwelling units per acre, exclusive of streets.
- B. The maximum number of residential dwelling units allowed in this district is twenty (20) per acre plus any applicable density bonus to the extent consistent with state law, except as follows:
  - 1. Senior Housing shall have a maximum density of thirty (30) residential dwelling units per acre plus an additional three dependent senior residential units per acre.
  - 2. The number of dependent senior residential units per acre allowed under Section 8.34.040B(1) may be increased by a ratio of three dependent senior residential dwelling units for each reduction of one residential dwelling unit per acre below the thirty (30) permitted, up to a maximum of nine such dependent senior residential dwelling units per acre.”

**15. Amendment of Section 8.34.060.** Section 8.34.060, Development Standards, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**“8.34.060 – Development Standards.**

- A. All development shall meet or exceed the minimum requirements identified in the table below, to the extent consistent with state law:

Development Standard	Minimum Requirement
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
Number of Residential Dwelling Units	60
Square Feet Per Residential Dwelling Unit	300
Square Feet Per Dependent Senior Residential Dwelling Unit	100
Average Site Width	200 feet
Average Site Depth	200 feet

Development Standard	Minimum Requirement
Site Building Setback	20 feet from all site boundaries to any architectural projection on a building
Creek Building Setback	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.
Pervious surface area (including natural or landscaped area)	30 percent of site area
Natural area or area landscaped area with living plants	20 percent of site area
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 in each direction
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 Dependent Senior Residential Dwelling Unit
Parking for Senior Housing  (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.)	The minimum parking ratio provided for in Section 8.34.060(A)(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
Parking space dimensions	As required by Moraga Municipal Code Section 8.76.050

B. All development shall conform to the maximum limits identified in the table below, to the extent consistent with state law:

Development Standard	Regulation
Minimum Front Yard Setback	20 feet
Minimum side yard setback	20 feet
Minimum exterior side and rear yard setback	15 feet
Building Height	45 feet
Lot Coverage by Buildings	65 percent of project site area
Lot Coverage by Impervious Surfaces (buildings, structures, and hard paving)	70 percent of project site area
Maximum Number of Stories	3 stories
Floor Area Ratio (note: covered but unenclosed walkways and stairways are not included in the calculation of floor area)	1.15 when enclosed parking is provided, or .85 when uncovered or carport paring is provided and an additional .35 is allowed for common area facilities such as enclosed corridors, game room, dining room and facility kitchen
Private outdoor area for each unit	100 square feet attached or immediately adjacent to each unit with a minimum dimension of 6 feet in each direction; 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
Slope of Planted Area	33 percent

C. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.”

**16. Amendment of Section 8.34.070.** Section 8.34.070, Design Requirements, of Twenty Dwelling Unit Per Acre Residential District (R-20), of Title 8, Planning and Zoning is hereby deleted and replaced with the following:

**“8.34.070 – Design Requirements.”**

A. All development shall comply with the following requirements in addition to Chapter 8.200.050 Moraga Center Design Requirements:

1. The lowest floor of all new residential structures, including basement areas, shall be located at an elevation that is at least two feet above the 100-year (one percent annual occurrence) base flood elevation in accordance with MMC Section 8.108.120(C)(1)(a).
2. If a grading permit is required, it shall be in compliance with all provisions of Title 14 of the Moraga Municipal Code except Moraga Municipal Code Chapters 14.08, 14.12, and 14.16 and shall not be subject to discretionary review.
3. All retaining walls, with the exception of building foundations, shall be no higher than five feet. If a fence is located within two feet of a retaining wall the combined retaining wall and fence height shall not exceed eight feet. There shall be no more than three new retaining walls running in the same direction located within fifty (50) feet of one another. The minimum distance between any two retaining walls is equal to the height of the wall and the area between the walls shall be planted.
4. No grading shall result in a slope steeper than thirty-three (33) percent.
5. Three-story building elements visible from public streets or public facilities shall be designed with varied setbacks, articulated exterior forms, or architectural features which add detail, including, but not limited to pitched roofs with dormer windows, parapet walls, etc.
6. If development proposed within five hundred (500) feet of a major scenic corridor as defined in Chapter 8.132:
  - a. Building setbacks from the scenic corridor shall be varied in order to avoid creation of a walled effect, with the setback for third floor elements increased by fifty (50) percent above the minimum otherwise applicable in this district.
  - b. Grading or earth-moving shall be designed and executed in such manner that final contours transition smoothly with the adjoining natural grade. Exposed finished slopes shall be planted with materials selected to minimize the potential for erosion and to provide for visual compatibility with adjoining ground covers.
  - c. The number of access points to and from the scenic corridor shall be minimized consistent with traffic safety and project access and circulation needs.
  - d. All parking required under Sections 8.34.060(A)(12)–(13) shall be provided onsite. Parking on the scenic corridor roadways shall be minimized.
  - e. All existing trees shall be identified on the plans submitted by a licensed arborist, including the condition, size and species of the trees. Plans shall include measures to protect trees in good condition identified on the plans for preservation and mitigation measures, including but not limited to replacement. Placement of temporary construction fencing around the drip line of such trees shall be a condition.

7. A minimum of two hundred (200) cubic feet of enclosed weather-proof and lockable private storage space in addition to guest, linen, pantry and clothes closets customarily provided shall be provided for each unit other than a Dependent Senior Residential Dwelling Unit.
8. No exception to the regulations in Section 8.34.060 or 8.34.070 is allowed for any development project which is subject to the ministerial review process."

17. **Deletion of Section 8.36.015.** Section 8.36.015, Definitions, of Chapter 8.36, Community Commercial District, of Title 8, Planning and Zoning, is hereby deleted.

18. **Amendment of Section 8.36.020.** Section 8.36.020, Permitted Uses, of Chapter 8.36, Community Commercial District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**“8.36.020 - Permitted Uses.**

In this district, each of the following uses is permitted by right :

1. Animal Services (Grooming only);
2. Banks and Financial Services;
3. Cultural Institutions;
4. Fitness Facility, Health Club;
5. Food, Beverage Sales;
6. Eating and Drinking Establishments (No Drive-in Service)
7. Indoor Entertainment Facility (less than 5,000 square feet with no alcohol sales);
8. Medical (Medical Services Facility only);
9. Professional Services;
10. Licensed Massage Establishments;
11. Personal Services, General and Improvement/Instructional;
12. Retail Business (except Convenience Stores);
13. Schools (Trade School, Vocational Training only); and  
**14. Tutoring Facility;**
- 15.14. Other uses found by the Planning Commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.”**

19. **Amendment of Section 8.36.030.** Section 8.36.030, Conditional Uses, of Chapter 8.36, Community Commercial District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

“8.36.030 - Conditional Uses.

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Retail Business (Nursery, Garden Center);
- B. Eating ad Drinking Establishment (with Outdoor Seating);
- C. Food, Beverage Sales (Convenience and Liquor Stores)
- D. Drive-In Service;

- E. Building Materials Sales and Services;
- F. Contractors, Special Trade;
- G. School (~~Trade School, Vocational Training Colleges, Universities~~);
- H. Child Day Care Center;
- I. Assembly or Meeting Facility;
- J. Banquet Hall;
- K. Indoor Entertainment Facility (greater than 5,000 square feet, sale of alcohol allowed);
- L. Live Entertainment Facility;
- M. Hotel;
- N. Animal Services (Hospital, Veterinary Clinic);
- O. Research and Development, or Laboratory;
- P. Adult (Sex-oriented) Business;
- Q. Personal Services, Other (Tattoo and Body Piercing Services, Pawn Shop);
- R. Secondhand Sales;
- S. Tobacco Store;
- T. Payday Lending Establishment;
- U. Automobile Services and Repair;
- V. Vehicle and Equipment Facilities ("Vehicle Storage"); and
- W. A use which the planning commission has found to be comparable at a public hearing to any of the foregoing uses."

**20. Amendment of Section 8.36.040.** Section 8.36.040, Site Standards, of Chapter 8.36, Community Commercial District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**"8.36.040 – Site Standards.**

- A. Site Standards.

Standard	
Minimum lot area:	10,000 square feet
Minimum lot width:	100 feet
Front yard setback:	50 feet
Exterior side yard setback:	50 feet
Side yard setback:	None
Rear yard setback:	None

- B. Increase in Side and Rear Yard Setback Requirements. The Planning Commission acting as the Design Review Board for a conditional use permit application may establish increased side yard or rear yard setback requirements, or both, if it determines that the increase is necessary to establish a proper site planning relationship for existing and proposed uses.
- C. Increase or Decrease in Front and Exterior Side Yard Setback Requirements. The Planning Commission upon review of a design review application or conditional use permit application may increase or decrease the front and exterior side yard setback standards upon determination that:
  - 1. The modification is justified based on the existing locations of buildings, parking areas and other access points;

2. The design is consistent with the intent of this chapter and is complementary and compatible with existing development on the same site;
3. The modification will not have an adverse effect on other properties in the vicinity of the project."

**21. Addition of Chapter 8.37.** Chapter 8.37, MCSP Commercial District (MCSP-C), is hereby added to Title 8, Planning and Zoning, of the Moraga Municipal Code as follows:

## **"Chapter 8.37 – MCSP Commercial District (MCSP-C)"**

### **8.37.010 – Purpose.**

The purpose of this district is to provide for a commercial land use district within the Moraga Center Specific Plan (MCSP) area, as established in the Moraga Center Specific Plan.

### **8.37.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

A. Office, Commercial, and Retail Uses:

1. Adult Day Care Centers;
2. Antique, collectible stores;
3. Banks and Financial Services;
4. Building Materials Sales and Services;
5. Business Support Services;
6. Catering Services;
7. Child Day Care Centers;
8. Cultural Institutions;
9. Eating and Drinking Establishments;
10. Food, Beverage Sales except for Liquor Stores
11. Fitness Facility, Health Club;
12. Hotels;
13. Licensed Massage Establishments;
14. Assembly ~~and/or~~ Meeting Facility – Restricted to less than 5,000 square feet;
15. Offices;
16. Outdoor Retail Sales and Activities;
17. Personal Services, General;
18. Personal Services, Improvement or Instructional;
19. Professional Services;
20. Religious Facilities;
21. Retail Sales, except Convenient Stores which shall be a Conditional Use;
22. Schools – Restricted to Trade Schools, Vocational Training;
23. Theater, Auditorium;

B. Business Park and Industrial Uses:

1. Media Production Facility; and

- 2. Utility Facility
- C. Public/Quasi-Public and Recreational Uses:
  - 1. Government Offices;
  - 2. Park and Outdoor Recreational Facilities; and
- D. Other uses found by the planning commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.

### **8.37.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Animal Services (Hospital, Veterinary Clinic);
- B. Assembly or Meeting Facilities greater than 5,000 square feet;
- C. Automobile Services and Repair;
- D. Banquet Hall;
- E. Convenience Stores;
- F. Drive-In Service;
- G. Contractors, Special Trade;
- H. Personal Services, Other;
- I. Secondhand Sales;
- J. Temporary Uses;
- K. Utility Facility, Transmission Towers; and
- L. A use which the planning commission has found to be comparable at a public hearing to any of the foregoing uses.

### **8.37.040 – Development Standards.**

- A. Development standards. All development shall conform to the limits identified in the table below, to the extent consistent with state law:

MCSP COMMERCIAL DEVELOPMENT STANDARDS

Standard	
Minimum lot area	10,000 square feet
Minimum lot width	100 feet
Minimum lot depth	100 feet
Minimum front yard setback	None (See A1)
Exterior side yard setback	None (See A1)
Side yard setback	None (See A1)
Rear yard setback	None (t See A1)
Maximum building height	35 feet (See A1)
Maximum stories	2 stories
Maximum Floor Area Ratio Factor (FAR)	.60
Maximum lot coverage	60 percent

1. Proposed developments fronting onto a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and stepback requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).
2. Landscaped Areas. The lot shall contain landscaped areas designed in accordance with the state Model Water Efficiency Landscape Ordinance which shall be subject to approval by the reviewing authority.

B. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards."

**22. Amendment of Section 8.40.020.** Section 8.40.020, Permitted Uses, of Chapter 8.40, Limited Commercial, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**"8.40.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right

1. Animal Services (Grooming only);
2. Banks and Financial Services;
3. Cultural Institutions less than 5,000 square feet;
4. Eating and Drinking Establishments (no outdoor seating nor Drive-In Service – establishments with outdoor seating shall be treated as a Conditional Use while establishments with drive-in services are prohibited);
5. Food, Beverage Sales (Grocery stores only);
6. Indoor Entertainment Facility (Less than 5,000 square feet and no serving of alcoholic beverages);
7. Indoor Sports Training Facility;
8. Licensed Massage Establishments;
9. Medical (Medical Services Facilities only);
10. Personal Services, General and Improvement/Instructional;
11. Professional Services;
12. Retail Business (General Retail and Specialty Retail only);  
Tutoring Facility; and
13. Other uses found by the planning commission at a public hearing to be consistent with the purpose of the district and comparable to any of foregoing uses."

**23. Amendment of Section 8.40.030.** Section 8.40.030, Conditional Uses, of Chapter 8.40, Limited Commercial, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**"8.40.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

1. Animal Services (Hospital, Veterinary Clinic);
2. Automobile Services and Repair (Gas Stations with or without Car Wash);
3. Child Day Care Centers (Nursery School, Preschool, Childcare);

- 4. Food, Beverage Sales (Liquor Store);
- 5. Eating and Drinking Establishments (with outdoor seating);
- 6. Indoor Entertainment Facility (greater than 5,000 square feet and may serve alcoholic beverages);
- 7. ~~Retail Business~~ (Convenience Stores);
- 8. Personal Services, Other;
- 9. Adult (Sex-oriented) Business;
- 10. Firearm Store;
- 11. Payday Lending Establishment;
- 12. Secondhand Sales;
- 13. Tobacco Store;
- 14. Self-Storage Facility, Mini-Storage; and
- 15. A use which the planning commission has found to be comparable at a public hearing to any of the foregoing uses.

B. In addition to the conditional use permit requirements set forth in Section 8.12.120, the following guidelines shall be used in considering the appropriateness and acceptability of a proposed conditional use:

- 1. The use shall be compatible in land use and traffic characteristics with other abutting uses;
- 2. Any adverse characteristics of the proposed use shall be mitigated to the extent necessary to make the use compatible with neighboring uses;
- 3. The use shall be located/conducted within a building or space enclosed by approved fencing, landscaping or other buildings;
- 4. The use shall not generate noise levels measured in excess of fifty-five (55) dba during daytime hours, or fifty (50) dba during nighttime hours as measured inside of the nearest sensitive receptor (such as a dwelling unit, school classroom, church sanctuary or nursing home);
- 5. The use will not generate excessive glare, electrical interference, odor, vibration, brilliant light, dust, smoke, fumes or have other characteristics that are otherwise offensive to the senses to the extent that there is interference with the development or enjoyment of other properties in the vicinity;
- 6. The hours of operation will not foster conditions detrimental to the neighborhood or town."

**24. Amendment of Section 8.40.040.** Section 8.40.040, Site Standards, of Chapter 8.40, Limited Commercial, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**"8.40.040 – Site Standards.**

A. Site Standards.

Standard	
Minimum lot area:	10,000 square feet

Standard	
Minimum lot width:	100 feet
Front yard setback:	25 feet
Exterior side yard setback:	25 feet
Side yard setback:	None
Rear yard setback:	None

- B. Increase in Front, Side and Rear Yard Setback Requirements. The Planning Commission, upon review of a design review application or conditional use permit application, may require an increase on the minimum front yard, side yard or rear yard requirements, or both, upon a finding that the increase is necessary to establish a proper site planning relationship to existing and proposed uses.
- C. Increase or Decrease in Front and Exterior Side Yard Setback Requirements. In connection with the issuance of a conditional use permit the planning commission may increase or decrease the front and exterior side yard setback standards upon determination that:
  - 1. The modification is justified based on the existing locations of buildings, parking areas and other access points;
  - 2. Existing facilities on the same parcel are sufficient to provide adequate services;
  - 3. The design is consistent with the intent of this chapter and is complementary and compatible with existing development on the same site;
  - 4. The modification will not have an adverse effect on other properties in the vicinity of the project.”

**25. Addition of Chapter 8.41.** Chapter 8.41, MCSP Mixed Retail / Residential District (12-20 Dwelling Unit per Acre) (MCSP MU-RR), is hereby added to Title 8, Planning and Zoning, as follows:

## **“Chapter 8.41 – MCSP Mixed Retail / Residential District (12-20 Dwelling Unit per Acre) (MCSP MU-RR)**

### **8.41.010 – Purpose.**

The purpose of this district is to provide for commercial development, including community-serving recreational uses, combined with medium or high density residential at densities allowed in Section 8.41.040 of this chapter. This district envisions a flexible mix of land uses with retail or similar use on the first floor and residential uses above the first floor. To encourage activity along the street and enhance the pedestrian experience by creating indoor spaces where pedestrians will see or sense interior activity, all first floor areas facing School Street must have a retail or active use.

### **8.41.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

- A. Residential uses at densities allowed in Section 8.41.040 of this chapter;
- B. Home Occupations in conformance with Chapter 8.112;

C. Congregate Care ~~FacilitiesHousing~~;

D. Child Day Care Center (Nursery School, Preschool, Childcare, and Family Day Care Home); and

~~E. Family Day Care Home; and~~

~~F.~~E. The following Office, Commercial, and Retail Uses:

1. Antique, collectible stores;
2. Assembly or Meeting Facility – Restricted to less than 5,000 square feet, except meeting halls for clubs, lodges and other membership organizations which shall be a Conditional Use;
3. Banks and Financial Services;
4. Building Materials Sales and Services;
5. Business Support Services;
6. Cultural Institutions less than 5,000 square feet;
7. Eating and Drinking Establishments (excluding establishments with drive-in service);
8. Fitness Facility, Health Club less than 10,000 square feet;
9. Food, Beverage Sales;
10. Hotels;
11. Licensed Massage Establishments;
12. Offices;
13. Outdoor Retail Sales~~and Activities~~;
14. Personal Services, General;
15. Personal Services, Improvement or Instructional;
16. Professional Services;
17. Retail Business;
18. Schools – Restricted to Trade Schools, Vocational Training;
19. Theater, Auditorium;

~~G.~~F. Business Park and Industrial Uses:

1. Media Production Facility;

~~H.~~G. Public/Quasi-Public and Recreational Uses:

1. Government Offices;
2. Park and Outdoor Recreational Facilities;

~~I.~~H. Other uses found by the Planning Commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.

#### **8.41.030 – Conditional Uses.**

In this district, each of the following uses is permitted on the issuance of a conditional use permit:

- A. Animal Services (Hospital, Veterinary Clinic);
- B. Assembly ~~and~~or Meeting Facilities greater than 5,000 square feet;
- C. Banquet Hall;
- D. Contractors, Special Trade;
- E. Cultural Institutions greater than 5,000 square feet;
- F. Fitness Facility, Health Club greater than 10,000 square feet;

- G. Meeting Halls for Clubs, Lodges, and Other Membership Organizations;
- H. Personal Services, Other;
- I. Secondhand Sales;
- J. Religious Facility
- K. Utility Facility, Transmission Towers; and
- L. A use which the Planning Commission finds at a public hearing to be comparable to any of the foregoing uses.

#### **8.41.040 – Residential Density.**

- A. To the extent consistent with State law, the developer/property owner may choose to develop property in this district at a minimum of twelve (12) dwelling units but not more than twenty (20) dwelling units shall be erected on any one acre, except as provided in subsection B of this section.
- B. The allowable density may be increased on any one acre sized parcel in compliance with all applicable state laws.

#### **8.41.050 – Development Standards.**

- A. Development standards. All development shall conform to the limits identified in the table below, to the extent consistent with state law:

MCSP MIXED RETAIL / RESIDENTIAL DEVELOPMENT STANDARDS

Standard	
Minimum lot area	10,000 square feet
Minimum lot width	30 feet
Minimum lot depth	100 feet
Minimum frontage	30 feet
Minimum front yard setback:	0 feet (See A1)
Minimum side yard setback:	0 feet (See A1)
Minimum exterior side yard setback:	0 feet (See A1)
Minimum rear yard setback:	0 feet (See A1)
Minimum lot area	10,000 square feet
Maximum building height (primary)	45 feet (See A1)
Minimum private open space (applies only to residential uses of development)	Greater than or equal to 5 percent of each dwelling unit floor area (minimum of 50 square feet and minimum dimension of 5 feet in each direction)
Minimum building separation for multiple buildings on a single lot	
1 and 2 story structures	25 feet (see A2)
3-story structures	35 feet (see A2)
Maximum floor area ratio (applies only to non-residential uses of development)	0.85
Maximum stories	3 stories
Maximum lot coverage	60 percent

1. Proposed developments fronting onto or abutting against a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and step back requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).
2. Where two different building heights are adjacent, taller building controls separation

B. First Floor Requirement. All first floor areas facing School Street must have:

1. A Retail Business use, Eating/Drinking Establishment, Specialty Food Shop, Personal Service (General or Improvement/Instructional), or Professional Service use;
2. The portion of a residential use providing active use amenities, such as a workout room or gym, a building lobby or a lounge.
3. Another use found by the Planning Commission to provide the sense of activity referenced in this standard.

C. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.”

**26. Addition of Chapter 8.42.** Chapter 8.42, MCSP Mixed Office / Residential District (12-20 Dwelling Unit per Acre) (MCSP MU-OR), is hereby added to Title 8, Planning and Zoning, as follows:

## **“Chapter 8.42 – MCSP Mixed Office / Residential District (12-20 Dwelling Unit per Acre) (MCSP MU-OR)**

### **8.42.010 – Purpose.**

The purpose of this district is to provide for office development combined with medium or high density residential at densities allowed in Section 8.42.040 of this chapter. This district envisions a flexible mix of land uses with office or similar use on the first floor and residential uses above the first floor.

### **8.42.020 – Permitted Uses.**

Each of the following uses is permitted in this district:

- A. Residential uses at densities allowed in Section 8.42.040 of this chapter;
- B. Home Occupations in conformance with Chapter 8.112;
- C. Congregate Care ~~Facilities~~Housing;
- D. Child Day Care Center (Nursery School, Preschool, Childcare, and Family Day Care Home); and
- E. The following Office, Commercial, and Retail Uses:
  1. Business Support Services;
  2. Fitness Facility, Health Club less than 10,000 square feet;
  3. Hotels;
  4. Media Production Facility
  5. Medical (Medical Services Facility, Urgent Care Facility);
  6. Nursery School, Preschool, Childcare;
  - 7-6. Offices
  - 8-7. Personal Services, General;
  - 9-8. Personal Services, Improvement or Instructional;
  - 10-9. Professional Services;

- 11.10. Religious Facilities of less than 5,000 square feet;
- 12.11. Eating and Drinking Establishment (Restaurant, Limited Service);
- 13.12. Schools (Trade Schools, Vocational Training); and
- 14. Tutoring Facility

- 15.13. Extensions of Colleges/Universities.

F. Public/Quasi-Public and Recreational Uses:

- 1. Government Offices;
- 2. Park and Outdoor Recreational Facilities;

G. Other uses found by the Planning Commission at a public hearing to be consistent with the purpose of the district and comparable to any of the foregoing uses.

**8.42.030 – Conditional Uses.**

Each of the following uses is permitted on the issuance of a conditional use permit in this district:

- A. Animal Services (Hospital, Veterinary Clinic);
- B. Assembly and or Meeting Facilities;
- C. Child Day Care Centers;
- D. Fitness Facility, Health Club greater than 10,000 square feet;
- E. Religious Facilities ~~ef~~ greater than 5,000 square feet;
- F. Research and Development, or Laboratory; and
- G. A use which the Planning Commission has found to be comparable at a public hearing to any of the foregoing uses.

**8.42.040 – Residential Density.**

- A. To the extent consistent with State law, the developer/property owner may choose to develop property in this district at a minimum of twelve (12) dwelling units but not more than twenty (20) dwelling units may be erected on any one acre, except as provided in subsection B of this section.
- B. The allowable density may be increased on any one acre sized parcel in compliance with all applicable state laws.

**8.42.50 – Development Standards.**

- A. Development standards. All development shall conform to the limits identified in the table below, to the extent consistent with state law:

MIXED OFFICE / RESIDENTIAL DEVELOPMENT STANDARDS

Standard	
Minimum lot area	10,000 square feet
Minimum lot width	30 feet
Minimum lot depth	100 feet
Minimum front yard setback:	0 feet (See A1)
Minimum side yard setback:	0 feet (See A1)
Minimum rear yard setback	0 feet (See A1)
Minimum lot area	10,000 square feet
Maximum building height (primary)	45 feet

## MIXED OFFICE / RESIDENTIAL DEVELOPMENT STANDARDS

Standard	
Minimum private open space (applies only to residential uses of development)	Greater than or equal to 5 percent of each dwelling unit floor area (minimum of 50 square feet and minimum dimension of 5 feet)
Minimum building separation (for multiple buildings on a single lot)	
2 stories	25 feet (see note A2)
3 stories	35 feet (see note A2)
Maximum floor area ratio (applies only to non-residential uses of development)	0.85
Maximum stories	3
Maximum lot coverage	60 percent

1. Proposed developments fronting onto or abutting against a major scenic corridor as defined in Chapter 8.132 (Scenic Corridors) shall be subject to the setback and stepback requirements set forth in Section 8.200.050 (Moraga Center Design Requirements).
2. Where two different building heights are adjacent, taller building controls separation.

B. See Section 8.200.050 Moraga Center Design Requirements of the Moraga Municipal Code, and Chapter 11 of the Moraga Design Guidelines for other applicable standards.”

**27. Amendment of Section 8.44.020.** Section 8.44.020, Permitted Uses, of Chapter 8.44, Suburban Office District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

### **“8.44.020 – Permitted Uses.**

In this district, each of the following uses is permitted by right:

1. Professional Services;
2. Offices;
3. Medical (Medical Services Facility only);
4. Personal Services, General and Improvement/Instructional;
5. Cultural Institution; and
6. Other uses found by the Planning Commission to be consistent with the purpose of the district and compatible with surrounding existing uses.”

**28. Amendment of Section 8.44.030.** Section 8.44.030, Conditional Uses, of Chapter 8.44, Suburban Office District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

### **“8.44.030 – Conditional Uses.**

Each of the following uses is permitted on the issuance of a conditional use permit in this district:

- A. Animal Services (Hospital, Veterinary Clinic);
- B. Assembly or Meeting Facility;

- C. Child Day Care Center (Nursery, Preschool, Childcare);
- D. Fitness Facility, Health Club;
- E. Medical (Hospital, Medical Center);
- F. Media Production Facility;
- G. Religious Facilities (Major Religious Facilities included);
- H. Sports Recreation Facility (Indoor less than 10,000 square feet);
- I. Supportive Housing and Transitional Housing of the same type allowed in this district;
- J. Government Office;
- K. Public Maintenance and Service Facility; and
- L. A use which the Planning Commission, after notice and public hearing, has found to be comparable to any of the foregoing uses."

**29. Amendment of Section 8.44.040.** Section 8.44.040, Site Standards, of Chapter 8.44, Suburban Office District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**“8.44.040 – Site Standards.**

- A. Minimum Site Standards.

Standard	
Minimum lot area:	10,000 square feet
Minimum lot width:	100 feet
Minimum front yard setback:	25 feet
Exterior side yard setback:	25 feet
Minimum side and rear yard setback:	10 feet

- B. Distance between principal buildings: The distance between principal buildings on the same site shall be one-half of the total combined height of the two buildings that are opposite one another. (The reviewing authority may reduce this distance if it is determined that the reduction does not interfere with building relationships.)
- C. Increase in Front, Side and Rear Yard Setback Requirements. The Planning Commission, either acting as the Design Review Board in reviewing a building permit application or upon review of a conditional use permit application, may require an increase in the minimum front yard, side yard or rear yard requirements, or both, upon a finding that the increase is necessary to establish a proper site planning relationship to existing and proposed uses.
- D. Increase or Decrease in Front and Exterior Side Yard Setback Requirements. In connection with the issuance of a conditional use permit the planning commission may increase or decrease the front and exterior side yard setback standards upon determination that:
  - 1. The modification is justified based on the existing locations of buildings, parking areas and other access points;
  - 2. Existing facilities on the same parcel are sufficient to provide adequate services;
  - 3. The design is consistent with the intent of this chapter and is complimentary and compatible with existing development on the same site;

4. The modification will not have an adverse effect on other properties in the vicinity of the project."

**30. Amendment of Section 8.48.100.** Section 8.48.100 of Chapter 8.48, Planned Development District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

" 8.48.100 - Findings required to approve conceptual development plan.

- A. General. To approve a conceptual development plan the planning commission must find that:
  1. The total development and each unit of development can exist as an independent unit, capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that this objective will be attained and that the uses proposed will not be detrimental to present and potential surrounding uses;
  2. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the development;
  3. Development other than single-family residential can be properly justified and is consistent with the general plan;
  4. Any proposed exception from standard ordinance requirements is warranted by the design and amenities incorporated in the conceptual development plan, in accord with adopted policy of the planning commission and town council;
  5. The development conforms with the general plan; and
  6. Existing or proposed utility services will be adequate for the population densities proposed.
- B. Hillside Projects. To approve a conceptual development plan for any development that meets the requirements of Section 8.136.020 (Applicability) in Chapter 8.136 (Hillside Development) of the Municipal Code, the reviewing authority shall make all of the findings in Municipal Code Section 8.136.050 (Findings for Approval) in addition to the findings in Section 8.48.100.A.
- C. Moraga Center Specific Plan Area Projects. To approve a conceptual development plan for any development that occurs within the Moraga Center Specific Plan area, the reviewing authority shall make the finding that the conceptual development plan meets all applicable requirements of the Moraga Center Specific Plan."

**31. Deletion of Section 8.50.020.** Section 8.50.020, Definitions, of Chapter 8.50, Planned Development Commercial (PD-C), of Title 8, Planning and Zoning is hereby deleted.

**32. Amendment of Section 8.52.030.** Section 8.52.030, Permitted Uses, of Chapter 8.52, MOSO and Non-MOSO Open Space Districts, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

**"8.52.030 – Permitted Uses.**

Agriculture "

**33. Amendment of Section 8.52.040.** Section 8.52.040, Conditional Uses, of Chapter 8.52, MOSO and Non-MOSO Open Space Districts, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

“8.52.040 – Conditional Uses.

Each of the following uses is permitted on the issuance of a conditional use permit in this district:

- A. Single-family residential dwelling (including accessory buildings and structures);
- B. Park and Outdoor Recreational Facility; and
- C. Schools, Colleges, University {[P]rivate only]}.”

**34. Amendment of Section 8.56.020.** Section 8.56.020, Permitted Uses, of Chapter 8.56, Institutional District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

### “8.56.020 – Permitted Uses.

- A. Agriculture; and
- B. Emergency Shelters that are in conformance with the requirements of Chapter 8.164.”

**35. Amendment of Section 8.56.030.** Section 8.56.030, Conditional Uses, of Chapter 8.56, Institutional District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

### “8.56.030 – Conditional Uses.

Each of the following uses is permitted on the issuance of a conditional use permit in this district:

- A. Park and Outdoor Recreational Facility;
- B. Religious Facility; and
- C. Schools, Colleges, University {[P]rivate only]}.”

**36. Amendment of Section 8.60.020.** Section 8.60.020, Permitted Uses, of Chapter 8.60, Study District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

“8.60.020 – Permitted Uses.

Agriculture”

**37. Amendment of Section 8.60.030.** Section 8.60.030, Conditional Uses, of Chapter 8.60, Study District, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

“8.60.030 – Conditional Uses.

In this district, the all uses other than “Agriculture” are permitted on the issuance of a conditional use permit.”

**38. Addition of Chapter 8.65.** Chapter 8.65, Moraga Ranch Overlay District, is hereby added to Title 8, Planning and Zoning, as follows:

## **“Chapter 8.65 Moraga Ranch Overlay District**

### **8.65.010 – Purpose.**

The intent of the Moraga Ranch Overlay District is to preserve the traditional rural character of the existing Moraga Ranch site and buildings, while also allowing for reuse, restoration, renovation, improvement, and and new development such as a hotel to add additional activity within this portion of the MCSP Commercial District.

### **8.65.020 – Applicability.**

The use and development standards and regulations of the MCSP Commercial District as set forth in Chapter 8.37 are incorporated herein as though fully set forth and they shall apply in conjunction with this chapter to developments and activities occurring within the Moraga Ranch Overlay District area as shown in Figure 8.200-2 (MCSP Zoning Districts).

### **8.65.030 – Permitted Uses and Conditional Uses**

Permitted Uses are as set forth in Section 8.37.020- and Conditional Uses are as set forth in Section 8.37.030.

### **8.65.040 – Development Standards**

Development standards are as set forth in Section 8.37.040.

### **8.65.030-050 – Additional Design Requirements.**

Design of development within this overlay district is encouraged, as follows:

All development within this overlay district shall be reviewed by the Planning Commission to ensure that it complies with the following requirements:

#### A. Retention of the existing architecture to the extent possible.

Existing buildings shall be retained to the extent feasible, unless the Planning Commission finds that removal of an existing building is necessary and would allow for maintenance of the overall character of the Moraga Ranch Overlay District.

#### B. Preservation of the unique setting and architectural character of the existing buildings.

A-C. Clustering of buildings to protect some of the remaining orchard areas, particularly those areas that are most visible from Moraga Way. The design of new development shall be consistent with the existing character of the Moraga Ranch and its existing buildings, including arrangement and separation.”

**39. Amendment of Section 8.76.080.** Section 8.76.080, Shared Parking, of Chapter 8.76, Off-Street Parking and Loading, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

## **“8.76.080 - Shared parking.**

- A. When an application for a conditional use permit proposes to use a property that has already been approved for one or more other uses, the planning commission may authorize a reduction in the total number of parking spaces required, provided the uses have differing peak time parking needs and the number of parking spaces is adequate for the peak needs of the property.
- B. When an application for a permitted use proposes to use a property that has already been approved for one or more other uses, the planning director may, after giving notice to the planning commission, authorize a reduction in the total number of parking spaces required, provided the uses have differing peak time parking needs and the number of parking spaces is adequate for the peak needs of the property.
- C. For developments within the MCSP area, required parking for two or more use types shall be calculated using the following table.

SHARED PARKING FACTORS

	Residential	Lodging	Office	Retail
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

1. If there are two proposed uses, then the required parking for each use type shall be divided by the factor listed for those two uses in the table. For example, a development a retail use and a residential use, then the parking requirement for each use would be divided by 1.2 according to the table.
2. If there are three or more uses, then the required parking for the each use type shall be divided by greatest factor listed for the co-occurrence of any two uses in the table. For example, a development that has lodging, office, and retail uses would divide the parking requirement for each use by 1.7, which is the largest shared parking factor out of all co-occurrences of uses (the co-occurrence of office and retail yields a shared parking factor of 1.2; the co-occurrence of lodging and retail yields a shared parking factor of 1.3).
3. If the specific use is not listed in the table, then the Planning Director shall determine which uses shall be used for calculation of shared parking reductions.”

**40. Deletion of Section 8.124.020.** Section 8.124.020, Definitions, of Chapter 8.124, Accessory Dwelling Units, of Title 8, Planning and Zoning is hereby deleted.

**41. Amendment of Section 8.148.050.** Section 8.148.050 of Chapter 8.148, Miscellaneous Use Restrictions, of Title 8, Planning and Zoning, is hereby deleted and replaced with the following:

## **“8.148.050 – Temporary Uses.**

- A. Purpose. This section establishes procedures, standards, and requirements for the approval of temporary activities, events, and uses which are intended to operate on a short-term basis for a limited period. Such activities, events, and uses may not meet the typical use or development standards for a particular zoning district but may be acceptable due to their temporary nature. Temporary activities, events, and uses include special events provided for the enjoyment of the public, sales and promotional activities intended to serve commercial interests, seasonal activities, temporary construction related activities, and similar temporary activities, events, and uses.
- B. Applicability. This section shall apply to temporary activities, events, and uses which are established, operated, and conducted as required by this section. Engaging in a temporary use that is permit exempt or obtaining a temporary use permit for a particular use shall not affect any future determination as to whether a temporary use or conditional use permit should be issued for the same use.
- C. Permit Requirements. Unless otherwise specified in this section, temporary events, activities, and uses shall require the following approvals.
  - 1. Administrative Temporary Uses. Temporary uses may be approved by the Zoning Administrator within a parking lot or other open privately or publicly owned land in any land use district to be occupied with a temporary use as set forth in this section. The Zoning Administrator grant approval at a staff level unless it is determined that the matter of issuance of a permit should first be reviewed by the planning commission subject to approval of a temporary use permit in accordance with findings in Section 8.148.050.G and standard conditions in Section 8.148.050.H.
  - 2. Conditional Temporary Uses. Conditional temporary uses are allowed subject to approval of a temporary use permit in accordance with findings in Section 8.148.050.G and standard conditions in Section 8.148.050.H.
- D. Exempt Temporary Uses. Exempt temporary uses conducted in accordance with the limitations and conditions described below shall include:
  - 1. Emergency Facilities. Emergency public health and safety facilities and activities.
  - 2. Garage Sales. No property may have more than three sales per year, and no sale may exceed two consecutive days.
  - 3. Public Property. Activities which are authorized by the Town and conducted on Town owned properties. Such activities may be subject to permits from the Towns Parks and Recreation Department or Public Works Department.
  - 4. Short term promotional program. Operated for ten calendar days or less and conducted by the owner or operator of a shopping center or a merchant's association within a shopping center but notice of it shall be given to the Zoning Administrator at least ten working days in advance.
  - 5. Temporary uses consistent with the Saint Mary's Campus Master Plan or conducted on public school property.

E. Administrative Temporary Uses. Administrative temporary uses when conducted in accordance with the findings in Section 8.148.505050.G, standard conditions in Section 8.148.050.H and the limitations and conditions described below shall include:

1. Construction Yards – On-Site. On-site construction yards, for an approved construction project. The construction yard shall be removed immediately upon completion of the construction activities, or expiration of the building permit or other permit authorizing the construction project, whichever occurs first. An application for an on-site construction yard shall include the following.
  - a. A plan showing the location, security fencing, lighting, and landscaping shall be submitted for review and approval by the Zoning Administrator prior to issuance of a grading permit or building permit, as applicable. The plan may include shipping containers for storage of construction equipment which shall, as much as is feasible, be located out of view or screened from view of public streets. Performance standards (e.g., related to screening) may be applied for such facilities.
2. Promotional Events. Special events that meet the following criteria, as applicable, when the Zoning Administrator determines that the event or activity will not impact an adjacent residential area:
  - a. Is located on property in an office, commercial, mixed-use office or mixed-use commercial zoned district;
  - b. Occurs between the hours of 8:00 a.m. and 9:00 p.m.;
  - c. Limited to 100 persons at one time;
  - d. Does not have amplifying equipment within 300 feet of a residential area; and
  - e. Limited to five consecutive days in the same location not more than once every six months.
3. Real Estate Sales Offices. Temporary real estate sales offices for the initial sale of property in new residential developments, subject to the following standards:
  - a. Is located within a new residence that is part of the development or within a temporary building that is no larger than 3,000 square feet; and
  - b. Adequate visitor parking and safe circulation are provided that will not interfere with ongoing construction activities.
4. Model Homes. A model home or model home complex for an approved residential subdivision which has active construction permits, subject to the following standards:
  - a. Adequate visitor parking and safe circulation are provided that will not interfere with ongoing construction activities; and
  - b. The models shall be converted to units for sale upon the completion of sales of all similar models or prior to acceptance of the subdivision improvements by the Town.
5. Temporary Work Trailers. A trailer or modular building used as a construction office, or a temporary work site for employees of a business, subject to the following standards:
  - a. There is an approved building permit for the permanent facility;

- b. The trailer or modular building is only allowed during the construction of a subdivision, or permanent nonresidential structure or facility;
  - c. The trailer or modular building shall be approved until expiration of the building permit or other construction permit, whichever occurs first, unless an extension is granted; and
  - d. The trailer or modular building is removed prior to final building inspection or issuance of a certificate of occupancy for the permanent structure.
- 6. Seasonal Holiday Sales. The use of a specific site for seasonal holiday sales shall be subject to the following standards.
  - a. Sales of pumpkins may be conducted between October 1st and Thanksgiving Day, and sales of Christmas trees may be conducted between Thanksgiving Day and December 25th, seven days a week. Sale of seasonal goods other than Christmas trees or pumpkins shall be limited to seven calendar days total within a 12-month period. A seasonal sale shall only operate between the hours of 8:00 a.m. and 9:00 p.m.;
  - b. Seasonal sales lots shall be located in an office, commercial, mixed-use office or mixed-use commercial zoned district.
- 7. Location Filming. The use of a specific site for the filming of commercials, movies, videos, etc. subject to the following standards.
  - a. A written and/or visual plan providing the location, duration, and description of the location filming;
  - b. Permits may be required by the Department of Public Works, Parks and Recreation Department, Police Department and/or Fire District; and
  - c. Limited to four 30-day limits within a 12-month period.
- 8. Outdoor Sales and Displays. Temporary promotional sales and outdoor displays, associated with a permanent on-site use, may occur in commercial zoning districts, subject to the following standards:
  - a. Merchandise displays are located in close proximity to the primary structure where the items are sold indoors;
  - b. Merchandise display is associated with the primary business;
  - c. Merchandise is displayed in a planned, orderly, and attractive manner as an extension of the window display and shall not constitute an expansion of the retail floor area (such as clothing racks);
  - d. Merchandise displays do not interfere with adjacent business displays, storefronts, access, or visibility;
  - e. Merchandise displays occupy a fixed, specifically approved, and defined location that does not disrupt pedestrian traffic, obstruct access to parking areas or driveways, or encroach onto landscape areas;
  - f. Display fixtures are of good quality and durable materials and construction;
  - g. Merchandise displays do not exceed a height of eight feet above the sidewalk;
  - h. Displays are removed during nonbusiness hours, unless otherwise approved; and
  - i. Limited to ten consecutive days, four times within a 12-month period.

9. Temporary Classrooms. A temporary classroom, including a manufactured or mobile unit, may be approved for a maximum of one year at an existing private school. An extension of one year may be granted by the Zoning Administrator. A temporary structure proposed for a longer time period shall comply with all provisions of the development code applicable to a permanent structure on the same site.
10. Miscellaneous temporary uses or facilities. A temporary use or facility meeting the following criteria, as applicable, when the Zoning Administrator determines that the event or activity will not impact an adjacent residential area:
  - a. Is not a merchandise display, sales or promotional activity, and may include recreational, food sales or similar activities;
  - b. Is located in an office, commercial or mixed-use office or commercial zoned district;
  - c. Occurs between 8:00 a.m. and 9:00 p.m.;
  - d. Is not attended by more than 100 persons at one time;
  - e. Does not have amplifying equipment within 300 feet of a residential area;
  - f. Does not exceed an area of more than 5,000 square feet and may include temporary buildings or structures; and
  - g. Does not occur for more than 60 days in the same location within a 12-month period. After operation begins an additional 30 days may be granted if the Zoning Administrator determines that the temporary use or facility is operating in compliance with conditions of approval and is not a detriment to the surrounding area.
11. Similar Temporary Uses. A temporary use that the Zoning Administrator determines is similar to the other activities listed in this section and that are compatible with the applicable zoning district and surrounding land uses.

F. Conditional Temporary Uses. A temporary use permit shall be required for temporary activities, events, and uses that do not meet the standards for an administrative temporary use, or when determined by the Zoning Administrator that the matter of issuance of a permit should first be reviewed by the planning commission. Approval shall be granted only when all of the findings of Section 8.148.050.G can be made.

G. Findings. A temporary use shall be approved only when findings listed below can be made. If the reviewing authority cannot make the findings, the temporary use shall be denied, in which case the applicant shall be provided a written determination within ten calendar days of the decision.

1. The establishment, maintenance, or operation of the activity, event, or use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of the proposed use;
2. The activity, event, or use, as described and conditionally approved, will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city;
3. Approved measures for the removal of the temporary use and site restoration have been required to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed;

4. The approval includes provisions to ensure that each site occupied by a temporary use shall be cleaned of debris, litter, or any other evidence of the temporary use upon completion or removal of the activity, event, or use and shall thereafter be used in compliance with the provisions of the development code. The review authority may require an appropriate security deposit prior to the initiation of the activity, event, or use to ensure proper cleanup after the use is terminated; and
5. Additional conditions may be required, as appropriate, to minimize any adverse impacts of the temporary use.

H. Standard Conditions. Each application for a temporary use shall include a site plan, project description, detailed business plan and details for any temporary structures. The following standard conditions shall apply to temporary uses.

1. Adequate parking facilities and vehicular and pedestrian circulation shall be provided;
2. Appropriate setbacks based on the underlying zoning district shall be provided to ensure adequate separation from adjoining land uses and a safe environment for vehicles and pedestrians;
3. A plan demonstrating nuisance factors to adjoining parcels, such as glare or direct illumination, dirt, dust, noise, odors, smoke, waste, and vibration shall be prevented;
4. Outdoor light fixtures shall be shielded and mounted so that the source of light has minimal impact off-site, is directed toward the property and does not spill onto adjacent properties; and
5. Any proposed signage shall comply with Chapter 8.88 – Signs.
6. All elements related to the temporary use, including but not limited to signs and temporary structures, shall be removed within ten days after the use has discontinued, and the appearance of the site shall be returned to its original state.

I. Prohibited Temporary Activities, Uses, and Structures.

1. Privately Owned Vehicle Sales. The parking of privately owned automobiles in office, commercial, mixed-use office, mixed-use commercial or public parking lots for the express purpose of offering the vehicle for sale is prohibited.
2. Shipping Containers. Except as allowed in Section 8.148.050.E.1, shipping containers shall be prohibited for temporary uses.
3. Circuses, carnivals, and similar events.”

**42. Addition of Chapter 8.200.** Chapter 8.200, Moraga Center Specific Plan Area Regulations, is hereby added to Title 8, Planning and Zoning, of the Moraga Municipal Code as follows:

## **“Chapter 8.200 Moraga Center Specific Plan Area Regulations**

### **8.200.010 – Purpose.**

This chapter establishes regulations for development within the Moraga Center Specific Plan (MCSP) area in the town. The intent of these regulations is to implement the MCSP, as set forth here:

- A. Standards and criteria by which development within the MCSP area will proceed.

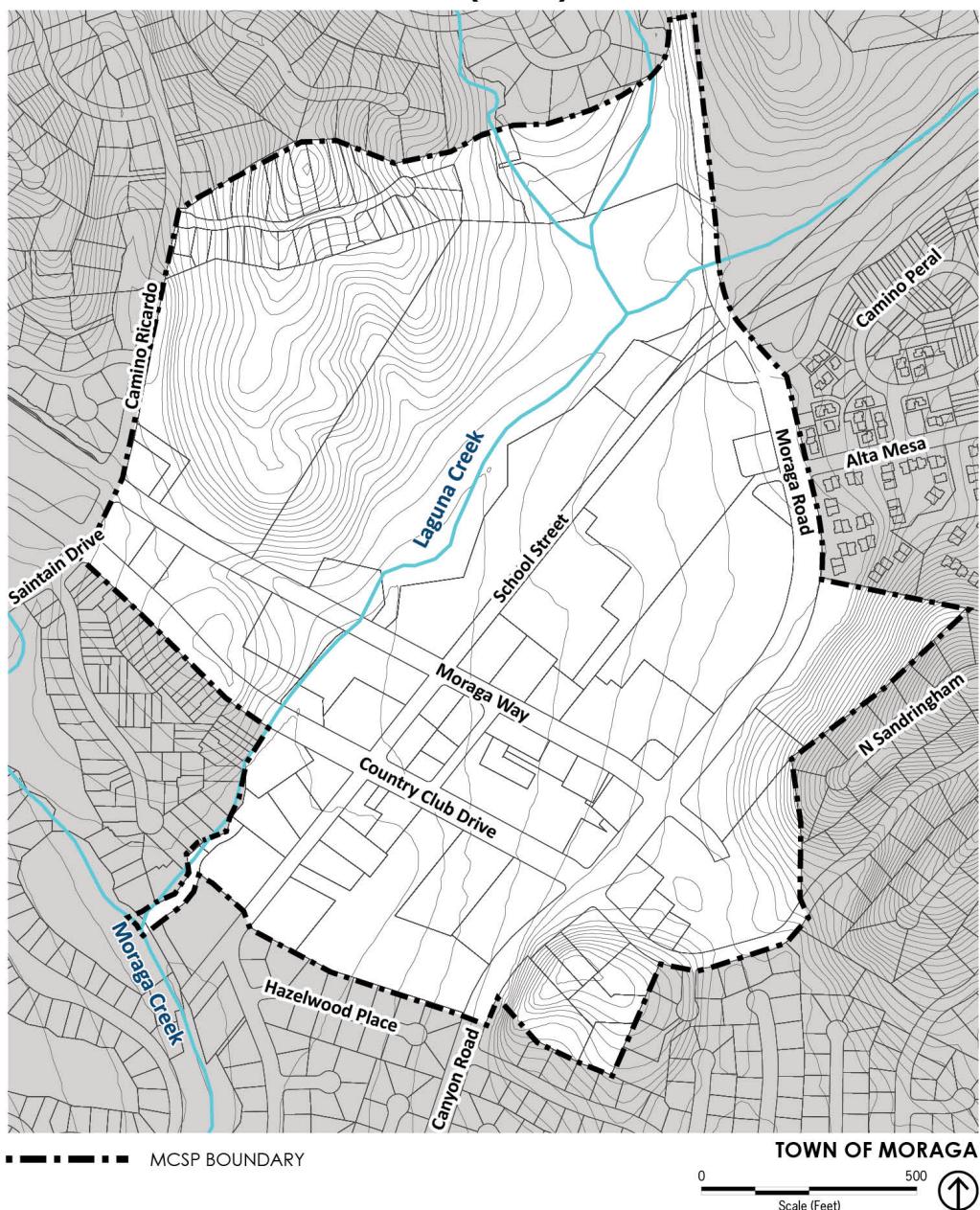
- B. Standards and criteria for development of the circulation and street network within the MCSP area.
- C. Establish development potential for retail, office, and hotel uses within the MCSP area.
- D. Required streets, trails, bridges, and other public infrastructure to be erected within the MCSP area.
- E. Standards for the conservation and protection of Laguna Creek and Moraga Creek, along with other natural resources and features, where applicable.
- F. Standards and criteria for creation of a Town Square focal point within the MCSP area.
- G. Standards and criteria for development of the MCSP area into an environment that accommodates multiple modes of travel; multiple types of residential uses, including multifamily and residential care facilities; and appropriate mixture of civic, public, office, retail, and other related uses.

#### **8.200.020 – Applicability.**

- A. The standards and regulations of this chapter shall only apply to developments and activities occurring within the MCSP area as shown in Figure 8.200-1 [Moraga Center Specific Plan (MCSP Area)].

Figure 8.200-1 – Moraga Center Specific Plan (MCSP) Area

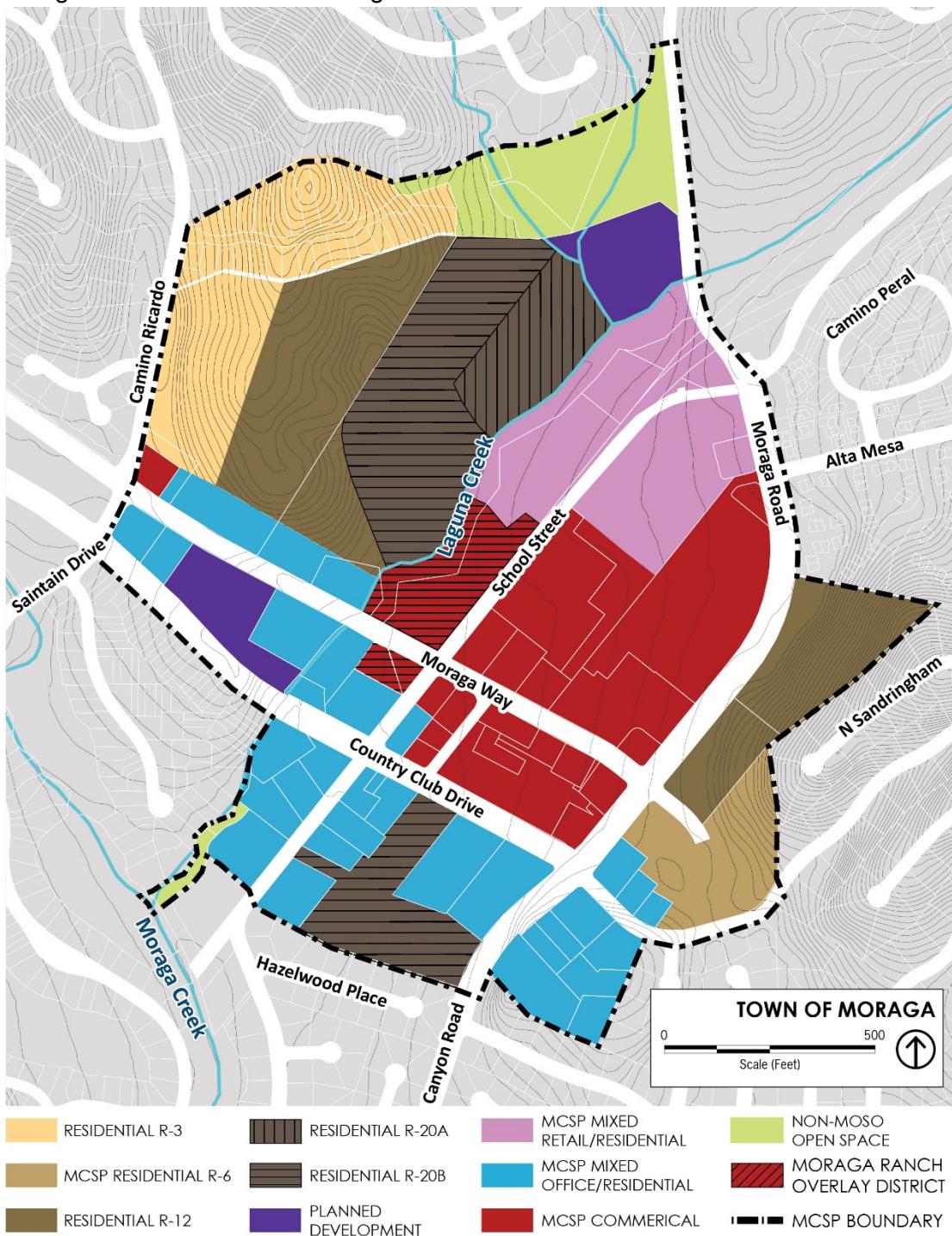
**MORAGA CENTER SPECIFIC PLAN (MCSP) AREA**



## 8.200.030 – MCSP Zoning Districts

Zoning districts shall be established in the MCSP Area as shown in Figure 8.200-2 (MCSP Zoning Districts).

Figure 8.200-2 – MCSP Zoning Districts



## **8.200.040 – Moraga Center Development Potential.**

To the extent consistent with state law, the maximum development potential for the MCSP Area is established as follows, as set forth in Table 4-1 of the MCSP and subject to the land use equivalents in Table 4-2 of the MCSP:

<b>MCSP DEVELOPMENT POTENTIAL</b>	
<b>Land Use Category</b>	<b>Quantified Development Objective</b>
Retail (including restaurants and entertainment)	90,000 square feet
Office	50,000 square feet
Hotel	85 rooms
Congregate Care Housing	150 rooms
Active Senior Housing	200 units (or 300 units with state mandated density bonus)
Single-Family Housing	65 units
Workforce Housing	80 units (or 100 units with state mandated density bonus)
Compact Single-Family Housing	165 units
<b>Housing Subtotal</b>	<b>510 units (or 630 units with state mandated density bonus)</b>

## **8.200.050 – Moraga Center Design Requirements.**

- A. All development in the Moraga Center Specific Plan area shall be required to comply with the following requirements to the extent consistent with state law:
  1. All development in the Moraga Center Specific Plan area shall be subject to design review as set forth in Articles 2 and 3 of Chapter 8.72.
  2. All improvements shall comply with all applicable easements, codes and requirements in effect at the time the development application is deemed or determined complete, or such other time required by state law, including but not limited to access and utility easements, fire, building, and health and safety codes, and local, state and federal laws.
  3. No improvement shall be constructed or installed within an area of riparian vegetation that is protected by any state or federal agency.
  4. The required parking for each residential dwelling unit may be either tandem or non-tandem. Parking not associated with a particular residential dwelling unit shall be non-tandem.
  5. All exterior lighting shall be directed downward or inward toward the property.
  6. Any blank wall that is without windows and is more than thirty (30) feet long or three hundred fifty (350) square feet in area, whichever is less, shall have landscaping installed and maintained along the wall which reaches a minimum height of four feet within three years.
  7. All landscaping shall be irrigated with an automatic system and permanently maintained. A landscape maintenance bond shall be posted to secure the replacement of any necessary plant material by the developer for a period of one year.

8. Permanent trash and recycling equipment shall be located in enclosures on the property. The colors, materials and design of the trash and recycling enclosures shall match the building design.
9. The utilities for the project shall be located underground.
10. Development fronting along a major scenic corridor as defined in Chapter 8.132.020 shall have building setbacks from the scenic corridor that are landscaped and varied in order to avoid creation of a walled effect and that are a minimum of 40 feet deep, with an additional stepback for elements above the first floor of at least 8 feet.
11. All required parking shall be provided onsite or on streets immediately adjacent to the development.
12. All existing trees shall be identified on the plans submitted by a licensed arborist, including the condition, size and species of the trees. Plans shall include measures to protect trees in good condition identified on the plans for preservation or mitigation measures, including but not limited to replacement. Placement of temporary construction fencing around the drip line of such trees shall be a condition.
13. Sidewalks and pathways proposed to provide pedestrian access to residential districts shall be a minimum of six (6) feet in width
14. Sidewalks in the MCSP Commercial, MCSP Mixed Use Retail Residential and MCSP Mixed Use Office Residential shall be a minimum of eight (8) feet in width, or designed according to the School Street Guidelines in the Moraga Design Guidelines.
15. External vents and mechanical equipment shall be screened from view from adjoining residential uses, public or common sidewalks and pathways, and plazas.
16. Permanent mechanical equipment such as a motor, compressor, pump or compactor which would be a source of structural vibration or structure-borne noise in excess of adopted town ordinance standards shall be shock mounted with inertia blocks or bases or vibration isolators.
17. All development must maintain any existing emergency vehicle, motor vehicle, bicycle or pedestrian access to adjoining properties.
18. In multi-family residential projects, a minimum of two hundred (200) cubic feet of enclosed weather-proof and lockable private storage space in addition to guest, linen, pantry and clothes closets customarily provided shall be provided for each unit other than a dependent senior residential dwelling unit
19. In multi-family residential projects, a laundry area consisting of a place for an automatic washing machine and clothes dryer shall be provided in each unit unless common laundry facilities are provided.
20. Utility transformers that are outside the public right-of-way should have adequate access provided for proper maintenance. Any above ground installation must include adequate landscape screening so as not to be viewable from the scenic corridor or other prominent public view.
21. Benches and seat walls shall be incorporated by project designers, where appropriate, to provide seating areas along pedestrian promenades.

22. Developments, with the exception of single family homes, shall provide bicycle parking areas with bicycle racks at a rate equal to five percent of required off-street vehicle parking spaces, with a minimum parking for at least two bicycles
23. Tree grates, bollards, and other street furniture shall be incorporated, where appropriate, to help articulate street edges and provide a pleasant separation between the automobile realm and the pedestrian realm.
24. Accentuated paving, bollards, special crosswalk lighting, and other features shall be incorporated, where appropriate, to enhance pedestrian safety.
25. Drought-tolerant and deer resistant plant materials, consistent with the town's design guidelines shall be incorporated as part of each development's overall landscape design.
26. Where a more intense use (R-20, MCSP Commercial, Mixed Office-Residential, Mixed Retail-Residential) abuts a One, Two or Three Dwelling Units per Acre Residential District, screening is required to address privacy and noise impacts. In addition to any other code requirements regarding fences or walls, the screening should be in a 6 foot wide area with a minimum 6 foot high evergreen landscaping or a wall along the property line in the required setback.

#### **8.200.060 – Town Square.**

- A. The MCSP area described in this section should include a "Town Square" designed and constructed following the design guidance contained in the Town of Moraga Design Guidelines. At the time of an application for new development or redevelopment in the MCSP Commercial, MCSP Commercial MU-RR or Commercial MU-OR districts bounded by Moraga Way, Moraga Road, and School Street or the area within the MCSP Commercial district south of Moraga Way, the Town shall determine the extent to which such proposed development creates a burden due to traffic, public access or other issues that support dedication and construction of a Town Square and will also analyze alternative means of financing such improvements with public funds or development impact fees.
- B. The Town shall ensure through its review process that this identified Town Square area has and retains the physical capacity to accommodate the required Town Square in a way that is consistent with Chapter 11 of the the Moraga Design Guidelines.

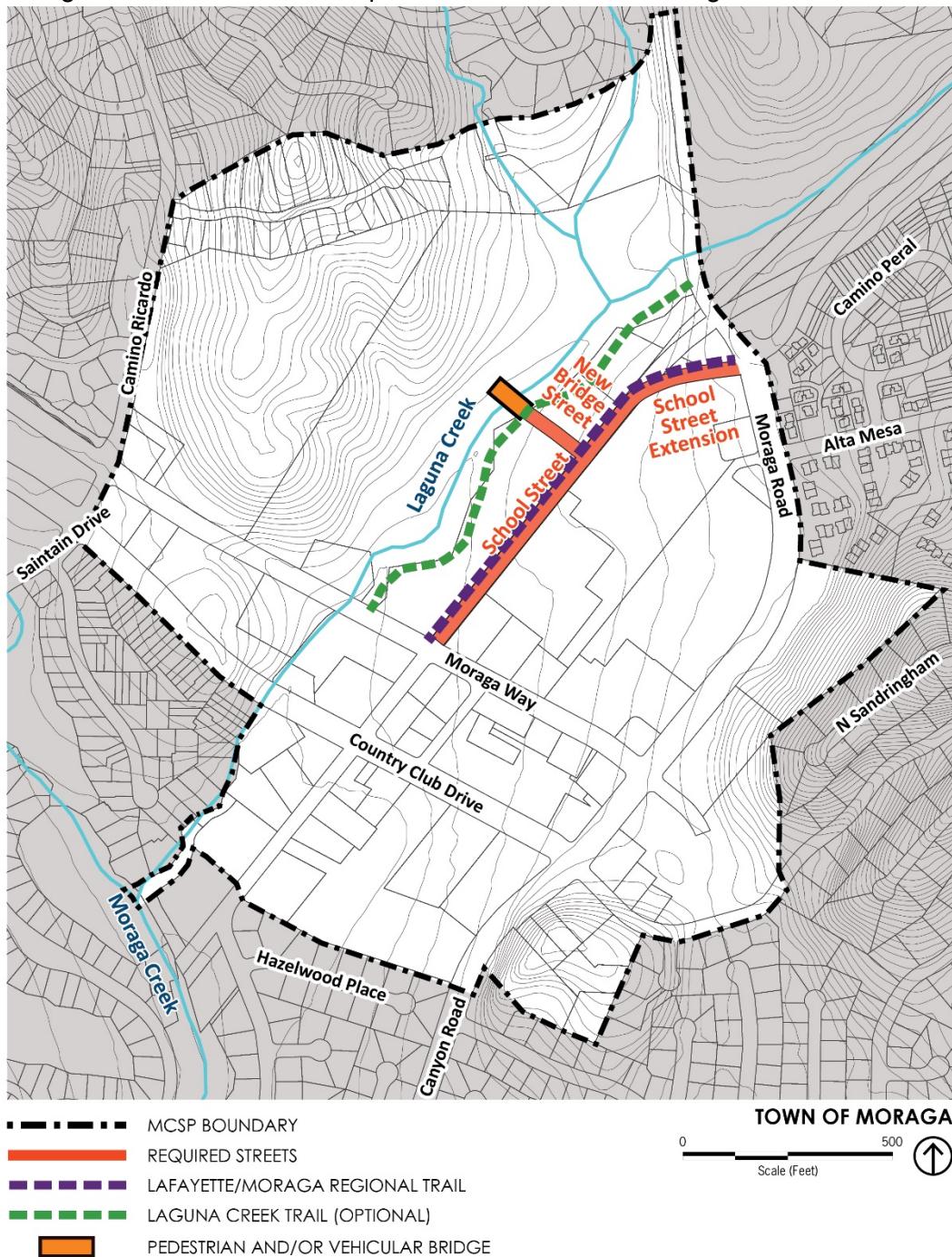
#### **8.200.070 – Required Streets, Trail, and Bridge.**

- A. Development in the MCSP Area shall include construction of School and Bridge Streets and the construction of either a vehicular or and pedestrian bridge over Laguna Creek, as shown conceptually in Figure 8.200-3 (Required Streets, Trail, and Bridge). The construction of both a vehicular and pedestrian bridge over Laguna Creek is encouraged.
- B. Development in the MCSP Area shall include construction of the Lafayette-Moraga Regional Trail, as shown conceptually in Figure 8.200-3 (Required Streets, Trail, and Bridge). The Lafayette-Moraga Regional Trail location could be moved to be immediately adjacent to

Laguna Creek, should an appropriate agreement between the East Bay Regional Park District, the Town of Moraga and the property owner(s) be reached.

C. A pedestrian/bicycle trail is encouraged, but not required, along one or both sides of the Laguna Creek bank. As allowed in Section 8.200.070 B, this trail could be designated as the Lafayette-Moraga Regional Trail.

Figure 8.200-3 – MCSP Required Streets, Trail, and Bridge



### **8.200.100 – Standards Near Creeks and Channel Setbacks.**

- A. Structures adjacent to creeks and drainage channels within the MCSP area (except those in R-20, which shall follow the requirements included in Section 8.34.060 A.) shall be subject to the more restrictive of the setback requirements set forth in Contra Costa County Code 914-14.~~006-012~~ [Structure setback lines for unimproved earth channels](#)~~Open channels—Minimum widths of easements~~, as may be amended from time to time, or the minimum setbacks required by ~~another~~ [a](#) state or federal regulatory agency.
- B. Where existing riparian vegetation extends beyond the limits required, the setback line shall be extended to include such riparian vegetation.
- C. Structures other than buildings that will enable or provide public access to or across a creek may be located within the prescribed setbacks.
- D. Exemptions to these required setbacks may be made under unusual circumstances such as geologic, environmental or topographical conditions on a case by case basis by the Public Works Director/Town Engineer [in coordination with all responsible regulatory agencies](#), upon production of satisfactory evidence that no adverse biological impact will occur and that the stability of the surrounding soil can be ensured by engineering and geotechnical means reasonably available to the applicant.”

## **ATTACHMENT D**

Draft Moraga Design Guidelines October 28, 2020  
Redline-Strikeout Version



# Town of Moraga

# Design

# Guidelines

| Revised October, 2020

Adopted by the Planning Commission in June 2007.  
Amended by the Moraga Town Council on January 27, 2010, April 11, 2018, and November 18, 2020



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# 1 DESIGN PHILOSOPHY

## PURPOSE AND ORGANIZATION OF THE DESIGN GUIDELINES

The design philosophy of the Town of Moraga Design Guidelines is drawn directly from the Town of Moraga General Plan Community Design element. General Plan community design policies are indicated below as *GP CD #* and serve as the foundation of the Town of Moraga Design Guidelines. These Guidelines have been developed to further the implementation of Title 8, 13, and 14 of the Moraga Municipal Code. They are used by staff, Planning Commission (acting both as the Design Review Board and its planning capacity), and Town Council in the evaluation of proposed projects which require a building or grading permit. If followed closely by applicants when developing plans for approval by the Town, the opportunity for review at the staff level is possible (see Procedural Considerations).

The intent is that these guidelines provide flexibility while at the same time providing further clarity as to the architecture that aligns with the Town's vision. The Design Guidelines are intended to promote quality in design character so that buildings have an authentic character. The sketches, photographs and images are meant only to visually describe concepts in the text or make reference to pertinent precedents and should not be considered exact models. The goal of the Design Guidelines is to ensure that new development, improvements, and additions will fit contextually and make a positive contribution to a sense of place.

The Design Philosophy of the Town of Moraga General Plan calls for the Town to: maintain the Town's semi-rural character; protect ridgelines and hillside areas; complement existing landscaping; enhance the Town's scenic corridors; minimize the impacts of development; thoughtfully design single-family residential neighborhoods; thoughtfully design new multi-family residential developments; and promote commercial centers as community places.

### **Maintain the Town's semi-rural character (SRC)**

- 1.) 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. (GP CD1.3) See Guidelines SRC1, SRC5, and RH4.
- 2.) 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. (GP CD1.4) See Guideline SRC8.

### **Protect ridgelines and hillside areas (RH)**

- 1.) 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 20% or more, require "natural contour" grading to minimize soil displacement and use of retaining 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. (GP CD1.5) See Guideline RH1 through RH10 and ID10.3, ID10.4, ID10.6, ID11.1, ID13.3, SFR2.12, SFR2.13, SFR2.14, SRC7, L1, L2, and L3.

## **Complement existing landscaping (L)**

- 1.) 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 drainage ways. (GP CD1.6) See Guidelines SC1.9, L3.8, and CC1.7e.
- 2.) Encourage the use of native, fire-resistive, and drought-tolerant species. (GP CD1.6) See Guidelines L2.5, L3.16 and SC1.11 and Appendix B.

## **Enhance the Town's Scenic Corridors (SC)**

- 1.) Improve the visual character along Scenic Corridors with lighting, landscaping, and signage. (GP CD3.2) See Guidelines SC1.1 and SC1.10.
- 2.) Use additional street tree planting, berms, fencing and ornamental landscaping to enhance the visual continuity along the Town's Scenic Corridors. (GP CD3.5) See Guidelines SC1.1.
- 3.) Require appropriate landscaping for both public and private developments located on designated Scenic Corridors, including pedestrian lighting and street trees within existing commercial areas. (GP CD3.5) See Guideline SC1.7 and CC1.7e.
- 4.) Encourage use of native and drought-tolerant species and, where applicable, preservation of orchard trees. (GP CD3.5) See Guidelines L2.5, L3.16 and SC11.
- 5.) Convert all overhead wiring in scenic corridor areas to underground as soon as possible. (GP CD3.7) See Guideline SC13.

## **Minimize the impacts of development (ID)**

- 1.) Concentrate new development in areas that are least sensitive in terms of environmental and visual resources, including areas of flat or gently sloping topography outside of flood plain or natural drainage areas. (GP CD1.1) See Guidelines ID1 and ID11.1.
- 2.) 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. (GP CD1.2) See Guidelines ID7, L2, and L3.
- 3.) Whenever and wherever possible, convert overhead utility lines to underground and require underground utilities in areas of new development. (GP CD1.8) See Guidelines SC1.11 and ID13.8.

## **Thoughtfully Design Single-Family Residential Neighborhoods (SFR)**

- 1.) Review by staff or the Planning Commission acting as the Design Review Board to ensure that new residential development in existing neighborhoods reflect 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. (GP CD4.3) See Guidelines SFR1.1-1.6 and SFR2.1-2.6.
- 2.) 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 respects the site topography and natural features. Where feasible, avoid standard repetitive lot sizes and shapes in hillside areas. (GP CD4.4) See Guidelines SFR1.6.

## **Thoughtfully Design New Multi-Family Residential Developments (MFR)**

- 1.) 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. (GP CD5.1) See Guideline MFR1.7.
- 2.) 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. (GP CD5.2) See Guidelines L3, MFR2.6, and MFR2.7.
- 3.) Require usable private and common open space in all new multi-family residential development. (GP CD5.3) See Guideline MFR1.8.
- 4.) Design new multi-family developments to create high quality pedestrian environments, with connections to the Town's pedestrian path and trail system. (GP CD5.4) See Guideline ID 13.7.

## **Promote Commercial Centers As Community Places (CC)**

- 1.) 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. (GP CD6.1) See Guidelines CC1.6-1.7.
- 2.) 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. (GP CD6.2) See Guideline SRC3.

- 3.) 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. (GP CD6.3) See Guideline CC1.7.
- 4.) 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. (GP CD2.3) See Guideline CC2.6.
- 5.) 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. (GP CD6.4) See Guideline CC1.1 and CC1.7.

## 2 PROCEDURAL CONSIDERATIONS

### DESIGN GUIDELINE IMPLEMENTATION

While there is no formula for good design, the Town of Moraga Design Guidelines are indicators of the type of design that the Town is likely to approve. The Town recognizes that each project represents a unique combination of design elements and natural features. Applicants and/or their representatives shall consider the Design Guidelines when developing a project proposal. Compliance with these Guidelines does not, however, guarantee approval. Similarly, needing to request an exception to the Guidelines does not mean that the application will be disapproved. Procedurally, compliance with the Design Guidelines enables a project to be considered at the staff level (Administrative Design Review, or ADR) unless the type or scale of the project requires Design Review Board (DRB) approval, such as applications for development in a scenic corridor<sup>1</sup>, hillside<sup>2</sup> development, new residential construction, and appeals from certain staff decisions. The definitions in Appendix D to the Town of Moraga's General Plan are expressly incorporated herein and shall be used to interpret and implement these Design Guidelines,

Exceptions to the Design Guidelines may be approved by the Planning Commission acting as the Design Review Board if the overall finding for design approval can be made. In single-family residential districts the DRB must find that:

- 1.) *The proposed improvements conforms 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.*
- 2.) *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.*
- 3.) *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.*
- 4.) *The proposed improvement will not impair the public health, safety, or welfare.*

The finding above that requires the Town to determine that the proposed improvements conform with good design as set forth in the Town of Moraga Design Guidelines means that, generally speaking, the project is in compliance with the Guidelines but exceptions from certain guidelines may be necessary in order to achieve overall acceptable design. This is in recognition of the fact that Design Guidelines can be in competition with one another, as there are often competing design considerations, such as water conservation, fire safety, and stormwater management.

In approving an application for design review, the DRB may impose conditions of approval. Such conditions would be required in order to mitigate any negative effects that the development may have on the site, the neighborhood, or the community as a whole. Special conditions may also be attached when the DRB is so directed by the Planning Commission (PC) or Town Council (TC), or when the DRB determines that such conditions are needed in order to implement policies adopted by the Commission or Council. Higher standards than the ones contained in these guidelines may be set by the Planning Commission for a particular development project, and such standards would then be implemented by the Planning Commission acting as the Design Review Board in place of the comparable guidelines.

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<sup>1</sup> The major scenic corridors designated in the General Plan include: Bollinger Canyon Road, Camino Pablo, Canyon Road, Donald Drive (along the ridgeline of Mulholland Hill), Moraga Road, Moraga Way, Rheem Boulevard, and St. Mary's Road.

<sup>2</sup> A hillside is defined as any slope greater than 20%.

## **DESIGN REVIEW PROCESS**

Prior to processing an application for design review, the application must be determined complete by the Town. The Town may, at its discretion, require that a portion of the required submittal be sent to a specialist for review, at the applicant's expense, prior to a determination of completeness.

All applications are subject to the applicable provisions of the Moraga General Plan and Municipal and State Codes, in addition to these Design Guidelines.

There are two levels of design review in Moraga. Additions to existing residences that conform to the Design Guidelines and are not proposed on a hillside or within a scenic corridor are eligible for review at the staff level (Administrative Design Review or ADR) with notice to neighbors but without a public hearing.

Design Review Board (DRB) approval is required for all new residences and all additions to existing residences that require an exception to the Design Guidelines or are proposed within a scenic corridor or on a hillside. In addition, the DRB considers certain appeals from staff decisions. Appeals from DRB decisions and certain staff decisions are considered by the Planning Commission (PC). Similarly, the Town Council (TC) considers appeals from PC decisions and applications for grading on pre-development average slopes greater than 25%.

## **DESIGN GUIDELINES FOR HILLSIDES AND RIDGELINES**

On April 11, 2018, the Town Council adopted Design Guideline amendments as part of the Hillsides and Ridgelines project. These amendments clarify the Town's design preferences to support new development that maintains Moraga's unique semi-rural feel and scenic natural setting. Specific amendments to the Design Guidelines adopted as part of the Hillsides and Ridgelines project are as follows ("Hillsides and Ridgelines Amendment"):

- New design guidelines for hillside development in Section 4 (Protect Ridgelines and Hillside Areas).
- Revised design guidelines for development within 500 feet of a scenic corridor in Section 6 (Enhance Town's Scenic Corridors)
- New maximum floor area ratio guidelines for lots greater than 20,000 square feet in Appendix B.

The following types of development projects are exempt from the Hillsides and Ridgelines Amendments:

1. Proposed development projects within the Moraga Center Specific Plan (MCSP) area, which shall be governed by the provisions of the MCSP, as may be amended from time to time, and any amendments to the Moraga General Plan adopted in conjunction with any amendment to the MCSP.
2. Subdivisions approved by the Town where a Final Map has been recorded for the subdivision prior to the effective date of the Hillsides and Ridgelines Amendments.
3. Pending development project applications with a published Draft EIR or IS/MND as of the effective date of the Hillsides and Ridgelines Amendments, provided no entitlements have been granted. Such pending development project applications shall be governed by the provisions of the Moraga General Plan and all other applicable policies, standards and regulations in effect prior to the adoption of the Hillsides and Ridgeline Amendments. Notwithstanding such exemption, once any pending development project application has been acted upon by the final

reviewing body or is withdrawn by the applicant, this exemption shall no longer apply to any such application.

For any development project not specifically exempt from the Hillsides and Ridgelines Amendments, such amendments govern in accordance with and to the fullest extent permissible under law.

### 3 MAINTAIN THE TOWN'S SEMI-RURAL CHARACTER (SRC)

#### APPLICABLE TO ALL TYPES OF DEVELOPMENT

These guidelines are intended to help preserve the semi-rural features that make Moraga unique when considering applications for development. Therefore, ***these guidelines are applicable to all types of development.***

- SRC1 Retain, protect, and utilize existing natural features, such as trees and other vegetation, interesting ground forms, rocks, water, and significant views in the design.
- SRC2 The impact and presence of vehicles resulting from the development should be minimized through proper siting and screening in order to buffer parking areas from locations both interior and exterior to the site.
- SRC3 Circulation systems should avoid conflict between vehicular, bicycle and pedestrian traffic. Emergency and service vehicle access shall be accommodated within the circulation system.
- SRC4 Accessory structures should not encroach upon front yard and exterior side yard setbacks.
- SRC5 Preserve natural site amenities.
  - a. Development should be planned in relation to natural features.
  - b. Natural features must be protected both during and after construction of the project.
  - c. Retain trees and other native vegetation, consistent with tree preservation ordinance, to maintain current stability of steep hillsides, retain moisture, prevent erosion, and enhance the natural scenic beauty. Grading under tree drip lines should be avoided to protect the root system during development.
  - d. Treat significant natural features, such as creeks, rock out-croppings, and prominent knolls, as assets.
- SRC7 New trees should be planted to compliment the natural pattern of tree placement and should be selected from one of the palettes in Appendix B.
- SRC8 Mature native tree groupings should be protected.
- SRC9 Improvements should be sited away from creeks to enhance safety and to protect existing drainage patterns, riparian habitat, and wildlife.

## 4 PROTECT RIDGELINES AND HILLSIDE AREAS (RH)

This section establishes design guidelines for development in hillside areas in Moraga. A “hillside area” as defined in Chapter 8.04 of the Moraga Municipal Code includes either of the following:

- A parcel with an average predevelopment slope of twenty (20) percent or greater; or
- The area of a parcel where (i) the area of disturbance of a development project and/or (ii) the footprint of the primary structure, has an average predevelopment slope of twenty (20) percent or greater. These particular areas of a parcel shall be classified as a “Hillside Area” or “Hillside Land” regardless of the average predevelopment slope of the entire site or parcel in which the area of disturbance or the footprint of the primary structure is located.

Guidelines in Part 1 of this section apply only to subdivisions and new homes on an undeveloped parcel or site. Part 2 contains guidelines that apply to subdivisions and new homes **as well as** to additions that add a full or partial upper story to an existing home and/or increase the floor area of an existing home by 35 percent or more.

Some guidelines in this section address issues covered elsewhere in the Design Guidelines. In such a case, related guidelines in other sections are noted below. Hillside projects must comply with these other guidelines as applicable. In the case of conflict between guidelines in this section and in other sections, the more restrictive shall prevail.

### PART 1: GUIDELINES THAT APPLY ONLY TO SUBDIVISIONS AND NEW HOMES

#### RH1: SUBDIVISIONS

*See also guidelines SRC1, SRC5, SRC9, ID5, ID13, SFR1.*

RH1.1 General Design. New subdivisions should be designed to minimize alteration to the natural terrain, blend with the natural setting, and preserve the scenic qualities of hillside areas.

RH1.2 Site Constraints. Development should be located in the portion or portions of the site that is/are least constrained and most suitable for development. To the greatest extent possible, the location of development should avoid the following constraints:

- Unstable soil, landslide susceptibility and other geologic hazards.
- Areas highly visible from a scenic corridor.
- Areas where proposed development would project above a ridge when viewed from any scenic corridor.
- Significant natural landforms including rock outcroppings, prominent knolls, bluffs, ravines, and other similar geologic features.
- Steep slope areas.
- Protected native, historic, and orchard trees as defined in Moraga Municipal Code Chapter 12.12, sensitive vegetation, wetlands, riparian areas, and special status species habitat.
- Wildfire hazard areas.
- Waterways and flood hazard areas.

Applicants for a development project shall submit a constraints analysis that identifies the location of these constraints on the site and demonstrates that location of the development will avoid these constraints to the greatest extent possible.

RH1.3 Design Variation. Homes within a subdivision should exhibit design variation that minimizes repetitive forms and contributes to a more organic design aesthetic. As appropriate, homes should feature variation in:

- Front building setbacks and placement on lots;
- Floor elevations and building heights; and
- Building massing, elevations, floor plans, architectural style, materials and colors.

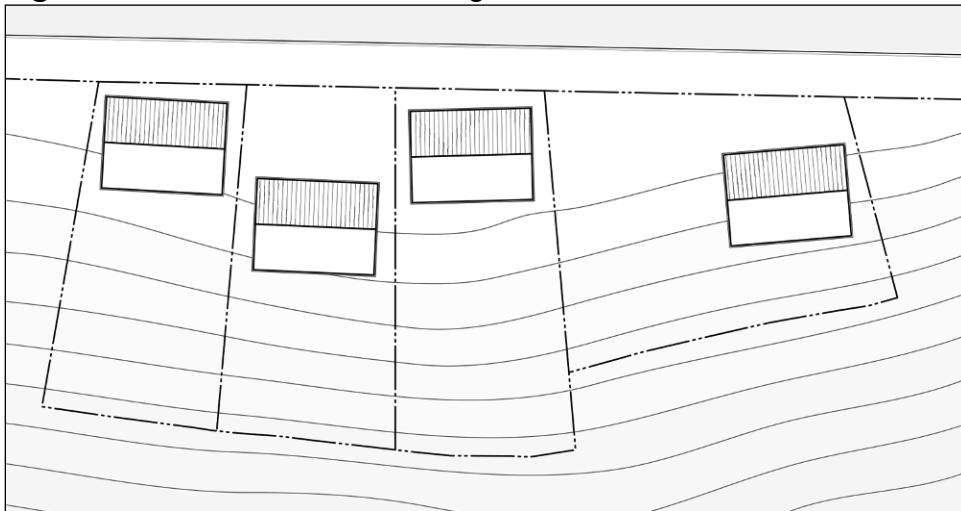


*Variation in the placement, orientation, setbacks, and architectural styles of homes creates visual interest in Moraga hillside subdivision*



*Variation in building heights contributes to a more organic design aesthetic*

**Figure RH-2: Variation in Building Setbacks**



*Variation in building setbacks helps a subdivision to blend into the natural setting*

- RH1.4 Clustered Development. Homes should be clustered if doing so will maximize the amount of preserved open space and better maintain the predominantly natural character of the hillside. Greenbelts and/ or fuelbreaks, incorporating appropriate transitional landscaping treatments, should be used to separate clustered structures from natural areas.
- RH1.5 Density on Steep Slopes. Densities should be minimized on steep slopes to reduce exposure to geologic hazards and limit alteration of natural landforms.
- RH1.6 View Impacts. Development should be located and design to minimize impacts to both close up and distant views of the natural hillside and ridgeline landscape as seen from valley areas.

## **RH2: ROADS AND SIDEWALKS**

*See also guidelines ID13.3, ID13.4, ID13.9.*

- RH2.1 Visibility. Roads should be located, designed, and landscaped to minimize their visibility from scenic corridors.
- RH2.2 Natural Contours. Roads should follow the natural contours of the land and should not be orientated perpendicular to contour lines.

- RH2.3 Curbside Parking. To reduce grading and allow for narrower roads, curbside parking lanes are discouraged. Guest parking should be provided through shared parking bays where doing minimizes visual impacts and site disturbance.
- RH2.4 Width. Roads should not exceed the minimum width required for emergency vehicle access and to meet applicable public works standards.
- RH2.5 Sidewalks. Sidewalks may be provided on one side of the road only if doing so will minimize road width, grading, and general site disturbance. Separated and/or meandering pedestrian facilities that can accommodate landscape buffering and grade separations to better respond to topography are encouraged.

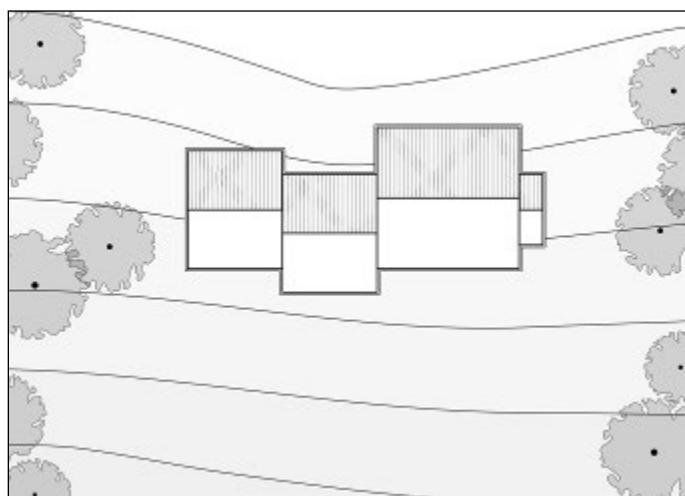
### **RH3: BUILDING PLACEMENT AND FOUNDATION DESIGN**

*See also guidelines SRC1, SRC5, SRC7, SRC8, SRC9.*

#### **A. Building Placement**

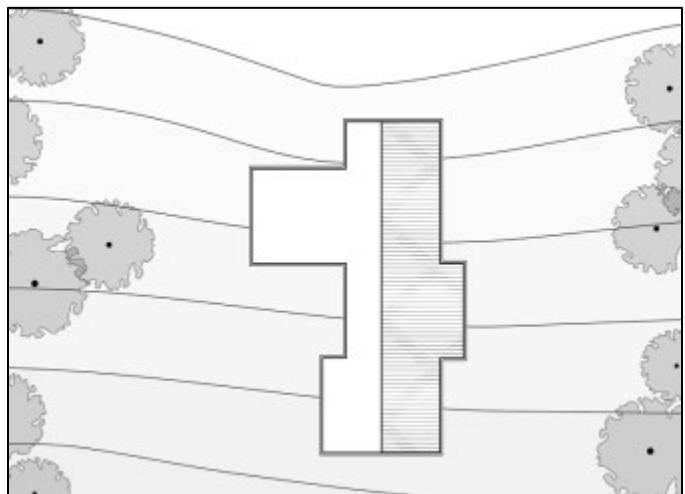
- RH3.1 Minimize Grading and Avoid Natural Features. Buildings should be located on lots in a manner that minimizes the need for and total amount of grading to the extent practicable and avoids disturbances of natural features where possible.
- RH3.2 Conform with Natural Topography. Building placement should conform to the natural topography of the site and run with the contours in order to reduce the appearance of bulk and minimize the need for grading.
- RH3.3 Appearance of Mass. On downhill lots, buildings should be placed on the lot so as to reduce building mass that hangs over or steps down the slope.

**Figure RH-3: Conform with Natural Topography**



*Buildings placed to conform with natural topography and site's contours (top) minimize the amount of grading and reduce the appearance of bulk.*

**DO THIS**

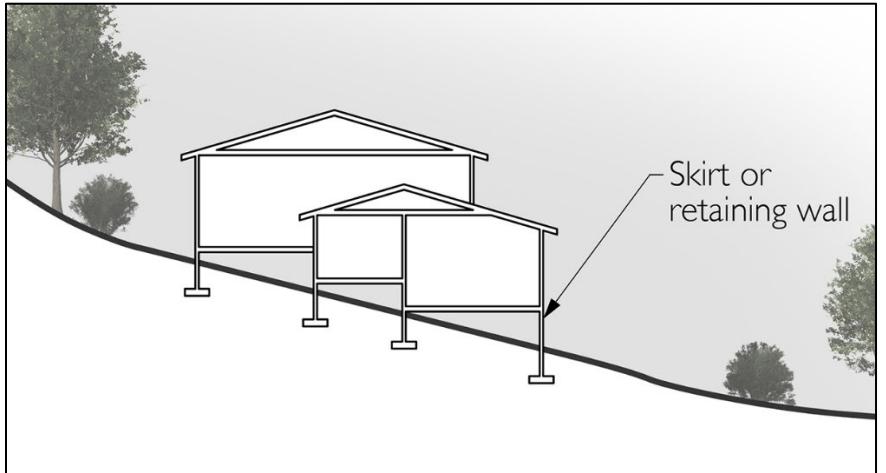


**DON'T DO THIS**

## B. Foundation Design

**RH3.4 Stepped Design.** Where the existing slope of the development site is 20 percent or steeper, dwellings should exhibit a stepped design that follows the natural terrain and does not stand out vertically from the hillside. Dwellings may be designed with a stepped, pier and grade beam, or a custom foundation to limit grading and alterations to the natural terrain. The Town may grant an exception to this stepped design guideline in accordance with guideline RH 3.5 below.

**Figure RH-4: Stepped Foundation**



*Stepped foundation helps to minimize appearance of mass and bulk.*

**RH3.5 Deviation from Stepped Design Guideline.** The Town may allow a project to deviate from the stepped design guideline in RH3.4 above upon finding that a single-level padded lot will produce a superior design that more fully conforms to the Town's design goals for hillside development. If a deviation is allowed, the single-level padded project should comply with the following guidelines:

- Significant vegetation, rock outcroppings, or other important natural features as determined by the reviewing authority should not be removed or disturbed.
- The vertical height of any resulting graded slope or combination retaining wall and slope visible from a public place or neighboring property should be minimized to the extent possible.
- Pads should be the minimum area to accommodate the structure and a reasonable amount of open space.
- Pad height should be minimized to the greatest extent possible.



Examples of hillside homes with stepped foundations in Orinda (left) and Lafayette (right).

## PART 2: GUIDELINES THAT APPLY TO SUBDIVISIONS, NEW HOMES, AND ADDITIONS

The guidelines below apply to subdivisions, new homes, and additions that add an upper story to an existing home and/or increase the floor area of an existing home by 35 percent or more. If an existing home or site conflicts with a guideline, the guideline shall apply only to the addition or change to the site.

### RH4: BUILDING DESIGN

*See also guidelines ID2, ID13.2, SFR12, SFR2.*

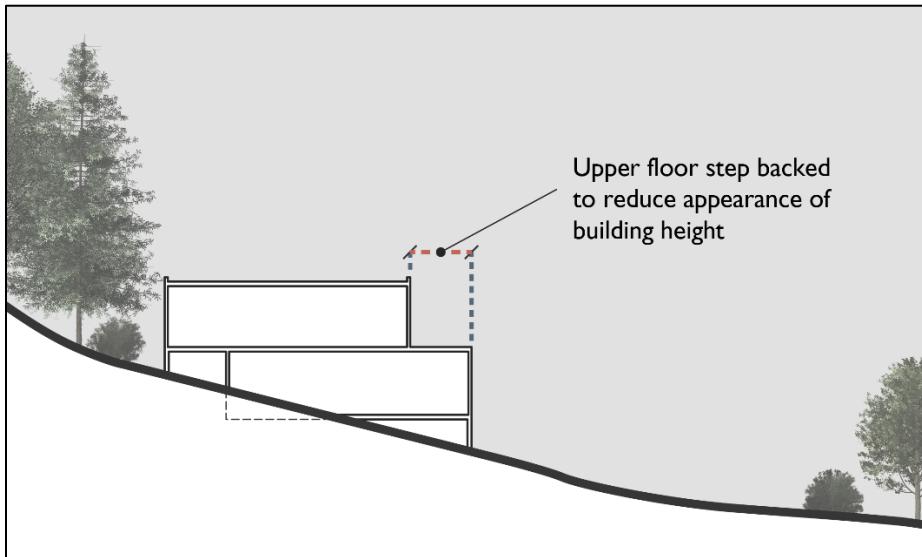
#### A. Building Height and Stepbacks

- RH4.1 Building Height. Building height should be minimized to reduce visual prominence and blend into the natural setting.
- RH4.2 Elevated Padded Lots. In cases where the modified grade of a home site exceeds existing grade, building pads should be established at the lowest elevation possible given site constraints and project objectives. Development projects with elevated building pads shall be subject to heightened design review requirements in accordance with Municipal Code Section 8.72.060.
- RH4.3 Stepbacks. On up-sloping lots, upper stories facing a street should be stepped back a sufficient distance from the ground floor to minimize the building's visual height as viewed from the street and other down-slope public places.



*Example of hillside homes with upper story stepback in Orinda (left) and Lafayette (right).*

**Figure RH-5: Upper Floor Stepbacks**



*Stepping back upper floors on down sloping lots reduces a building's visual height.*

RH4.4 Underfloors (Skirt Walls). The vertical distance between the lowest finished floor of an elevation of a building and the finished grade should not exceed 6 feet.

#### **A. Building Mass and Volume**

RH4.5 Building Mass. Building design should incorporate techniques to effectively reduce the appearance of mass, bulk and volume where visible from a public place or neighboring property. Such techniques include, but are not limited to:

- Keeping building forms simple and avoiding architectural styles that are inherently viewed as massive and bulky.
- Minimizing the square footage of a home and avoiding large volume buildings forms.
- Avoiding the use of architectural features that increase visual prominence, such as two-story entries, turrets, and large chimneys.
- Avoiding overhanging decks, large staircases and patios formed by retaining walls that make buildings appear more massive.
- Stepping the building foundation and roofs with the natural slope.
- Stepping back second stories so that a difference in wall planes is visible from a distance.
- Creating light and shadow by providing modest overhangs, projections, alcoves, and plane offsets,
- Using vaulted ceilings rather than high walls and ceilings with attics above to achieve a feeling of volume.

## B. Building Elements

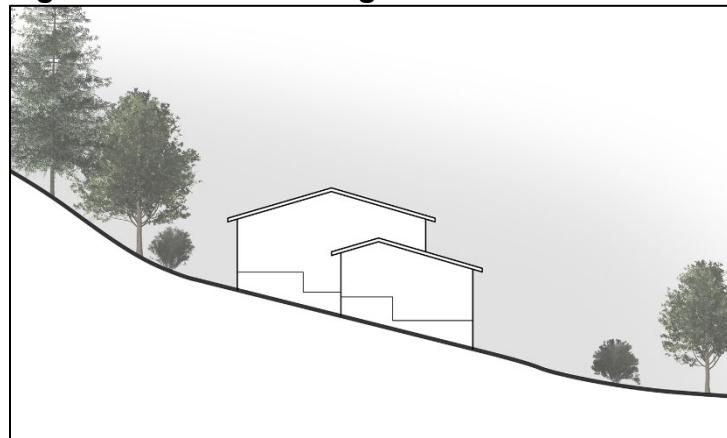
RH4.6 Roofs. Roofs should be designed to minimize the visual prominence of buildings and complement the surrounding landscape. This may be accomplished by:

- Orienting the slope of the main roof in the same direction as the natural slope of the terrain.
- Minimizing the use of long, linear roof lines.
- Dividing roof forms into a series of smaller components that reflect the irregular forms of the surrounding natural features.
- Incorporating roof colors with darker earth tones that are less conspicuous when viewed from a distance.
- Reducing roof pitch to no more than 4:12.
- Utilizing hipped roof designs.

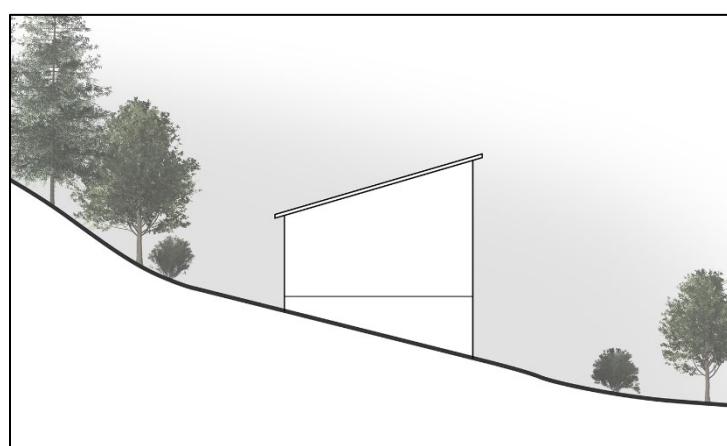


*Example of roof forms broken into multiple elements in Moraga (left) and a roof that follows the natural slope in Orinda (right).*

**Figure RH-6: Roof Design**



*Roofs that slope in the same direction as the natural terrain (top) minimize the visual prominence of buildings.*



RH4. Exterior Colors. Exterior colors for new structures should be coordinated with the predominant colors and values of the surrounding landscape to minimize contrast of structures with their background when viewed from scenic corridors and other public areas.

RH4.7 Window Tinting. Mirror-like window tinting should be avoided.

#### **RH5: GRADING**

*See also Guidelines ID10, ID11.1, SFR1.6, SFR1.12*

RH5.1 Contour Grading. Contour grading techniques should be used to blend with natural slopes and achieve a natural appearance. The following concepts should be utilized:

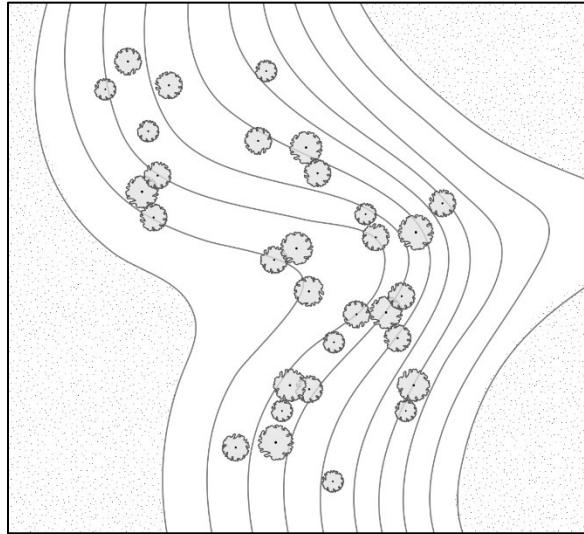
- Hard edges left by cut and fill operations should be given a rounded appearance that closely resembles the natural contours of the land.
- Manufactured slopes adjacent to driveways and roadways should be modulated by berthing, regrading, and landscaping to create visually interesting and natural appearing streetscapes. However, preservation of trees and avoidance/elimination of retaining walls where possible is a priority.
- Where cut and fill conditions are created, slopes should be varied rather than left at a constant angle, which creates an unnatural, engineered appearance.

- The angle of any graded slope should be gradually transitioned to the angle of the natural terrain. Creation of new grades slopes, significantly steeper than local natural slopes should be minimized.

RH5.2 Grading Areas on Lots. Graded areas on lots should not be larger than the area of the footprint of the house, plus that area necessary to accommodate pedestrian and vehicle access, required parking and turnaround areas, and reasonably-sized yard space.

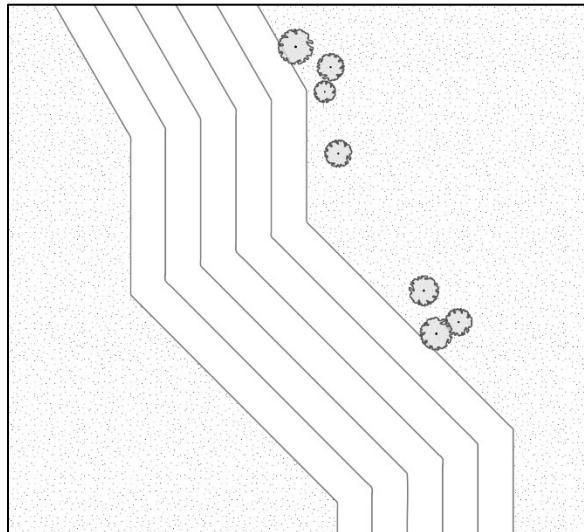
RH5.3 Restoration of Original Topography. After completion of construction, areas of disturbance should be restored as closely as possible to their original topography.

**Figure RH-7: Contour Grading**



*Contour grading (top) produces a rounded appearance that closely resembles the natural contours of the land.*

**DO THIS**



**DON'T DO THIS**

## RH6: LANDSCAPING

RH6.1 Use of Landscaping. Landscaping should be used to maintain the natural appearance of the hillside, blend structures with the natural setting, and screen structures from public and private views. Plant palettes should be consistent with those specified in Design Guidelines Appendix D.



*Existing and new landscaping help to blend Orinda home into the natural appearance of the hillside.*

RH6.2 Fire Safe Landscaping. Fire safe landscaping should be used consistent with Guideline L1.

RH6.3 Turf Grass. Turf grass should not occupy more than 25 percent of total yard area.

RH6.4 Formal Gardens and Turf Areas. Geometric landscape design visible from public places should be minimized. When visible from a public place, formal gardens (including ornamental plantings, hardscape, and turf areas) should be limited to locations immediately adjacent to the house such as entry ways or small gardens at the rear.

RH6.5 Location of Plant Types. Irrigated landscaping should be concentrated adjacent to the dwelling. Landscaping should transition to more natural planting on the remainder of the lot. Plant species outside of the usable open space immediately adjacent to the dwelling should be indigenous and appropriate for the immediate natural habitat.

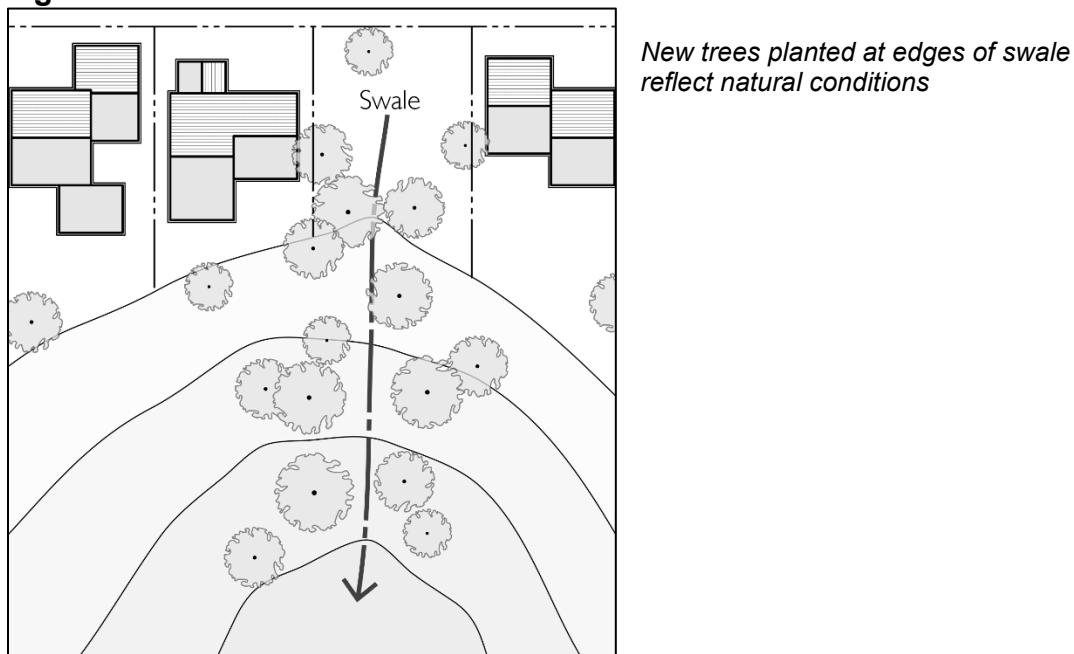
RH6.6 Configuration. Plants visible from a public street should be clustered informally to blend with the natural vegetation. Trees and shrubs should not be planted in a straight lines to define property lines, driveways, or edges.

RH6.7 New Trees.

- a) Trees should be planted along contour lines in undulating groups to create grove effects which blur the distinctive line of the graded slope.
- b) Trees planted in proximity to ridgelines should be similar in height and form to that of naturally occurring species in the vicinity, and when naturally occurring trees and vegetation do not protrude above a ridgeline, follow a similar pattern.

- c) When possible, locate trees at the edges of swale areas and bioretention facilities to more closely reflect natural conditions and gather surface runoff for plant irrigation.

**Figure RH-8: New Trees**



## **RH7: DRAINAGE**

*See also guidelines SRC9, L2.3, ID12*

- RH7.1 Natural Drainage Courses. Natural drainage courses should be preserved with native vegetation intact, should be enhanced to the extent possible, and should be incorporated as an integral part of the site design in order to preserve the natural character of the area. Appropriate creek structure setbacks should be defined and maintained free of any development.
- RH7.2 Naturalizing Treatment. Manmade drainage channels should receive a naturalizing treatment such as rock and landscaping so that the structure appears as a natural part of the environment.
- RH7.3 Runoff Dispersion. Runoff should be dispersed within the subject property through landscape infiltration to the greatest extent feasible. Runoff concentration that requires manmade drainage channels or engineered drainage facilities should be avoided.
- RH7.4 Visibility. Manmade drainage channels should be placed in the least visible locations possible.

## RH8: SITE ELEMENTS

### A. Driveways

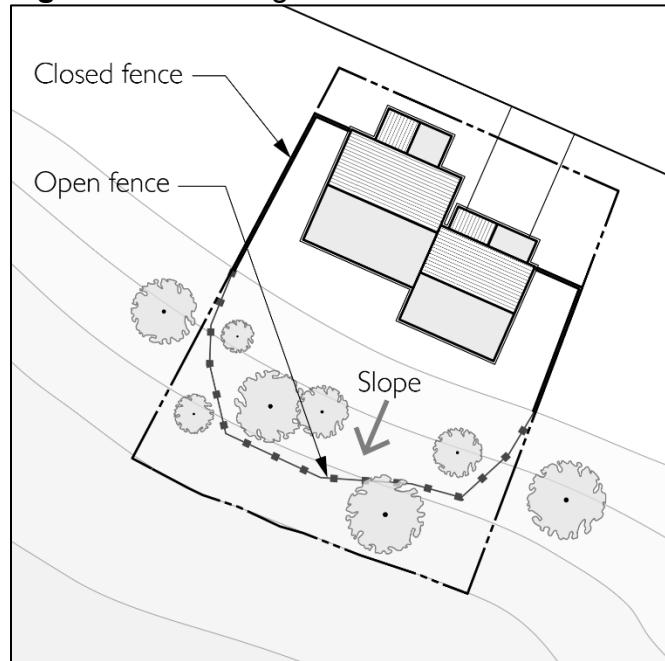
See also *Guideline ID13.6, ID13.9, SFR1.7, SFR1.8, SFR1.9*

- RH8.1 Driveway Location. Driveways should be located to minimize the need for grading and should align with the natural contours of the land to the greatest extent possible.
- RH8.2 Driveway Width. Driveways widths should be the minimum required by Town regulations. Common driveways shared by multiple units should be used to the extent possible.
- RH8.3 Driveway Material. Driveways should be darkened, colored, or textured to exhibit a natural appearance and to blend in with the surroundings.

### B. Fences

- RH8.4 Solid Fencing. Solid fencing should only be used to enclose the immediate usable outdoor space around a house and should not be used to delineate property lines.
- RH8.5 Perimeter Fencing. Where fencing is needed to delineate private property from public or common areas, fencing should remain visually open (i.e., split rail or wire deer fencing) in order to minimize the visual "ribbonlike" effect of fencing on the hillsides. Perimeter chain link fencing is prohibited.

**Figure R9: Fencing**



*Fencing along perimeter of parcel remains visually open to minimize a "ribbonlike" effect on the hillside*

## **C. Retaining Walls**

*See also Guidelines ID11.*

- RH8.6 Materials. Retaining walls that are visible from a public street should blend with the natural hillside environment and promote a semi-rural character through veneers of natural stone, integrally-colored concrete, textured surfaces, and other similar treatments.
- RH8.7 Follow Topography. Retaining walls should blend with the natural topography, follow existing contours, and be curvilinear to the greatest extent possible.
- RH8.8 Landscaping. Landscaping should be provided adjacent to retaining walls visible from a public street and should include a combination of native trees and shrubs to screen the retaining walls from view to the greatest extent practicable.

## **D. Outdoor Lighting**

*See also Guideline ID6.*

- RH8.9 Site Lighting. Outdoor lighting on private property which is visible from public streets should be indirect or incorporate full shield cut-offs. Light sources should not be seen from adjacent properties or public rights-of-way.
- RH8.10 Street Lighting. In order to minimize light pollution and maintain enjoyment of the night sky in hillside areas, street lighting should not exceed the minimum illumination required by the Town and other public agencies unless determined necessary by the Town to protect the public health, safety and welfare.

## **5 COMPLEMENT EXISTING LANDSCAPING (L)**

Moraga values abundant landscaping and high design standards.

### **L1 FIRE SAFE LANDSCAPING**

The Fire District highly recommends the use of fire safe landscaping in residential, commercial, and open space areas that might be threatened by fires, such as sloped lots.

In order to ensure that vegetation does not promote the spread of fire between residences or between open space, development should take into consideration fire safety in the design of landscapes. The Town shall consider the following factors when reviewing development proposals:

- L1.1 On residential lots located adjacent to open space or heavily wooded areas, trees should be planted no closer than 15 feet from the exterior wall of a residence.
- L1.2 Consideration should be given to avoiding flammable trees and shrubs where possible. Selection should be from those listed as fire resistant in Appendix B. Consult the Moraga Fire Protection District for highly flammable plant species to be avoided such as certain pine, juniper, and eucalyptus species.
- L1.3 Landscaping should be properly irrigated to assure that plants retain their fire retardant capability, but shall not be over watered so as to create runoff from the site.
- L1.4 On residential lots located adjacent to open space or heavily wooded areas, landscaped areas should be maintained with a "wet band" (spray irrigation) that is a minimum of 30-100 feet in width, where setbacks allow. For fire safety consideration contact the Fire District for distance guidelines.
- L1.5 The use of shredded bark should be avoided; bark chips are recommended. Suggested minimum depth of chips is 3 inches.
- L1.6 The Town will weigh the merits of water conserving landscapes in conjunction with fire safety and stormwater management.

### **L2 SINGLE-FAMILY RESIDENTIAL LANDSCAPING AND IRRIGATION**

- L2.1 Residential properties should be landscaped and irrigated in accordance with the natural environment.
- L2.2 New irrigation systems shall include automatic rain shut-off controller devices.
- L2.3 Irrigation runoff shall not be discharged into the storm drain system. Therefore, over watering of the landscape shall be avoided. Opportunities shall be provided for biofiltration that routes stormwater through landscaping and then to an appropriate drainage facility.
- L2.4 Drought tolerant plant species are encouraged as they use less water and are often fire safe.

L2.5 Drought tolerant, fire resistant, native tree and shrub species should be selected from one of the palettes in Appendix B. The Town of Moraga encourages planting of native species over non-native species and encourages applicants to refer to the Native Plant Society website at [www.nps.org](http://www.nps.org) to check that the plants that you select are not invasive species.

### **L3 MULTI-FAMILY AND COMMERCIAL LANDSCAPING AND IRRIGATION**

L3.1 Landscaped areas should be planned as integral parts of the project and not simply as leftover green spaces to be planted on the site.

L3.2 Areas not covered by buildings or structures enclosed for storage or used for paved walks, alleys, or drives should be completely landscaped and irrigated.

L3.3 Parking lots should be landscaped through the use of concave islands and medians swales designed to accommodate trees, shrubs, and ground cover while providing drainage and biofiltration of concentrated stormwater. Fast growing deciduous or evergreen trees should be planted at a ratio of one tree for every 4-6 parking spaces, to create maximum summer shade.

L3.4 Landscaping should permit adequate sight distance for motorists and pedestrians entering and exiting the site and shall not interfere with parking lot and circulation effectiveness.

L3.5 Landscaping should be developed to relieve solid, unbroken elevations and soften continuous wall expanses as well as complement a building or building cluster.

L3.6 Significant landscaping should be provided around the perimeter of the site.

L3.7 Dense landscaping should be incorporated into any project to screen unattractive views and features such as storage areas, trash enclosures, parking lots, public utilities, and other elements that detract from the appearance of the surrounding area.

L3.8 Tree and shrub planting may be grouped together in order to create stronger accent points or a sense of place.

L3.9 Initial landscaping should be of a size and quality that a mature appearance will be attained within three years of planting. At least 25% of the proposed trees on the site are to be a minimum of 24" box size and the remaining trees a minimum of 15-gallon size.

L3.10 Lawn areas should be limited to 25% of the total landscaped areas and must be a drought tolerant fescue variety, with exceptions for schools, parks and public recreational areas. Percentage may be increased for biofiltration.

L3.11 Significant trees existing on the property should be protected retained and integrated with the design where appropriate.

L3.12 Deciduous trees along southern building exposures, coniferous and broadleaf evergreen trees along East and West building exposures and evergreens along the North exposures are recommended to conserve energy usage within structures.

- L3.13 All plant materials (including street trees and planting within the public right-of-way) should be watered with an automatic irrigation system. Provision shall be made for watering planting boxes and individual planters raised from the ground.
- L3.14 Water-conserving system design and materials and drip irrigation should be used wherever appropriate.
- L3.15 New irrigation systems shall include automatic rain shut-off controller devices.
- L3.16 Plants from the palettes in Appendix B should be selected. The Town of Moraga encourages planting of native species over non-native species and encourages applicants to refer to the Native Plant Society website at [www.cnps.org](http://www.cnps.org) to check that the plants that you select are not invasive species.

## 6 ENHANCE TOWN'S SCENIC CORRIDORS (SC)

This section establishes design guidelines for development within 500 feet of a major scenic corridor, as measured from the edge of the public right-of-way. The major scenic corridors designated in the General Plan include: Bollinger Canyon Road, Camino Pablo, Canyon Road, Donald Drive (along the ridgeline of Mulholland Hill), Moraga Road, Moraga Way, Rheem Boulevard, and St. Mary's Road. The purpose of these guidelines is to preserve and enhance the semi-rural character of Moraga's scenic corridors and protect scenic vistas of distant hillsides as viewed from scenic corridors.

For guidelines that apply to development in hillside areas located outside of scenic corridors, see Section 4: Protect Ridgelines and Hillside Areas (RH).

### SC1 APPLICABLE TO ALL SCENIC CORRIDOR DEVELOPMENT

- SC1.1 Medians in scenic corridors should be planted and landscaped except where drivable medians are necessary. See Appendix B for recommended plants and Appendix C for conceptual examples for aesthetic enhancement.
- SC1.2 Wide and curved trails should be used along scenic corridors instead of sidewalks wherever possible. Both trails and sidewalks should be separated from roadways with plantings. See Appendix C.
- SC1.3 A greenbelt should be established between the scenic corridor major road and a parking area or building that is located adjacent to the road. The greenbelt must be landscaped and appear to be natural (i.e. a high percentage of the ground area could be a mounded redwood bark or stone covered area as long as plants provide a reasonable amount of massing to create a screening effect). All landscaped areas shall be appropriately irrigated to maintain healthy plants while preventing runoff from over watering.
- SC1.4 Trees should be planted on medians and along scenic corridors except where traffic views are blocked. Where tree planting next to scenic corridors is otherwise not possible, planters for trees should be located in street parking zones. See Appendices B and C. Native grass areas are acceptable along the scenic corridor where formal landscaping is inappropriate.
- SC1.5 The greenbelt separating a single-family residence from a scenic corridor roadway should have a minimum depth of 20 feet. This depth can be lessened if mitigated by shrubbery, trees and/or other acceptable elements or landscaping.
- SC1.6 Landscaped mounds or berms are encouraged between the scenic corridor roadway and large parking areas and may be steeper than 3:1 if appropriately landscaped and irrigated.
- SC1.7 Commercial shopping centers shall have a twelve-foot or greater depth of greenbelt between the road and parking area or building, exclusive of the public sidewalk.
- SC1.8 Greenbelts should have a balance of high and low plants to give a natural look to the landscaped area. At no time will a landscaped area (other than grass) exceed 50 lineal feet along the scenic corridor road without a change in massing, character, and color.
- SC1.9 Religious or educational institutions, apartment complexes, professional buildings, commercial buildings, and residences along scenic corridors should have a minimum 15-foot greenbelt depth to the property line at adjacent streets (exclusive of sidewalk) with moderate landscaping.

- SC1.10 A property owner may be required to upgrade existing conditions when major work is accomplished on a parcel that is within 500 feet of the center line of a major scenic corridor.
- SC1.11 In order to enhance the landscaping along designated scenic corridors, new development within 500 feet of these corridors should include trees and shrubs from one of the palettes in Appendix B. The Town of Moraga encourages planting of native species over non-native species and encourages applicants to refer to the Native Plant Society website at [www.nps.org](http://www.nps.org) to check that the plants that you select are not invasive species.
- SC1.12 Roadside landscaping should be selected from one of the palettes in Appendix B and only lightly trimmed except where street signs and other directional signs are blocked from view.
- SC1.13 Existing overhead lines on both private and public property along scenic corridors should be converted to underground when substantial redevelopment is proposed.
- SC1.14 Signage, bus shelters, monuments and other site elements should be of semi-rural character and be rustic looking, preferably stone. See Appendix C.
- SC1.15 Storm water runoff swales should be used along roadsides and medians of scenic corridors instead of curbing to slow storm water runoff and enhance the semi-rural look. See Appendix C.
- SC1.16 Design shall be consistent with the Moraga Municipal Code Section 8.132.
- SC1.17 Viewsheds, including but not limited to close up and distant views, ridgelines, hillsides and mature native tree groupings should be protected along the Town's scenic corridors to retain the Town's semi-rural character.

## SC2 SCENIC VISTAS

The guidelines in this section apply to development within the 500-foot buffer of a scenic corridor with the potential to obstruct public views of Moraga's scenic vistas. "Scenic vistas" means designated ridgelines as shown in General Plan Figure CD-1(Designated Ridgelines) and hillsides visible below these ridgelines. Compliance with these guidelines shall be evaluated by considering potential view impacts from the centerline of the applicable scenic corridor public right-of-way.

Scenic vista guidelines should be applied in a manner that balances scenic vista protection with other Town goals and policies. For example, the Moraga Center Specific Plans (MCSP) calls for infill development along scenic corridors to increase housing choices and increase economic vitality. These scenic vista guidelines should not be interpreted to prohibit new development within the MCSP boundaries that is otherwise consistent with the MCSP and implementing regulations. Instead, scenic vista guidelines should be applied to a project together with other Town policies and regulations in a balanced manner that addresses all Town goals and policies to the maximum extent possible.

- SC2.1 **General Intent.** Development in scenic corridors should be located and designed to preserve and enhance public views of scenic vistas, both near and distant.
- SC2.2 **Front Setbacks.** Where appropriate for the location and surrounding context of a development site, front building setbacks should be increased to minimize obstruction of scenic vistas.

- SC2.3 **Upper Story Stepbacks.** Upper stories fronting a scenic corridor should be stepped back behind the ground floor if a stepped back design minimizes obstruction of scenic vistas.
- SC2.4 **Height and Mass Variation.** Development should minimize view obstructions through variation in building heights and volumes so that views of scenic vistas remain visible above lower sections of building.
- SC2.5 **Building Separation.** Where appropriate, buildings should be set back from one another to maintain views of scenic vistas through the site.
- SC2.6 **Accessory structures.** Fences, walls, freestanding signs, and other accessory structures should complement the design character of the site and minimize impacts on scenic vistas.
- SC2.7 **Landscaping.** Landscaping that at maturity will obscure views of scenic vistas is discouraged. Low shrubs and groundcover should be used to ensure permanent preservation of views. Trees and other taller plants should be carefully placed to minimize view impacts and where appropriate frame public views to scenic vistas.
- SC2.8 **Public Gathering Places.** Publicly accessible gathering places, such as outdoor seating areas and courtyards, should be located and designed to maximize unobstructed views of scenic resources for visitors.

## 7 MINIMIZE THE IMPACTS OF DEVELOPMENT (ID)

To the extent possible, development should be concentrated 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 and Rheem park area; c) Infill parcels in areas of existing developments.

### ID1-7 APPLICABLE TO ALL DEVELOPMENT

ID1 Downhill or uphill portions of any project shall provide landscaped treatment to address potential erosion, to be in harmony with adjacent developments, and to provide a complimenting view from distant horizons. Dense native landscaping should be used to blend hillside structures with the natural setting.

ID2 Roofing materials shall be benign and non-corrosive, such as slate, steel, stone, terra cotta tiles, fiberglass composition shingles, etc. Copper materials shall not be used for any component of the roofing system (roofing material, gutters, downspouts, splash pads, screens, etc.). Solar systems on roofs are encouraged and not subject to Design Review.

ID3 Wind barriers, shade, sound absorption, dust abatement, glare reduction, and proper drainage should be provided on site.

ID4 Buildings should be placed on the site so as to permit passive solar design, ample room for usable yard areas, adequate landscaping, and proper drainage between and around buildings.

ID5 Geologic hazards shall be addressed:

- Construction should not take place in geologic hazard areas identified as landslides, springs, or earthquake fault zones.
- Risk of off-site geologic property damage should be minimized by locating development away from areas which are vulnerable to slope failure.
- Professional evaluation of soil conditions and potential geologic hazards should be completed for all new homes.

ID6 The level of lighting should not exceed the needs for security and safety or detract from the aesthetics of the development.

- Outdoor lighting should be related to the design of the structure.
- Outdoor light fixtures should be designed and mounted so that the source of light has minimal impact off site.
- Outdoor lighting should be directed inward toward the property and may require additional screening to avoid spillage onto adjacent residential properties.

ID7 Design shall be consistent with the Moraga Municipal Code section 13.04.090.

## **ID8 SWIMMING POOLS**

ID8.1 The draining of all swimming pools shall be directed to the sanitary sewer system whenever feasible and be conducted in compliance with the permitting and standards established by Central Contra Costa Sanitary District. Overflow drains from swimming pools shall be directed to a landscape area or manufactured treatment system prior to connecting to the storm drain system. Best Management Practices (BMPs) shall be used to manage overflows.

ID8.2 Design shall be consistent with the Moraga Municipal Code section 13.04.060d.

## **ID9 PAVING**

ID9.1 Impervious surfaces shall be minimized through site design and building methods. Directly connected impervious surfaces shall be minimized to avoid excessive concentrated stormwater runoff. Any runoff from impervious surfaces shall be directed to pervious areas or landscaped depressions.

ID9.2 Impervious paving may be reduced by using permeable materials for pedestrian walkways, parking facilities, and areas with light traffic. Examples include:

- a. Unit pavers-on-sand: turf block, brick, natural stone, or concrete unit pavers
- b. Poured pervious surfaces: pervious concrete or pervious asphalt
- c. Granular materials: crushed shells, gravel, aggregate base, cobbles, or wood mulch

## **ID10 GRADING**

ID10.1 Grading for any purpose may be permitted only in accordance with an approved development plan that is found to be geologically safe and aesthetically pleasing.

ID10.2 Where the pre-development slope is less than 20% a grading permit may be required. See the Moraga Municipal Code 14.08.010 for details.

ID10.3 When the pre-development slope is greater than or equal to 20%, development shall be avoided, but may be permitted if supported by site-specific analysis. When grading land with a slope of 20% or more, soil displacement and retaining wall use shall be minimized by using contour grading techniques. In MOSO areas, development shall be prohibited on slopes with an average gradient of 20% or greater. Design shall be consistent with Moraga Municipal Code Title 14.

ID10.4 Land with a pre-development average slope of 25% or greater within the development area shall not be graded except as authorized by 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 the Moraga General Plan. No new residential structures may be placed on after-graded average slopes of 25% 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.

ID10.5 Cut slopes should be placed behind buildings or other structures where they will be screened.

ID10.6 Preserve the natural topography of the land, especially at the horizon:

- Round off graded slopes, in a manner that conforms to the natural contours of the land and to the surrounding terrain. Sharp angles produced by earth moving, specifically at the top and toe of graded slopes shall be avoided.
- Slopes shall be contour graded to achieve a natural appearance.
- Slopes shall be blended with the contours of contiguous properties and create a smooth transition.
- Grading shall minimize scars due to cuts, fills, and drainage benches on natural slopes.

Neither cuts nor fills shall result in slopes steeper than 3:1 (horizontal to vertical), except where natural slopes are steeper. Where steeper slopes are unavoidable, special mitigation measures shall be incorporated into the design construction and maintenance of the slopes.

## **ID11 RETAINING WALLS**

ID11.1 Retaining walls (excluding foundation retaining walls) and other man-made grading features may only be used to mitigate geologic hazards when:

- a. required to decrease the possibility of personal injury or property damage
- b. designed to blend with the natural terrain and avoid an artificial or structural appearance
- c. appropriately screened by landscaping
- d. designed to avoid creating a tunnel effect along roadways and to ensure unrestricted views for vehicular and pedestrian safety
- e. designed to ensure minimal public and/or private maintenance costs

ID11.2 Exterior retaining walls shall be limited to five feet in height, unless it is visible from off site, in which case it shall be no higher than three feet. The total height of a retaining wall and fencing on top of the wall shall not exceed eight feet without approval of the Planning Commission acting as the Design Review Board. A guardrail or handrail (provided a solid fence does not support it) may be located on top of the retaining wall.

ID11.3 A retaining wall exceeding 3 feet requires professional engineering, a building permit, and may require a grading permit. Design Review Board approval is required if the retaining wall is visible from off-site.

ID11.4 The horizontal depth of the terraces between stacked retaining walls should be a minimum of twice the height of the larger adjacent wall.

ID11.5 Retaining walls should be built a minimum of three feet from a property line.

## ID12 STORMWATER GUIDELINES

ID12.1 All residential buildings, in aggregate, may cover no more than 33% of the lot area. Exceptions may be considered for cluster and multi-family residential projects. For project designs that cluster the new structures on only a small portion of a large site, the percentage may be calculated using the entire site, rather than the lot size.

ID12.2 Regulations set forth by the San Francisco Bay Regional Water Quality Control Board (RWQCB)<sup>3</sup> shall apply to all new or redeveloped residential and commercial projects:

- If the project creates or replaces more than 10,000 square feet of impervious surface;
- Relative to the 10,000 square foot threshold, if 50% or more of the existing impervious surface is replaced then 100% of the site must comply with Provision C.3 of the Town's Stormwater Permit; or
- Relative to the 10,000 square foot threshold, if less than 50% of the existing impervious surface is replaced, then Provision C.3 of the Town's Stormwater Permit only applies to said portion.

Exemptions include: Single-family homes that are not part of a larger development and routine maintenance work such as replacement or resurfacing of roofs and pavements. All new projects must retain pre-project hydrology. All applicable developments must comply with Provision C.3 of the Town's Stormwater Permit. These requirements are separate from—and in addition to—any requirements for erosion and sediment control and for pollution prevention measures during construction (see also the Moraga Municipal Code section 13.04 and Town Council Resolution 9-96).

ID12.3 For developments whose site constraints prohibit the use of landscape infiltration, manufactured treatment systems can be inserted into the conventional storm drain system. A detailed Operation and Maintenance Plan must be submitted with the design application (see [www.cccleanwater.org/construction](http://www.cccleanwater.org/construction) for the *C.3 Stormwater Guidebook*). Options include:

- Catch basin or inlet inserts
- Separators (oil-grit or oil-water)
- Media filters (sand, gravel, peat, compost, activated carbon, fabric, or resin)
- Various filtration treatment devices

ID12.4 Drainage should follow natural flow patterns and, where appropriate, plans should develop wide area flow patterns, rather than concentrating flow at one point.

ID12.5 In new development only BMP-treated stormwater shall be discharged into the Town's storm drain system.

<sup>3</sup> Please see the RWQCB Order No. 99-058 and Order No. R2-2003-0022.

ID12.6 A sufficient number of drains should be provided for retaining wall backdrains and in the crawl space under the foundation to provide an outlet for water that may accumulate behind retaining walls and beneath the house and to drain any areas that may be divided by internal grade beams. Such drainage facilities shall be directed to a landscape area or manufactured treatment system prior to connecting to the storm drain system. Design shall be consistent with the Moraga Municipal Code section 13.04.060d.

## **ID13 NEW DEVELOPMENTS AND SUBDIVISIONS**

- ID13.1 Subdivision layout should retain natural topographic features and maintain the Town's semi-rural character.
- ID13.2 The color schemes of homes on adjacent lots within 200 feet of one another should be compatible with and not duplicate one another.
- ID13.3 New road construction should adapt to topography and natural features.
- ID13.4 The impact of increased impervious surface of new roads should be mitigated by paving only the minimum width (20 feet), as required by the local Fire Department for roads that will not accommodate on-street parking. For streets with parking available on both sides the width shall be 36 feet.
- ID13.5 Stormwater should be treated before it enters the storm drain system.
- ID13.6 When appropriate, shared driveways should be used for neighboring clusters of houses and pervious parking areas shall be used.
- ID13.7 Sidewalks, crosswalks, and landscaped multi-use trails shall be incorporated into new developments to encourage alternatives to automobile use. Connections shall be made to adjacent neighborhoods and, where feasible, commercial areas.
- ID13.8 Utility lines for new subdivisions shall be installed underground to maintain natural vistas.
- ID13.9 Whenever possible, roads and driveways should be constructed parallel to existing topographic contours, and, if necessary, split in order to reduce the area of cut on hillsides or to preserve trees or other significant features.
- ID13.10 Street lighting in hillside and ridgeline areas should be unobtrusive and designed to reflect the natural surroundings.
- ID13.11 Hillside lots should be larger than lots on naturally level terrain.
- ID13.12 The same or similar elevations should not be placed within 300 feet of each other along the street without altering the direction of the roof.
- ID13.13 Residences in new subdivisions should meet Build It Green or equivalent requirements for new residences. The Build it Green requirements are attached herein as Appendix A

## 8 THOUGHTFULLY DESIGN SINGLE-FAMILY RESIDENTIAL NEIGHBORHOODS (SFR)

Residential development shall preserve the Town's existing scale, character, and quality, and provide an inviting pedestrian environment that promotes walking and biking between neighborhoods.

### **SFR1 SINGLE-FAMILY RESIDENTIAL SITE PLANNING**

The following guidelines pertain to all single-family residential projects (new homes or additions):

- SFR1.1 Not more than two (2) two-story units should be placed side-by-side unless topographic and/or architectural considerations justify exceptions or unless the two-story portion of the house is not visible from off site. (Architectural considerations may include partial second stories and setback of second stories.)
- SFR1.2 Front setbacks should be varied, with no more than two adjacent units having the same setback. Setback variation shall be a minimum of three feet.
- SFR1.3 Accessory structures should complement the main structure unless the accessory structure cannot be seen from neighboring properties. Landscaping may be required to screen the accessory structures from view from off site.
- SFR1.4 On padded lots total building heights greater than 28 feet for two-story homes and 19 feet for single-story homes shall require special siting or design treatment to mitigate height.
- SFR1.5 The architectural design motif should continue on all sides of a building. This motif should be compatible with but distinct from adjacent homes.
- SFR1.6 Development of residential lots should take advantage of natural features and unique topography of the site through split level pads or natural contour grading.
- SFR1.7 Pervious surfacing is encouraged for all driveways. Driveways longer than 50' or wider than 16' should be constructed of pervious materials. See Guideline ID9.2. Multiple-car garages are encouraged to use flared driveways to minimize impervious surface coverage.
- SFR1.8 Where topography allows, driveways should slope toward a depressed lawn or other vegetated landscape feature to allow for biofiltration.
- SFR1.9 Circular or hammerhead driveways may be considered for homes that front on busy streets.
- SFR1.10 On padded lots there should be a minimum of 10' near level clearance area from any top or toe of a slope to any structure for access.<sup>41</sup> On padded lots there should be a minimum of 6' near level clearance area on any 3 sides of any building or structure.
- SFR1.11 There should be a near level area of at least 25' x 40', other than the front yard, for usable yard area.

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<sup>1</sup> Clearance is measured from the exterior of the structure or any protruding portion (i.e., chimney, bay window, etc.) to the nearest point on the property line or change in slope, whichever is closer.

SFR1.12 On non-padded lots the house shall be designed to reflect the natural contours of the site, keeping grading to a minimum.

SFR1.13 On padded lots walkways should be set back a minimum of one foot from the top of slope.

## **SFR2 SINGLE-FAMILY RESIDENTIAL BUILDING DESIGN**

SFR2.1 A harmonious relationship with the surrounding neighborhood should be created through the use of compatible design schemes and scale. See Appendix D for the single family residential floor area ratio (FAR) guidelines.

SFR2.2 The color schemes of homes on adjacent lots should be compatible and not duplicate one another.

SFR2.3 Exterior building design on all elevations should be coordinated with regard to color, texture, materials, finishes and architectural form and detailing to achieve design harmony and continuity.

SFR2.4 The number of different materials on the exterior face of the building should be limited. Generally, a variety of masonry materials should be avoided. All chimneys on the same home should be similar in architectural style and materials.

SFR2.5 Roof shape, color, and texture should harmonize with the color and architectural treatment of exterior walls.

SFR2.6 The side yard setback shall be no less than the minimum permitted by the Zoning Ordinance and shall be increased by one additional foot for each foot of end wall height greater than 20 feet. End wall height is the maximum vertical height from finished grade to outer roof surface at the side yard. Chimneys, dormers, and other architectural elements are excepted from this limitation. The skirt wall is counted as part of the height measurement.

In any individual case, the Planning Commission (acting as the Design Review Board or in its regular planning capacity) may require a larger side yard, provided they can make appropriate findings relating to the following types of conditions:

- a. Major ridgeline (as defined by the General Plan);
- b. Scenic corridor;
- c. General Plan land use or zoning designation;
- d. Proposed use of structure, in relation to surrounding uses;
- e. Visibility of structure(s) from off site, due to placement (or absence) of permanent screening;
- f. Elevation of the lot, compared with the elevation(s) of abutting street(s) and/or other properties;
- g. In fill lot or a lot adjacent to an established subdivision;
- h. Slope or grade of lot, in relation to abutting streets.

SFR2.7 Although the maximum height for any structure is set by the Zoning Ordinance at thirty-five feet, a lower height may be required, based on the special circumstances of an individual lot.

SFR2.8 Conscious efforts should be made to recognize building security as a design element in new construction.

SFR2.9 Any blank wall that is without windows and is more than 15 feet long or 180 square feet in area, whichever is less, should have special design treatment.

SFR2.10 The overall height of the deck skirt<sup>1</sup> should not exceed six feet, except for cantilevered decks from the second story. The maximum height for exposed posts supporting a ground level deck should be four feet where visible from off site.

SFR2.11 The following requirements specifically address skirt height treatment, when any portion of the skirt is visible off-site:

- a. Skirt heights of four feet or less need no special treatments;
- b. Skirt heights between four and six feet shall receive special treatment, such as water table trim, other patterns or different surface treatment which could include other building materials, all consistent with the overall architectural concept;
- c. The visible portion of a concrete footing or grade beam shall not exceed twelve inches above the lowest adjacent ground surface;
- d. No skirt height that is greater than six feet shall be visible off-site.

SFR2.12 Decks that require special consideration due to the topography and hillside design of the home, which includes decks from the first and second floor of the residences. Such decks should comply with the following standards:

- a. Decks that exceed 6 feet in height shall be substantially screened by landscaping. The Planning Commission acting as the Design Review Board may require the property owner to enter into a landscape installation and maintenance agreement with the Town.
- b. Landscaping shall mitigate the visual impact of a deck as viewed from adjacent neighbors.
- c. Support posts should be setback from the face of the deck to minimize the height of posts and provide visual relief.
- d. Diagonal or cross bracing of support posts shall not be permitted.
- e. Decks shall be consistent with the scale and design of the home.

SFR2.13 The design of the mailbox should complement the style and materials of the principal building on the site.

SFR2.14 Roof leader drains shall be routed through a biofilter, sand filter, or plant box.

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<sup>1</sup> "Skirt height" is defined as the distance between the finished floor and the ground.

## **9 THOUGHTFULLY DESIGN MULTI-FAMILY RESIDENTIAL DEVELOPMENTS (MFR)**

Multi-family developments should be centrally located, well designed, and appropriate to Moraga's semi-rural character.

### **MFR1 MULTI-FAMILY RESIDENTIAL SITE PLANNING**

- MFR1.1 A harmonious design relationship should be achieved between existing and proposed adjoining developments by avoiding both excessive variety and monotonous repetition.
- MFR1.2 Storage yards, parking areas, service areas, and other ground-level paved areas should be screened from off-site views by perimeter and tree canopy planting.
- MFR1.3 Permanent trash enclosures should be located and designed to be in architectural harmony with the principal structures on the site. Exterior trash and storage areas, service yards, loading docks, and ramps should be screened from the view of all nearby streets and adjacent structures. Infiltration shall be avoided for all outdoor work or storage areas, such as loading docks, fueling areas, car or equipment washes, and garbage receptacles. All runoff from these areas shall be concentrated and routed to the sanitary sewer. Outdoor work areas shall have a perimeter berm to prevent stormwater inflows. Outdoor garbage receptacles (trash cans and dumpsters) shall be housed under a roof or other covered structure.
- MFR1.4 Air conditioning units and associated electrical and plumbing service connections should be screened by parapets, walls, fences, or other approved screening.
- MFR1.5 Utility transformers that are outside the public right-of-way should be placed underground and adequate access should be provided for proper maintenance. Any exception, proposing an above ground installation, must include adequate screening so as not to be viewable from the scenic corridor or other prominent public view and must be approved by the Planning Commission.
- MFR1.6 Multi-family housing developments shall provide adequate parking for residents and visitors. Parking lots shall be designed to make efficient use of space. Parking lot locations at the side or rear are encouraged.
- MFR1.7 New multi-family developments shall be situated near commercial centers, transit stops, parks, and schools. Public entry points shall be located close to the sidewalk to create a more pedestrian-oriented development.
- MFR1.8 Private and shared outdoor open space shall be provided for residents in new multi-family residential developments. This outdoor space should accommodate play areas for children and pets, picnic and barbecue facilities, and a visually appealing environment.

## **MFR2 MULTI-FAMILY RESIDENTIAL BUILDING DESIGN**

- MFR2.1 Mechanical and electrical equipment, including rooftop units, should be designed as an integral part of the building or site design and be properly screened.
- MFR2.2 Exterior wall venting should complement the building design.
- MFR2.3 Roof penetrations should be visually minimized.
- MFR2.4 Roof leader drains shall be routed through a biofilter, sand filter, or plant box.
- MFR2.5 Accessory equipment capable of generating noise and vibrations should be properly insulated and the noise and vibrations should not be apparent from adjacent properties or the public right of way.
- MFR2.6 Large building masses should be avoided.
- MFR2.7 Architectural style should reflect and enhance the character of surrounding neighborhoods.

## 10 PROMOTE COMMERCIAL CENTERS AS COMMUNITY PLACES (CC)

High quality commercial districts should serve as important community focal points, gathering places, and activity centers.

### CC1 COMMERCIAL SITE PLANNING

- CC1.1 A harmonious design relationship should be achieved between existing and proposed adjoining developments by avoiding both excessive variety and monotonous repetition.
- CC1.2 Storage yards, parking areas, service areas, and other ground-level paved areas should be screened from off-site views by perimeter and tree canopy planting.
- CC1.3 Permanent trash enclosures should be located and designed to be in architectural harmony with the principal structures on the site. Exterior trash and storage areas, service yards, loading docks, and ramps should be screened from the view of all nearby streets and adjacent structures. Infiltration shall be avoided for all outdoor work or storage areas, such as loading docks, fueling areas, and garbage receptacles. All runoff from these areas shall be directed to the storm drain system and the operations from these areas shall be conducted to prevent stormwater from becoming contaminated. If stormwater contamination cannot be prevented from the operations in these areas, they shall be connected to the sanitary sewer and effective engineering controls shall be used to ensure that no stormwater is discharged to the sanitary sewer system (e.g. roof over the process area, engineered diversion valve between the sanitary sewer system and storm drain system). The connection to the sanitary sewer system from these areas shall have the necessary pretreatment equipment to meet Central Contra Costa Sanitary District's standards (e.g. grease or oil/sand interceptor). Outdoor work areas shall have a perimeter berm to prevent stormwater inflows. Outdoor garbage receptacles (trash cans and dumpsters) shall be housed under a roof or other covered structure.
- CC1.4 Air conditioning units and associated electrical and plumbing service connections should be screened by parapets, walls, fences, or other approved screening.
- CC1.5 Utility transformers that are outside the public right-of-way shall be placed underground and adequate access shall be provided for proper maintenance. Any exception, proposing an above ground installation, must include adequate screening so as not to be viewable from the scenic corridor or other prominent public view and must be approved by the Planning Commission.
- CC1.6 Benches and other seating should be provided for the public at commercial centers. Attractive landscaping should be maintained around these seating areas to create an inviting social environment within the shopping district.
- CC1.7 Commercial centers should maintain a high level of pedestrian-oriented amenities, including:
  - a. Sidewalks along storefronts and around the perimeter of the commercial center and between retail and office uses, ensuring a safe path for pedestrians around the center and to/from transit stops;
  - b. Safe walkways through parking lots that use different paving materials to differentiate between parking and pedestrian areas;

- c. Clearly-marked crosswalks at appropriate locations in parking lots to allow pedestrian traffic to safely move through vehicle paths;
- d. Permanent bicycle racks, benches, recycling and trash receptacles; and
- e. Landscaping with flowering species and shade trees for summer months.

## **CC2 COMMERCIAL BUILDING DESIGN**

- CC2.1 Mechanical and electrical equipment, including rooftop units, should be designed as an integral part of the building or site design and be properly screened.
- CC2.2 Exterior wall venting should be avoided.
- CC2.3 Roof penetrations should be minimized by grouping plumbing vents and ducts together and providing adequate screening from off site.
- CC2.4 Roof leader drains shall be routed through a biofilter, sand filter, or plant box.
- CC2.5 Accessory equipment capable of generating noise and vibrations should be properly insulated and the noise and vibrations shall not be apparent from adjacent properties or the public right of way.
- CC2.6 Large building masses should be avoided. Building setbacks may be varied to accommodate pedestrian-oriented facilities such as benches, café tables, and bike racks. Parking lot locations at the side or rear are encouraged. Entrances should be located close to the sidewalk to create a more pedestrian-oriented development.
- CC2.7 Architectural style should reflect and enhance the character of surrounding neighborhoods.

## **CC3 SIGNS**

- CC3.1 All signs should be related to their surroundings in terms of size, shape, color, texture, and lighting so that they are complimentary to the overall design and not in competition with other signs in the area.
- CC3.2 Signs should be subtle and unobtrusive, conveying their message in a clear and legible fashion, and should be vandal- and weather-resistant.
- CC3.3 External spot or flood sign lighting shall be arranged so that the light source is screened from view, and so that the light is directed against the sign and does not shine onto adjacent property nor into the eyes of motorists or pedestrians.
- CC3.4 Lighted signs, whether internally or externally illuminated, should be avoided, except where found to be necessary for location or identification, or as otherwise deemed appropriate by these guidelines.
- CC3.5 Decorative product type signs, such as beer signs and informative type signs used for purposes of interior design only, are termed non-accessory signs. Such signs shall be erected only within the business establishment and shall be located no closer to an exterior window or open doorway than 6 feet.

CC3.6 All lighted accessory signs (primarily business identification signs) whether or not neon, shall be submitted to the Design Review Board for approval and shall be in conformity with any approved sign and design policy for the center, building complex or area.

CC3.7 Exposed neon tubing, whether for signing or decoration, is not normally considered in good taste for exterior display and is discouraged.

CC3.8 Freestanding signs shall be integrated with the site plan and low level floodlights shall be screened.

CC3.9 Struts, braces, kickbacks or guy wires to support signing should be avoided unless they are a feature of the design.

CC3.10 Whenever site and visibility conditions allow, freestanding signs should be of a low profile.

CC3.11 Tenant signs within the Rheem Shopping Center shall follow a uniform signing program, in accordance with these standards:

- a. A "major tenant" is defined as an occupant of 10,000 square feet or more. All "major tenant" signs shall be approved by the Planning Commission acting as the Design Review Board and shall have the following characteristics:
  - i. The sign shall be constructed with a redwood frame (trim) and with redwood faces front and back. It may be internally illuminated using the tenant's standard corporate/company logo. The wood trim and rear face shall be stained to match the standard shopping center stain (Olympic stain no. 913). The redwood face containing the sign copy shall be stained to match Olympic stain no. 707.
  - ii. No sign shall exceed two hundred square feet in total area.
  - iii. Signs shall normally be affixed below the roof ridgeline and may be attached to the fascia of the building. Specific details of attachment shall be as approved by the Planning Commission acting as the Design Review Board.
  - iv. No sign face shall exceed 4 feet, 6 inches in height.
  - v. Signs shall not be illuminated when the tenants are not open for business.
- b. Signing for other than major tenants:
  - i. Basic criteria: The tenant identification on the sign board provided below the leading edge of the canopy and visible to the front of the building will utilize individual, raised, non-illuminated gold-leafed letters (8", Century Schoolbook, medium type) on the first line of copy and white letters (4" Helvetica type) on the second copy, if any.
  - ii. Basic size: Thickness----4 inches; Height----14 inches; Width----36 inches. Although other shapes may differ from basic dimensions, total area may not exceed five square feet per side.

iii. Construction standards:

- 1) Constructed of laminated, vertical, 2"x4" clear, kiln-dried redwood
- 2) Reinforced with two 3/8" threaded steel rods
- 3) 3" outside borders sandblasted
- 4) Copy, border bank, logo art, etc. raised with background hand carved out one full inch
- 5) Sandblasted borders sealed with clear sealer
- 6) Background area sealed with two coats of semi-gloss Varathane
- 7) Border band flat white

iv. "Halo-type" lighted gold-leaf signs may be "back-lighted" in accordance with official exhibit approved by the Planning Commission on 4/19/82 and attached to Resolution 49-81. All halo-type signs shall have a front setback of not less than 50 feet and shall be subject to design review by the Planning Commission acting as the Design Review Board to assure design compatibility with the use that the sign is identifying as well as neighboring uses.

- c. Accessory and other miscellaneous signs required shall be approved by the Board, consistent with the overall general sign design theme for the center.
- d. Non-conforming signs shall be changed so as to conform as new leases are negotiated and/or tenants replaced.

## 11. MORAGA CENTER SPECIFIC PLAN DESIGN GUIDELINES

### 11.1 INTRODUCTION

#### 11.1.1 Vision Statement

The Design Guidelines promote high design standards for architecture and development that reflect overall community priorities and development philosophy with a community focal point culminating in a business-friendly, walkable, active, and pedestrian friendly environment while preserving the natural beauty and open spaces of Moraga.

#### 11.1.2 Purpose, Intent, and Organization

This section is presented to guide the aesthetic nature of development within the Moraga Center Specific Plan (MCSP), adding design guidance to the development standards presented in the Land Use Element of the MSCP, which guide bulk, height, and mass.

The intent of the Design Guidelines when applied to the MCSP area is to expand the Specific Plan section on Design Guidelines as it relates to development in the MCSP. Each development block and new development should be considered unique and evaluated on how well it relates to the overall context. The guidelines encourage varied architectural styles, describing an overall traditional aesthetic for high quality development. In the MCSP area, new development projects should emphasize interpretations of Spanish Colonial and Ranch style architecture to promote a cohesive style in the town center.

These MCSP Design Guidelines establish a range of encouraged design approaches while allowing for flexibility and innovation. As projects within the MCSP are developed, the Design MCSP Guidelines will assist the Town of Moraga in evaluating their conformance with the objectives and design vision of the Specific Plan. These guidelines are designed to provide the Town of Moraga with the necessary assurance that the Specific Plan area will develop in accordance with the high quality and lasting character proposed herein; to guide developers in determining what is appropriate in character and quality for the Town of Moraga; and to assist the Town in evaluating proposals for development.

Images provided within this document depict examples of preferred architectural character selected by citizens of Moraga during a community meeting led by Town consultants. They are used to generally describe preferred arrangements of bulk and mass, use of materials, landscape techniques, and overall design ideas.

After identifying areas of particular importance in relationship to the Design Philosophy presented in Chapter 1 of these Guidelines, the MCSP Guidelines present Design Principles for each of the main MCSP land use categories: Residential, Community MCSP Commercial, Mixed Retail/Residential, and Mixed Office/Residential. Guidelines for architectural site features such as street lighting, benches, signage, walls, and fences follow, and this document concludes with guidelines for landscaping, street character, pedestrian and bicycle-friendly design, Town Square design, and remodels, renovations and additions within the MCSP area.

### 11.1.3 Consistency with Town of Moraga Design Philosophy

These Design Guidelines present eight guiding principles as a Design Philosophy for the Town. These are listed as follows:

- Maintain the Town's Semi-Rural Character (SRC)
- Protect Ridgelines and Hillside Areas (RH)
- Complement Existing Landscaping (L)
- Enhance the Town's Scenic Corridors (SC)
- Minimize the Impacts of Development (ID)
- Thoughtfully Design Single Family Residential Neighborhoods (SFR)
- Thoughtfully Design Multi-Family Residential Developments (MFR)
- Promote Commercial Centers as Community Places (CC)

In addition to considering the guidance presented in the Design Philosophy, the MCSP presents several unique opportunities to reinforce these eight principles. Any development proposals that will impact these areas should be given careful consideration to ensure that the most is made of these unique opportunities.

#### 11.1.3.1 Maintain the Town's Semi-Rural Character (SRC)

The Village concept at the heart of the MCSP implies a mix of different types of activity and areas of higher density that help to support these activities and provide an active and vibrant Village atmosphere. The Village concept does *not* imply a loss of Semi-Rural Character. These two need not be mutually exclusive. However, certain steps can be taken to reinforce the Semi-Rural character as tantamount to the vision set forth in the MCSP.

Where allowed, vertical mixed-use can provide affordable housing, create a lively and active street environment, put people right in the heart of the Village, and use land much more efficiently than spreading out uses. However, many notions of vertical mixed-use conjure images of crowded city streets and neighborhoods with an industrial character. The following guidelines should be applied throughout the MCSP area to ensure that the Village remains appropriately semi-rural in character.

- A. Care should be taken to “soften” the effect of upper floors. Examples include using pitched roofs with dormer windows for top floors, increased setbacks applied to upper floors to create a “step-back” effect, upper-floor open spaces such as balconies or porches, and landscape treatments such as rooftop vegetation and adequate use of street trees.
- B. Streetscape and public space design should include the use of “semi-rural details,” with examples such as rolled curbs, curbless streets with bioswales, split rail fences, and the use of soft materials such as crushed gravel and irregular paving, where appropriate.
- C. The Moraga Ranch and the Laguna Creek Riparian Corridor run through the middle of the MCSP area. They should both be preserved and enhanced to the extent possible, to provide semi-rural core landmark character defining elements visible from points throughout the plan area.

### **11.1.3.2 Protect Ridgelines and Hillside Areas (RH)**

~~Care should be taken to maintain~~Prioritize low visual profiles for lower density buildings on hill sites, reserving the flattest areas within the MCSP for higher densities. Cluster zoning techniques will allow a certain average density across a large plan area. Within this area, individual projects can be allowed to build densities higher than the allowable average in exchange for areas that remain free from development. When applied, the remaining undeveloped open space areas should be designed to remain publicly accessible and be clearly marked to provide recreational opportunities in the form of trails, greenways, and pocket parks to serve the entire community.

### **11.1.3.3 Complement Existing Landscaping (L)**

The existing landscape in the MCSP is dominated by the Laguna Creek Riparian Zone and orchard trees planted throughout, both of which help to frame the semi-rural context of the MCSP zone. To complement the existing landscape within the MCSP, drainageways should be designed as open channel bioswales that reflect natural topographic profiles, creating an opportunity for native species plantings to run throughout the community and connect to the Laguna Creek corridor, as well as employing visible green strategies for treating storm water. To reflect the historical context of orchard use, the use of both organic fruiting and non-fruited orchard species planted in linear arrangements is encouraged for buffer areas and within public parks.

### **11.1.3.4 Enhance the Town's Scenic Corridors (SC)**

Moraga Road and Moraga Way, two of the town's major scenic corridors, play pivotal roles in the circulation concept through the MCSP. In addition to guidelines presented in this document for scenic corridor enhancements, the Town's 2006 Transportation Corridor Streetscape Plan presents specific design approaches. However, the Village character and development intensity being proposed in parts of the MCSP will result in buildings oriented toward the street, not just located adjacent to it. In these areas, planting and paving treatments that respect setback requirements but create a pedestrian streetscape rather than greenbelt, may be appropriate.

In all contexts, the importance of Scenic Corridors should be enhanced as important organizing elements within the MCSP area. Special landscaping, signs, lighting, and other streetscape design techniques should be used along streets to announce gateways into the Town and into the MCSP area.

### **11.1.3.5 Minimize the Impacts of Development (ID)**

The most significant impacts in the MCSP are those generated by non-residential uses that affect residential areas. Items such as traffic and parking, noise, debris, light and glare, and visual impact should be given special consideration due to the close proximity of residential and non-residential uses within the MCSP, with special consideration being given to residential mixed use development.

In all areas of the MCSP, the use of green building techniques and sustainable development is encouraged, building on the success of sustainable reconstruction of the historic Moraga Barn. Strategies to employ sustainable site design, water efficiency, energy reduction, and the use of sustainable materials and resources should be used when possible. For further guidance on specific design measures to mitigate impacts of development, please see the following section dealing with General Plan EIR mitigation measures.

### **11.1.3.6 Thoughtfully Design Single Family Residential Neighborhoods (SFR)**

Single family residential neighborhoods in the MCSP will be some of the closest such dwellings to an area of commercial activity in Moraga, providing a unique opportunity for these Moraga residents to walk rather than drive for many of their daily trips. These neighborhoods should be designed with high-quality pedestrian environments with sidewalks and pathways to adjacent neighborhoods and the Moraga Center to encourage walking as a primary mode of transportation.

### **11.1.3.7 Thoughtfully Design Multi-Family Residential Developments (MFR)**

Multi-family residential developments in the MCSP will result in a high concentration of residents in close proximity to the Moraga Center. This provides Moraga Center businesses with an opportunity to attract new customers and increase sales. These developments should be designed with high-quality pedestrian environments with sidewalks and pathways to adjacent neighborhoods and the Moraga Center to encourage walking as a primary mode of transportation for local shopping trips.

### **11.1.3.8 Promote Commercial Centers as Community Places (CC)**

A community place should be inviting and comfortable, providing Moraga residents with a place to linger, stroll, and interact. Special attention should be given to creating a high-quality pedestrian environment through the use of pedestrian amenities such as seating, lighting, and signage; plaza areas; and outdoor café spaces. Through traffic and parking lot access should be directed away from main pedestrian areas, while diagonal on-street parking should be used in pedestrian areas to create an adequate buffer between the sidewalk and the roadway. To further enhance the sense of community in the Moraga Center, designs are encouraged to include a maximum amount of mixing of uses, to include retail, office and residential uses. In addition, commercial centers should include bicycle-friendly design strategies that enhance the direct access to the Lafayette- Moraga Regional Trail.

## **11.1.4 Design Consistency with General Plan EIR Mitigation Measures**

The following general design strategies should be employed where appropriate to mitigate the impacts of development within the MCSP area and on adjacent neighborhoods.

### **11.1.4.1 Traffic and Parking**

- A. On-site parking should be designed to handle maximum demand.
- B. Access points to parking areas and areas of heavier traffic should be located to direct traffic away from all residential areas.

### **11.1.4.2 Noise**

- A. Use of berms, sound walls, and additional setbacks along residential property lines is encouraged.
- B. Delivery and service areas should be enclosed and located away from all residential areas and pedestrian paths, plazas, and sidewalks.
- C. External vents and mechanical equipment should be enclosed and fully screened from view and should be directed away from residential uses and pedestrian paths, plazas, and sidewalks.

- D. Nighttime uses such as ATM machines should be oriented away from residential uses.
- E. Active recreational areas and their related service areas should be located away from lower density residential areas.
- F. Primary parking areas and building entrances should be located away from lower density residential areas.

#### **11.1.4.3 Debris and Odor**

- A. Service entrances and waste disposal facilities (trash, recycling, dumpsters) should be enclosed and fully screened from view and oriented away from all residential areas.
- B. Six foot “good neighbor” fencing should be provided along side and rear residential property lines.

#### **11.1.4.4 Light and Glare**

- A. Light sources should be shielded and directed away from interior living spaces of all residential areas and be dark sky compliant.
- B. Illuminated signs should be oriented away from interior living spaces of all residential uses. Ground signs should be used rather than pole signs.

#### **11.1.4.5 Visual Impacts**

- A. Full landscape plantings should be provided to “line-of-sight” levels to screen views from residential properties into other use areas.
- B. Building scale and massing should be compatible with surrounding uses. Higher intensity uses and larger building scale and mass are appropriate in the Moraga Center, and should transition down to be compatible with the existing building scale and mass in adjacent areas.
- C. Unobstructed view corridors from adjacent areas with views of significant topographic features such as ridgelines should be maintained.

#### **11.1.5 Procedural Considerations**

Please refer to Chapter 2 of these Design Guidelines for information regarding the implementation of the MCSP Guidelines and the Design Review Process.



## 11.2 RESIDENTIAL

The primary aim of design guidelines for residential areas within the MCSP is to create pedestrian friendly, coherent, and attractive neighborhoods that fit into the context of surrounding character of Moraga. Residential areas should support a variety of residential types and densities that all achieve the same high-quality design standard, regardless of the specific building type or density.

### 11.2.1 Site Design

#### 11.2.1.1 Circulation Patterns

Circulation patterns should define community character, provide links to recreational amenities, and encourage interaction between neighbors.

- A. Neighborhood patterns should allow residents to easily walk or bike through the neighborhood.
- B. Neighborhood patterns should be designed to work with and preserve topographic and natural features.

### **11.2.1.2 Streets**

Neighborhood Streets should be designed to provide safe and convenient access for vehicles and pedestrians. Streets should provide attractive designs where the composition of street, landscaping, sidewalks, and private front yards define a common space in which residents and visitors can walk, meet, play, and socialize. Street patterns should interconnect and encourage easy access from one neighborhood to another while discouraging high speed travel.

- A. Cul-de-sacs should be open ended and adjacent to open space or other recreational amenities such as parks where possible.
- B. Closed cul-de-sacs of homes should not back onto open space or parks.
- C. Long stretches of homes should not back onto neighborhood collectors or open space amenities such as parks or paseos.
- D. Inappropriate street termination points should be avoided. Examples include bedroom windows vulnerable to headlights, alleys, or other parking areas.

### **11.2.2 Architecture**

#### **11.2.2.1 Cohesive Neighborhood Design**

Open relationships between neighborhoods should be maintained while still allowing for market differentiation.

- A. Signature detailing should establish the community's architectural character in form, color, and materials.
- B. Abruptly disharmonious and monolithic architectural style, color, and material should not be used.

#### **11.2.2.2 Streetscapes**

Building relationships and groupings should be designed to create streetscapes that demonstrate variety and individuality to contribute to a positive sense of place.

- A. Building heights should vary along streets.
- B. Setbacks should vary along streets.
- C. Uniform and repetitive facades that present a monolithic form of development should be avoided.
- D. Window placement and building siting should not violate the privacy of a adjacent private yards.

#### **11.2.2.3 Garages and Driveways**

Important in the creation of pedestrian oriented neighborhoods is lessening the impact of garage doors.

- A. Plans should provide garages pushed to the rear of the lot or accessed from alleys.
- B. Driveway pavement should be reduced to the minimum functional width. The use of permeable materials for driveways is encouraged.

- C. Planting pockets should be used between adjacent garage doors.
- D. Living space should be forward of the garage setback.
- E. Unadorned street-facing garages should not be forward of living areas.
- F. Garages should not be the dominant feature and where possible comprise less than 50 percent of the front façade.

#### 11.2.2.4 Building Articulation

Visual interest in the streetscape should be created through building articulation and variation of building forms.

- A. Strong vertical accents and varied wall plane lines are encouraged where there is a continuous wall plane of more than 15 feet.
- B. Building forms should be appropriate to their style.
- C. Use of balconies, verandas, porches, and arcades visible from the street is encouraged.
- D. Front porches should be a minimum of 6 feet to allow for functional use.
- E. Where topography allows, porches should be elevated above the street level.
- F. Use of repetitive, unarticulated building forms is not allowed.
- G. Inappropriate mixing of styles should be avoided. (e.g., English half-timbering on 4:12 pitch roof should not be applied to a ranch style home.)
- H. Unarticulated roof forms should not be set on a constant wall plate height.



Equal concern should be given to side elevations on corner lots and rear elevations where visible from public areas and neighboring areas. All “public” façades should be articulated.

- I. Articulation, materials, and architectural details should wrap around corners to sides and rears of homes where visible.
- J. Unadorned flat side and rear elevations should not face onto open space areas and streets.
- K. Wrapping porch elements a minimum of 6 feet around the corners of buildings is encouraged on corner lots.
- L. Side elevations that face a public street should be enhanced with additional windows, pop-outs or bays, chimneys, stepped rooflines, or balconies, as appropriate.



To the extent possible and consistent with State law and applicable zoning requirements and standards, the visual mass of buildings shall be minimized.

#### **11.2.2.5 Entries**

Entries should be given special attention as a whole system including the door, side windows, porch, and entry wall.

- A. Entries should be a minimum of 4 feet and inviting from the street.
- B. Adequate protection from wind, rain, and sun should be provided at building entries.
- C. Where entries occur on the corner of a corner lot, wrapping of entry elements around the side is required with a minimum of 4 feet.
- D. Sectional garage doors should have appropriate articulation, such as panel detailing or window panels, and be recessed into the building plane.

#### **11.2.2.6 Details and Materials**

Details and materials should be appropriate to the architectural style of the building. Appropriate and well thought out detailing should enhance the perception of a project's quality.

- A. Gutters, downspouts, and rainwater leader heads should be integral to the roof and wall detailing and should be designed as part of the trim.
- B. Roofing materials should be appropriate to their related style and pitch. For example, a Spanish Colonial-style home should have a Spanish Colonial-style roof.
- C. Homes should have a color palette that at a minimum includes a body color, trim color, and accent color.



## 11.3 **COMMUNITY MCSP** COMMERCIAL

The retail areas of the Moraga Center Specific Plan are important in establishing long term successful retail relationships with the surrounding community.

Retail buildings should provide a contemporary design sensibility that reflects the eclectic architectural context of Moraga. Building forms should be articulated with pedestrian scaled storefronts and a sidewalk-oriented retail presence that creates the desired Village character. Also refer to the section on Mixed Residential / Retail for additional design guidance.

### 11.3.1 Site Design

#### 11.3.1.1 Pedestrian Orientation

Consistent with the Town's principle to promote commercial centers as community places, a primary focus for site design of **Community MCSP** Commercial areas should emphasize creating comfortable spaces for pedestrians.

- A. **Community MCSP** Commercial areas should be designed to be both bicycle and pedestrian friendly.
- B. Pedestrian scaled lighting fixtures should be provided.
- C. Strong pedestrian connections should be provided from surrounding neighborhoods to the Moraga Center with connecting trails or sidewalks.
- D. Outdoor seating should be provided to include both sunny and sheltered areas.
- E. Both paved and planted areas should be incorporated into the design.
- F. Significant intersections and pedestrian routes across parking areas should be highlighted with bollards, special paving, accent trees and crosswalks.
- G. Focal points should be used to provide central opportunities for public art.

## 11.3.2 Architecture

### 11.3.2.1 Building Design

Building forms should generate interest through strong and simple forms, colors, and materials. All building facades visible from public areas should employ the same high level of articulation and quality of details and materials as the front elevation of the building. A composition of distinct but related forms should be used for overall massing.

- A. Depth and variation along the elevation may be accomplished with projected and recessed wall sections or with colonnades to establish a varying sense of physical movement.
- B. Exterior first floor facing facades along major corridors should be primarily designed with a minimum of 60% or more transparent glazing to create a strong pedestrian facing façade along the street. The majority of street frontages should be designed for active uses in the floor plan.
- C. Street façade entrances should be prominent with a pedestrian entry designed to protect from weather elements.
- D. Windowsills should be a minimum of 24 inches above grade.
- E. Where long expanses of blank wall that are more than 20 feet and are unavoidable, they should be articulated and softened with changes and relief in wall planes, material changes or landscaping such as three-dimensional details, planters, vines, and other landscaping.
- F. Buildings should incorporate three-dimensional façade elements that lend a pedestrian scale to the street level.
- G. Main entries should be easily identifiable, ~~as shown in the examples below~~.



- H. Roof design should be integral to the overall building design.
- I. Structures should feature a variety of roof designs, such as a gable with dormers, and wall projections to visually break up the building mass.
- J. Roof heights may vary and roof forms may include traditional pitch roofs, shed roofs, and gable forms for creating visual movement along the elevations.
- K. Rooftop mechanical equipment should be screened from view to complement the principal building in terms of quality of materials and colors.

### **11.3.2.2 Materials**

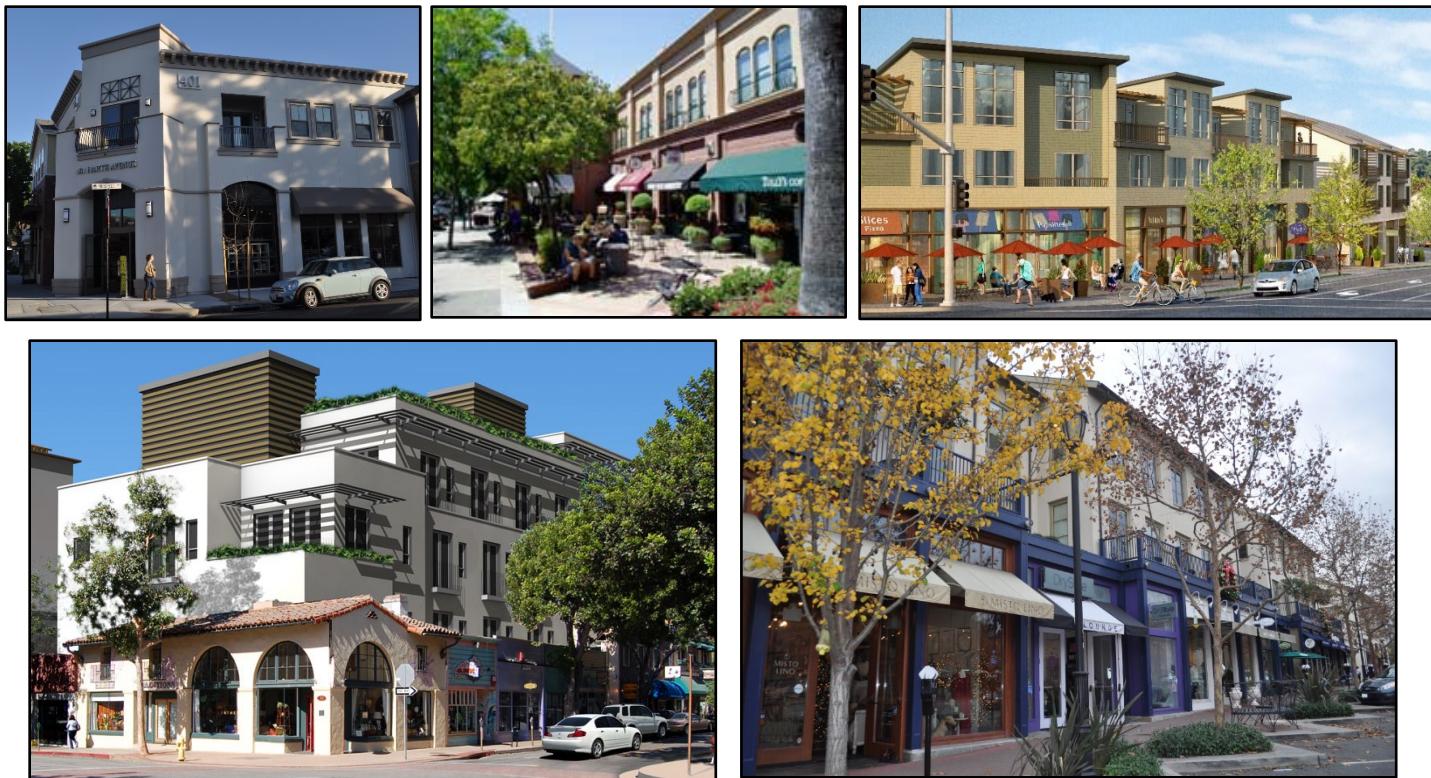
Materials should be appropriate to the building's style and character and suited to commercial construction.

- A. Use of materials such as shingle, lap siding, stucco, masonry, storefront glazing, and well-detailed concrete is encouraged.
- B. Accent materials such as brick, stone, tile, and anodized or patinaed metals are encouraged.
- C. Any changes in materials should occur at inside corners, at a natural break point or a minimum of 4 feet from where the building plane changes direction.
- D. Mirror glazing is not allowed.

### **11.3.2.3 Other Considerations.**

For retail tenants, the Moraga Center Specific Plan recognizes the importance of tenant identity and that tenant identity is often integral with the elevations or form of a particular building. Any modification and/or customization of a building(s) and/or building elevation(s) should occur within the overall character and context of these MCSP Design Guidelines and of the approved architecture and site plans.

Any changes to a building(s) and/or building elevation(s) for any land use submitted after Administrative Design Review or approval by the Planning Commission, acting as the Design Review Board, should be reviewed and approved administratively. When staff deems that the cumulative substantial changes have been too great a modification to plans previously recommended for approval by the DRB/~~and approved by the~~ Planning Commission and/or Town Council, then the particular proposal shall be resubmitted for review and approval.



## 11.4 MIXED RESIDENTIAL/RETAIL

Mixed Residential/Retail areas within the MCSP should be a unique combination of different land uses, including but not limited to retail, residential, office, commercial, service, entertainment, and recreation. This blending of uses creates an energy to the urban fabric with distinct yet connected public open spaces, linking the School Street retail area, the Moraga Ranch main lawn, and existing and enhanced open spaces within the Moraga Center to formal and informal pedestrian spaces throughout the plan area.

The School Street “main street” character is intended to create a focal point for the new village at the heart of the MCSP, creating a gathering place that has the potential to be a gathering place for formal and informal events and gatherings such as the weekly farmers’ market or arts and crafts exhibitions while also providing for comfortable, intimate places to pause and rest. Please also see the section on Community Commercial for additional design guidance.

### 11.4.1 Site Design

#### 11.4.1.1 Pedestrian Orientation

Consistent with the Town’s principle to promote commercial centers as community places, a primary focus for site design of Mixed Residential/Retail areas should emphasize creating comfortable spaces for pedestrians. Please refer to [Community MCSP](#) Commercial section for general site design considerations. Specific to the Mixed Residential/Retail land use classification, use of multi-story mixed use buildings with storefronts, awnings, and ample landscaping is encouraged to create a greater sense of street enclosure where people are comfortable walking and spending time.

- A. Mixed Residential/Retail areas should be designed to be both bicycle and pedestrian friendly.

- B. Provide for a mix of sizes of businesses to create a pedestrian friendly atmosphere that provides diverse retail components.
- C. Use of trellises, awnings, and other weather protection devices is encouraged.
- D. Create a well-defined streetwall to provide continuous retail synergy on the street and sidewalk.
- E. Design the ground floor space with height and depth to support retail and or commercial spaces, as shown in the examples below.



- F. Plazas and other outdoor seating areas should be provided to create gathering places for residents and visitors in order to enhance a village atmosphere, as shown in the examples below.



- G. Focal points should be created with features such as fountains, a clock tower, outdoor performance and gathering areas, or opportunities for public art.
- H. A generous amount of outdoor seating should be provided and should include both sunny and sheltered areas.
- I. Both hard surface and planted areas should be incorporated into the design.
- J. Colored, decorative paving patterns should be used at special focal points.

#### 11.4.1.2 Street Furnishings

Creating comfortable streets and pedestrian spaces is an important part of crafting the Village environment. These areas should be furnished with enhanced high-quality materials and furnishings that create a comfortable, convenient, and entertaining experience, as shown in the examples below. With the exception of features created as public art, the furnishings should be in a similar family of style, color, and finish to create a refined and uncluttered appearance.

- A. Formal seating areas should be provided, using benches, tables, and chairs. To create interesting public spaces, the use of concrete seat walls and steps to create informal seating at

raised planters, steps, and benches cast into the plaza areas is also encouraged.

- B. Site furnishings should be of one cohesive design and integrated into the landscape design.
- C. Bicycle parking and utilities should be integrated into the landscape design to place these elements where they are needed in a discreet manner.
- D. Bollards may be placed to provide separation between auto and pedestrian crossings.
- E. Trash and ash receptacles should be placed at convenient locations to help keep these areas clean.

## 11.4.2 Architecture

The goal of the Mixed Residential/Retail architecture is to create a character which is distinctive and memorable. The architecture should be inspired by classic Village architecture and include as well as a semi-rural design sensibility ~~in a restrained modernist vocabulary~~.

### 11.4.2.1 Building Design

All building facades visible from public areas should employ the same high level of articulation and quality of details and materials as the front elevation of the building, as shown in the example images below.



- A. Where long expanses of blank wall are unavoidable, they should be articulated and softened with three dimensional details, planters, vines, and other landscaping.

- B. A composition of distinct but related forms should be used.
- C. Loading and service areas should be integrated into the overall building composition.
- D. Architectural enclosures should be designed as integral elements of the building architecture.
- E. Use of long, unbroken forms and flat planes is discouraged.
- F. Public street facing facades should incorporate three-dimensional façade elements that lend a pedestrian scale to the street level.
- G. Trellises or permanent awnings should be occasionally incorporated where appropriate to protect sidewalks and plaza areas from the elements.
- H. Use of arcades, wide overhangs, and deep reveals is encouraged.
- I. Main entries should be easily identifiable.
- J. Where flat, unarticulated wall planes are necessary, they should be enhanced with use of materials, landscaping, public art or a relief in the wall plane.
- K. Roof design shall be integral to the overall building design.
- L. Parapets shall screen rooftop mechanical equipment from view.
- M. Tower elements should be included at key locations (entries, corners) to provide points of interest along the street.
- N. Uniform rooflines should be avoided by varying heights of adjacent buildings or storefronts.
- O. To the extent possible and consistent with State law and applicable zoning requirements and standards, the visual mass of buildings shall be minimized.

#### 11.4.2.2 Materials

Materials should be appropriate to the building's style and character and should be suited to commercial construction.

- A. Use of Materials such as shingle, lap siding, stucco, masonry, storefront glazing, and well-detailed concrete is encouraged.
- B. Accent materials such as brick, stone, tile, and anodized or patinaed metals are encouraged.
- C. Any changes in materials should occur at inside corners where the building plane changes direction.
- D. Mirror glazing should not be used.

#### 11.4.3 Moraga Ranch

The Moraga Ranch should be maintained and enhanced as a unique visual and cultural resource in the Specific Plan area and in Moraga as a whole.

- A. New buildings in the Moraga Ranch area should feature designs, massing and material that reflect the traditional character of the Moraga Ranch buildings and other California agricultural ranch buildings, including simple forms, wood siding, and gabled, shingled roofs.
- B. New development in the Moraga Ranch area should be organized and clustered around the existing main lawn and additional existing and enhanced open spaces that provide for formal and informal pedestrian connections.

~~Existing buildings shall be retained to the extent feasible, unless the Planning Commission finds that removal of an existing building is necessary and would allow for maintenance of the overall character of the Moraga Ranch Overlay District.~~

- C. The design of new development within the Ranch shall be consistent with the existing

character of the Moraga Ranch and its existing buildings, including arrangement and separation.

## **11.5 MIXED OFFICE/RESIDENTIAL**

The Mixed Office/Residential land use classification seeks to provide an employment base for the Town of Moraga in a quality environment. As an integral part of the community, it is important to maintain the quality of the character established throughout the rest of the MCSP area.

### **11.5.1 Site Design**

#### **11.5.1.1 Pedestrian Orientation**

Mixed Office/Residential development should provide for an employment environment where people are comfortable walking between buildings and parking areas, and ~~with~~ have strong pedestrian connections to the rest of the community.

- A. Mixed Office/Residential areas should be designed to be both bicycle and pedestrian friendly.
- B. Pedestrian paths and walks should be lined with trees. Trees should also be used to create separation between pedestrian paths and parking areas.
- C. Pedestrian scaled lighting fixtures should be provided along internal walkways.
- D. There should be provision of street furniture including bus shelters, trash receptacles, and bicycle racks.
- E. Special paving should be used at key pedestrian and vehicular intersections.
- F. Loading and service areas should be screened from view and not be visible from public streets.
- G. Architectural enclosures should be designed as integral elements of the building architecture.

### **11.5.2 Architecture**

#### **11.5.2.1 Building Design**

Building design should create a quality character of architecture that is ~~both~~ aesthetically pleasing and functionally efficient, and ~~allows~~ for flexibility over time. Public street facing facades of all buildings should have the same level of articulation and quality of details and materials as the “public front” of the building.

- A. A composition of distinct but related forms should be used.
- B. Roof heights may vary.
- C. Main entries should be easily identifiable.
- D. Flat, unarticulated wall planes should not be used.
- E. Roof design should be integral to the overall building design.
- F. Rooftop mechanical equipment should be screened from view.
- G. Superficial roof forms or roof forms that appear to be tacked on should not be used.

#### **11.5.2.2 Details and Materials**

Details and materials should be appropriate to the building’s style and character and suited to commercial construction.

- A. Use of materials such as stucco, masonry, storefront glazing, and well detailed concrete is encouraged.
- B. Accent materials such as brick, stone, tile, glass block, and anodized or patinaed metals should be used.
- C. Mirror glazing is not allowed.

## 11.6 SITE FEATURES

The use of accessory site elements such as lamp posts, signage, walls, and fences greatly contribute to the overall feel of a community. In addition, these elements contribute to the safety, comfort, and legibility of a community, therefore having the dual role of being functional and aesthetic at the same time. Site features used in the MCSP area should be of a similar character to contribute to a cohesive community aesthetic that preserves the semi-rural context and character of the Town.

### 11.6.1 Lighting

The goal for the lighting guidelines is to provide a comfortable level of illumination that meets the community's needs for orientation and safety in a way that complements the aesthetic qualities of the architecture and the semi-rural character of Moraga.

#### 11.6.1.1 General Considerations

Lighting design should be energy efficient, to create a better quality of life, an improved aesthetic, and preserve energy resources.

- A. High efficiency fixtures and sophisticated optics are encouraged to direct light where it is needed without creating excessive glare.
- B. Outdoor lighting should be related to the design of the structures and/or landscaping that it serves.
- C. Lights should be placed where they are needed for specific uses, rather than to a continuous foot-candle requirement, allowing for the appreciation of the dark sky in the residential neighborhoods and reducing the total number of fixtures and energy consumption. Wherever possible fixtures should carry approval of the International Dark Sky Association.
- D. Wherever possible, include motion- or light-detecting switches that will turn off lights when they are not needed.
- E. Use warm lighting (3,000 kelvin or lower).
- F. Lighting should be shielded to avoid excessive and unnecessary glare.
- G. The use of uplights for buildings, trees, or signs is discouraged.
- H. All lighting should comply with energy efficiency and other standards under State regulations.
- I. Outdoor light fixtures should be designed and mounted so that the source of light has minimal impact off site.
- J. Outdoor lighting should be directed inward toward the property and may require additional screening to avoid spillage onto adjacent residential properties.

### **11.6.1.2 Village Lighting**

Centers of community activity should have street and plaza lighting consistent with the [Community MCSP](#) Commercial and Mixed Residential/Retail guidelines in order to maintain the continuity of design character through these spaces.

- A. Light fixtures should be designed as an integral part of the streetscape with a spacing and pattern that complements tree plantings and other site furniture.
- B. Retail sidewalks and plazas should have decorative pedestrian scale pole lights that complement the architectural style of the buildings.
- C. Use of wall mounted fixtures where appropriate on the building elevations is encouraged to supplement other forms of lighting and to complement the building architecture.
- D. Use of special lighting features is encouraged to further animate public spaces by encouraging nighttime use.
- E. Festive lighting such as string lights is encouraged in focal points of pedestrian activity such as plazas, outdoor seating areas, and special sidewalk zones.
- F. Light fixtures in retail areas should provide arms for banners to provide seasonal decorative opportunities and to add a festive quality to the Village environment.
- G. Parking areas should be lighted with high efficiency pole fixtures that provide an even distribution of light while minimizing glare. Lamps should be combined with sophisticated optics and sharp cut off features to direct all of the light to the ground.

### **11.6.1.3 Residential Lighting**

Lighting in residential areas should be provided at specific points of need in keeping with a semi-rural standard to reflect a quieter and more intimate setting in residential areas.

- A. Use of pole lights with a shielded light source and/or optics to direct the light down to the ground is encouraged so that the light source is not visible outside of the light distribution area.
- B. Light poles should be provided at street intersections and along pedestrian pathways to provide orientation and way finding within the community.
- C. Street identification signs and traffic control signs should be mounted on light poles to integrate these elements into the design and minimize the visual impact of poles and signs on the community.

### **11.6.1.4 Open Space Lighting**

Lighting for parks should help characterize parks as an extension of pedestrian zones throughout the rest of the community and should provide the minimum ample lighting for safety, orientation, and way finding along the trails.

- A. The same pole lights used along streets should be placed in parks.
- B. Use of decorative pole lights along adjacent streets is encouraged to provide an amenity enhanced edge and increased illumination around park perimeters.
- C. Lighting should not be provided for active nighttime use of parks to discourage excessive light and noise to neighbors.
- D. Light sources should minimize glare through the use of side shields and cut off optics.

- E. No direct view to light sources should be visible from off site.
- F. Pedestrian pole light fixtures should complement the pattern of tree planting along paths, roads, and parking areas.
- G. Use of building mounted fixtures that match the pole lights is encouraged, as long as the fixtures are scaled appropriately for their location on the building.

## 11.6.2 Signage

Signage in the MCSP area should be functional and attractive and incorporate artistic elements when possible, using a high level of design, graphics and efficient maintenance.

### 11.6.2.1 General Considerations

- A. All signs should be related to their surroundings in terms of size, shape, color, texture, and lighting so that they are complementary to the overall design and not in competition with other signs in the area.
- B. Signs should be subtle and unobtrusive, conveying their message in a clear and legible fashion, and should be vandal- and weather-resistant.
- C. Wayfinding or directory signs may be placed at key locations to provide information and orientation for customers.
- D. Struts, braces, kickbacks, or guy wires to support signs should be avoided unless they are a feature of the design.
- E. Decorative product type signs, such as beer signs and informative type signs used for purposes of interior design only, are termed non-accessory signs. Such signs shall be erected only within the business establishment and shall be located no closer to an exterior window or open doorway than 6 feet.
- F. Use of internally illuminated box signs and exposed neon tubing should be avoided.
- G. Illuminated signs should be halo-type reverse channel letters or screened, low level spotlights.
- H. External lighting sources should be screened from view and light should be directed against the sign so that it does not shine onto adjacent property nor into the eyes of motorists or pedestrians.

### 11.6.2.2 Building Signs

All building plans should provide a signage program so that they are an integral part of the building design.

- A. Use of reverse channel halo lit signs, pedestrian oriented blade signs, sculptured cantilevered signs, non-internally lit signs backed by building face or storefront are encouraged.
- B. Individual letter characters are encouraged.
- C. Metal signs may be made of aluminum, brass, bronze, copper, or stainless or welded steel.
- D. Signs are to be free of all labels and fabricator's advertising, except for those required by code.
- E. Logos or trademark displays may be used on signs.
- F. Building signs may be halo lit or use shielded gooseneck spot lights directed away from the sidewalk to reduce glare.

### **11.6.2.3 Freestanding Monument Signs**

- A. Pole signs are not allowed.
- B. Freestanding signs should be of a low profile and integrated with the site plan.
- C. Accessory low level floodlights are allowed if properly screened from view.
- D. Color, materials, and fonts shall be integrated with the surrounding buildings, walls, or other construction and landscaping.

### **11.6.2.4 Live/Work and Home Occupation Signs**

Accessory signs for home occupations should be unobtrusive and in character with residential neighborhoods rather than retail storefronts. Home occupations are encouraged in certain areas as opportunities for St. Mary's faculty housing and as an opportunity to provide sustainable practice for small businesses.

- A. Use of pedestrian oriented blade signs, sculptured cantilevered signs, and individually crafted plaque signs is encouraged.
- B. Signage is intended to be unique and original for each establishment and executed with a high degree of craftsmanship.
- C. Accessory signs in residential areas shall not exceed 2 square feet.

### **11.6.2.5 Interpretive Signs**

Interpretive signs explaining natural features and/or the history of the MCSP area should be provided as development in the MCSP area occurs, at a minimum in the following areas:

- A. Along Laguna Creek and the any pedestrian trail;
- B. The Moraga Ranch area;
- C. The orchard area located on the south-facing hillside bounded by Camino Ricardo, Moraga Way, and Moraga Creek;
- D. The orchard area bounded by Country Club Road and Canyon Road.

## **11.6.3 Walls and Fencing**

Walls and fences should be minimized to the greatest extent possible. For information about reducing the impact of site grading and retaining walls, please refer to Chapter 7 of these guidelines.

### **11.6.3.1 Walls**

- A. Site walls should be made of materials complementary to the building architecture palette.
- B. Walls located in visually prominent areas should be decorative and faced with materials that are compatible with the surrounding natural environment and from local sources, whenever possible.
- C. Keystone and other interlocking masonry wall systems are encouraged in place of concrete retaining walls.
- D. Concrete retaining walls shall be allowed only where necessary for structural and spatial

requirements and shall be heavily screened from view with plantings to minimize their visual impact.

- E. Plantings should be utilized to minimize the visual impact of all retaining walls.

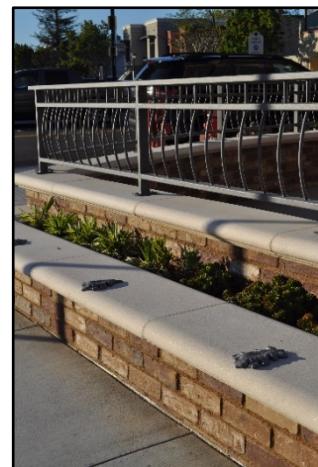
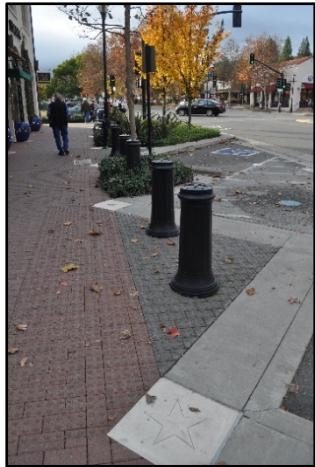
#### **11.6.3.2 Fencing**

- A. Fencing materials and colors should complement adjacent architecture.
- B. Use of decorative fencing styles such as grape stake, picket, and split rail fences are encouraged in areas of high visual sensitivity.
- C. Use of a variety of traditional wood “good neighbor” style fences is allowed.

#### **11.6.4 Site Furniture**

##### **11.6.4.1 Street Furniture and Paving Treatment**

Streets and public spaces should be designed to be comfortable for pedestrians and emphasize pedestrian movement among and between various uses in MCSP area, as shown in the example images below.



- A. Benches and seat walls should be incorporated into the streetscape to provide seating areas along pedestrian promenades.
- B. Ample bicycle parking areas and bicycle racks should be provided throughout the MCSP area.
- C. Seating areas should present both shady and sunny opportunities.
- D. Tree grates, bollards, and other site furniture should be used to help articulate the street edges and provide a pleasant separation between the automobile realm and the pedestrian realm.
- E. Where the automobile realm and the pedestrian realm overlap, clear priority should be given to the pedestrian in the form of accentuated paving, bollards, special crosswalk lighting, and other pedestrian features.
- F. The use of permeable concrete or permeable asphalt paving with score lines to reduce the scale of the pavement, or permeable interlocking pavers, is encouraged.
- G. Passageways between stores that lead to parking areas are particularly important and should be accentuated by architectural gateway elements, decorative paving and plantings, bollards, and seating courts with ample shade and weather protection.

#### 11.6.4.2 Park Furniture and Paving Treatment

Pedestrian promenades flow through parks as the primary pedestrian activity zone. They should be furnished with durable materials and equipment that will support a variety of play and recreation experiences. Wood, concrete, and galvanized or patinaed metal materials may be used where appropriate to achieve the best performance possible for the furnishings specified.

- A. Use of wood or recycled plastic planks and metal is encouraged for benches and picnic tables. Wood should be specified from sustainable sources.
- B. Barbecue grills should be cast into concrete footings and made of durable cast iron materials.
- C. Bollards should be used to separate pedestrian areas from vehicular pavement, and should be made of cast iron or natural wood posts.
- D. Wood fences may provide separation between parks and adjacent uses. Where front yards or streets face parks, use of post and rail or picket fences is encouraged. Where side or rear yards occur next to parks, “good neighbor” fences six feet in height should be used.
- E. Wood trellis structures may be used as shade structures. These should be built of oversized rough lumber with patinaed or galvanized hardware that matches the metal color palette.
- F. Cast in place concrete seat walls may be used where they provide the best material solution to the need. Walls should be formed and finished to provide comfortable seating elements that flow with the site geometry.

In addition to open lawn areas, park designs should provide for passive and active play environments for all ages and interests.

- G. All play experiences shall be designed to meet the access requirements addressed in the ADA codes and regulations.
- H. Use of play surfaces such as sand, recycled rubber pavement, and artificial turf that create different play experiences as well as increase safety and provide options for comfortable and heat resistant play surfaces is encouraged.
- I. Play structures should be composed of wood, plastic, or metal components to provide the most practical and appropriate material for the intended use. Galvanized metal components may be used where it provides the best wearing treatment for the use.
- J. Variation in colors and materials of play equipment is encouraged to create different identities for neighborhood parks. Brighter colors may be used selectively for interest, and color coordination with the color palette of the planting design is encouraged.
- K. Use of interactive public “play art” is encouraged. These elements should be painted in bright colors to add interest and playful energy to these spaces.
- L. Selection of paving materials for parks should be based upon the nature of the traffic and the type of experience that is designed for the park.
- M. Use of crushed stone for the primary paving material in parks is encouraged.
- N. Use of integrally colored and natural gray concrete with decorative scoring and sandblasted patterns is encouraged for focal points of pedestrian activity.
- O. Where appropriate, asphalt paving, porous paving, and crushed stone paths should be used.
- P. Lower intensity bicycle paths should be constructed of reinforced crushed stone paving or similar materials where allowed under accessibility requirements.
- Q. Crushed stone, permeable concrete, and permeable paving stones should be used to reduce storm water runoff and to reduce the scale of parking areas.

- R. Enhanced paving should be used to articulate pedestrian crossings, buildings entrances, and site entrances that relate to parking areas.

## **11.7 LANDSCAPE**

Landscaped areas should be drought-tolerant, deer resistant, and appropriate for Moraga's chaparral landscape context.

### **11.7.1 Street Landscaping**

Street trees provide a significant landscape presence that enhances the experience of walking, riding, or driving through the MCSP neighborhoods. Street trees should be evergreen varieties which are well suited to the local environment and should be used to create a sense of continuous street enclosure and protection for pedestrian areas without creating traffic hazards.

For landscape strategies specific to Scenic Corridors, please refer to Appendix B of these guidelines for a list of recommended trees and shrubs for scenic corridors. Street trees for community streets and bioswale areas should also be taken from this list. In addition, please refer to the Moraga Transportation Corridor Streetscape Plan for additional landscape design principles appropriate to street landscaping.

### **11.7.2 Residential Landscaping**

Planting designs should be appropriate for the local site and environmental conditions present in Moraga.

- A. Neighborhood plantings should have individual expressions of landscape design consistent with the architectural character of the homes.
- B. Street trees should be placed in landscape strips that separate the roadway from the sidewalk, which should also include drought tolerant shrub and groundcover plantings to encourage sidewalk use.
- C. Residential alleys should be planted with evergreen trees and shrubs to soften and complement the architectural design.
- D. At a minimum, planting pockets should occur at each property line along alleys.
- E. Pedestrian walkways that provide garden entries to homes along common paseos should be treated with ornamental trees and flowering shrubs to accentuate their pedestrian significance.

### **11.7.3 Commercial Landscaping**

The landscape design for commercial areas should provide a festive and dynamic environment for shopping and passive recreation.

- A. Planting design of storefronts and plaza areas should have individual expressions of landscape design consistent with the architectural design.
- B. Bold use of plant material in sweeping masses of layered color and texture is encouraged.
- C. Street trees should create a continuous canopy along streets.
- D. Trees planted along commercial streets should be planted in tree wells a minimum of 6 feet length by 6 feet wide. Where diagonal parking or corner conditions permit additional landscape areas, trees should be complemented by flowering shrubs or other ornamental plants.
- E. The use of "soft" materials such as crushed rock is encouraged as a base in planting areas to enhance the semi-rural character of commercial areas.

Landscape treatments for parking areas should present a coherent planting theme that minimizes the impact of asphalt and automobile traffic as shown in the examples below.



- A. Pedestrian routes through parking areas should be clearly marked by features such as enhanced paving, pedestrian scaled light fixtures, bollards and enhanced tree canopies, and should lead directly to passageways between stores.
- B. Evergreen trees should be used to provide year-round parking lot tree coverage and to help reduce the impact of storm water runoff.
- C. Bioswales should be integrated into parking areas to improve the quality of storm water runoff and to allow infiltration of storm water into the subgrade. Curbs should have notched openings set flush or below the asphalt elevation to allow water flow into the bioswales.

#### **11.7.4 Open Space Landscaping**

Planting design in parks should have distinct variations in theme based upon the site context, use, and visual concept.

- A. Smaller parks and those in higher intensity use areas should be designed in a formal style.
- B. Larger parks and those in lower intensity of use areas and residential neighborhoods should include native plantings and landforms that have an informal character.
- C. Formal gardens that make use of bold plantings in sweeping masses of layered color and texture, and that create visual interest and ease of maintenance, are encouraged.

## 11.8 STREET CHARACTER

### 11.8.1 Purpose

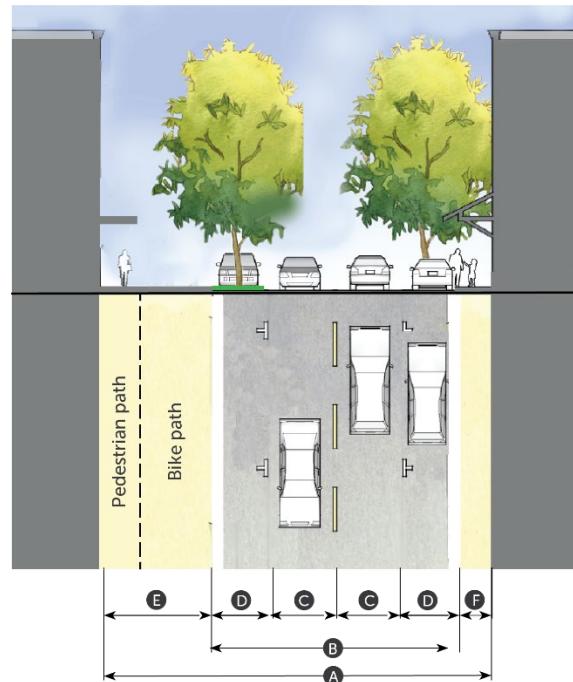
This section serves as a guide for the purpose of better urban character, neighborhood character and development along streets, trails and bridges. These are to be evaluated based on site design and project characteristics to accommodate the development by the MCSP.

### 11.8.2 General Guidelines

- A. Continuity. The continuity of vehicular lanes, bicycle facilities, and public frontages should be considered in the design of streets.
- B. Topography. Streets that traverse steep slopes may need to incorporate special design consideration for drainage facilities, additional width for bicycle lanes on the uphill side of the thoroughfare, and other slope-related issues. Streets should be located and designed to minimize the use of retaining walls, as feasible.
- C. Truck Access. Streets that provide access to high volumes of large trucks may need additional design considerations to mitigate potential negative effects on walkability.
- D. Bus and Transit Service. Streets that will serve as public transit or school bus routes may need additional design considerations, including, but not limited to, the location of bus stops and minimum 11-foot travel lane widths.
- E. Street Standards and Fire/Emergency Access. Street standards and street design are established and reviewed by Moraga-Orinda Fire District (MOFD) Fire Code in conjunction with approved Town of Moraga Subdivision Ordinance standards and any proposed standards must conform to both.
- F. Trails. The Lafayette Moraga Regional Trail and Laguna Creek, along with other trails in the MCSP area, should be constructed in accordance with the design standards established in these Design Guidelines and as approved by the Town's Department of Public Works.
- G. Green infrastructure. All public streets should incorporate green infrastructure such as tree well filters and bioretention planters. Reference Contra Costa Clean Water Program for specific guidance.
- H. Connections from Harvest Court. In the Harvest Court subdivision, provide a connection to the existing trail and street stubs to the new development in the MCSP area.

### 11.8.3 School Street

School Street should be constructed to include the Lafayette-Moraga Regional Trail along with parking following the specifications similar to those below. The specifications School Street Guidelines below are provided below as a guide. Street standards and street design are established and reviewed by Moraga-Orinda Fire District (MOFD) Fire Code in conjunction with approved Town of Moraga Subdivision standards and any proposed standards must conform.



## **SCHOOL STREET GUIDELINES**

	Details	Figure Key
<b>A. Application</b>		
Movement Type	Slow	
Design Speed	25 mph	
<b>B. Overall Widths</b>		
Right-of-Way (ROW) Width	60 feet	A
Pavement Width	38 feet	B
<b>C. Lane Assembly</b>		
Traffic Lanes	Two (2) at 11 feet each	C
Parking Lanes	Two (2) at 8 feet each, marked (includes tree wells)	D
Tree Wells	6-ft by 6-ft tree well every 30 feet on-center average in the parking lane	
<b>D. Public Frontage Assembly – East side of street</b>		
Drainage Collection Type	Curb and gutter	
Lighting Type	Post or column	
Walkway Width	6-ft	F
Curb Type	Square	
<b>E. Lafayette Moraga Trail – West side of street</b>		
Drainage Collection Type	Curb and gutter	
Lighting Type	Post or column	
Trail Type	16-ft trail (6-ft sidewalk and 10-foot bicycle path)	E
Curb Type	Square	

## **11.9 PEDESTRIAN AND BICYCLE-FRIENDLY DESIGN**

### **11.9.1 Intersections**

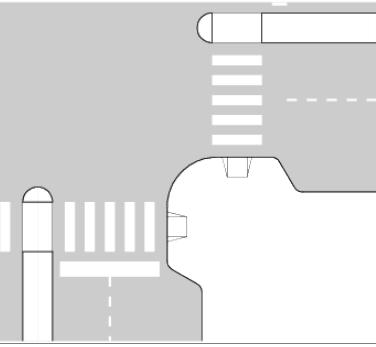
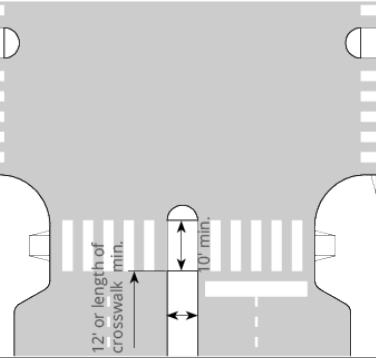
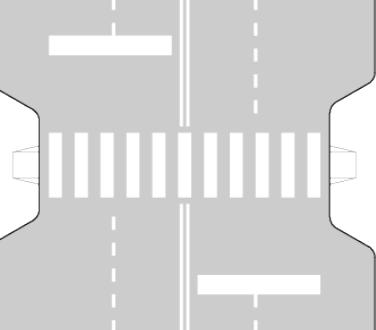
Street intersections should be safe for pedestrians and bicyclists, as well as automobiles:

- A. Street design of narrow streets and compact intersections requires designers to pay close attention to the operational needs of transit and school buses, fire and rescue, waste collection and delivery trucks. For this reason, early coordination with transit and school buses, fire and rescue equipment, and waste collection agencies and other similar stakeholder groups is essential.
- B. Encroachment of turning vehicles into opposing lanes can be expected to occur at compact intersections. Therefore, frequency of access, traffic volumes and the speeds on intersecting streets at those intersections should be considered when designing intersections. For fire and rescue, determination of the importance of that street for community access should be determined, e.g. primary or secondary access.
- C. Intersections should be designed to ensure that adequate operation of all types of vehicles that will utilize them can occur. Location of on-street parking around intersections may be evaluated during this analysis to identify potential conflicts between turning vehicles and on-street parking. Bike lanes and on-street parking will increase the effective curb return radius where curb extensions are not employed.
- D. Curb radius at intersections should generally be 10 to 15 feet. Curbs may be mountable if necessary to meet the needs of fire and emergency access.
- E. Roundabouts should be considered as an alternative for any type of intersection. Roundabouts can provide reduced vehicle speeds, reduced conflict points, separation of vehicle-vehicle conflict points from vehicle-pedestrian conflict points, and provide a two-step crossing for pedestrians.

### **11.9.2 Pedestrian Crossing Design Guidelines**

Pedestrian crossings at intersections and mid-block locations should be designed in accordance with the following guidelines. Modifications may be made to comply with ADA requirements.

## PEDESTRIAN CROSSINGS

Type	Description
Directional Curb Ramps	<p>Perpendicular corner curb ramps with a separate ramp installed in each direction should be used where feasible instead of single, diagonal corner ramps. The limit line should be set back a minimum of 4 feet from the crosswalk.</p> 
Crosswalks	<p>Crosswalks should be designed per the California Manual of Uniform Traffic Control Devices (CA MUTCD). All marked crosswalks should be striped as high-visibility crosswalks.</p> 
Medians	<p>Medians, where provided, should provide a median refuge for pedestrians at the intersection. Medians should be a minimum of 6 feet wide with a preferred width of 8 feet wide wherever possible.</p> 
Mid-block Crossings	<p>Mid-block crossings, where provided, should have mid-block curb extensions, flashing beacons (if warranted by traffic volumes), and additional signage. The limit line should be set back a minimum of 20 feet from the crosswalk. There should be no parking or vertical features on the street edge within the 20-foot setback to the crosswalk.</p>

## 11.10 TOWN SQUARE DESIGN **GUIDELINES**

### 11.10.1 Purpose

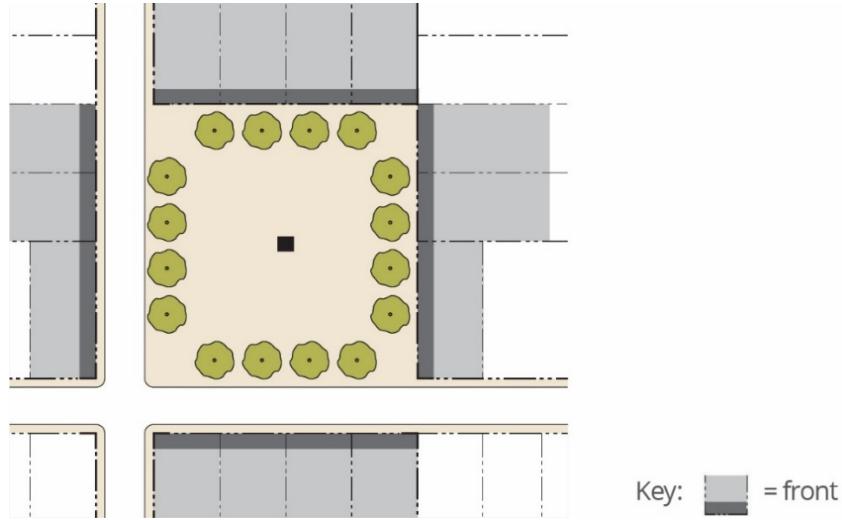
These guidelines provide guidance on design and development of the Town Square in the Moraga Center Specific Plan area.

### 11.10.2 Town Square Design

- A. The Town Square should be designed to serve as a community-wide focal point for civic and commercial activities. The Town Square should be a formal urban space, primarily featuring hardscape and/or natural turf, outdoor seating, and other passive recreation facilities, with planting accents in formal patterns. It should be spatially defined by adjacent buildings and tree-lined streets, and should feature one or more civic elements, such as sculptures, fountains, or public art. A small stage, bandstand, or outdoor performance space, as well as seating areas for adjacent cafes or restaurants, may also be included.
- B. Design Parameters. The recommended design parameters for the Town Square are as follows, subject to adjustment in connection with specific development proposals and proposed uses.

Design Parameters	
Minimum Area	0.25 acre
Minimum Dimension	80 feet

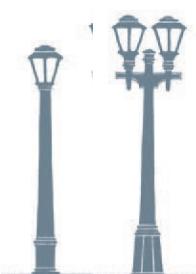
- C. Building Frontage. The facades on the lots attached to or across the street from the Town Square should be designed as a "front" on to the public, as illustrated below.



- D. Accessory Structures and Buildings. Accessory structures and buildings built in the Town Square should be designed and furnished to be consistent with the Town Square itself. Such consistency may require accessory structures and buildings to maintain building setbacks, frontage, massing, disposition, and design character similar to adjacent development. Such accessory structures and buildings may include restrooms, concession stands, pergolas, gazebos, maintenance buildings, and community gathering rooms.

### 11.10.3 Town Square Lighting Types

A. In addition to conforming with the lighting guidance in Section 6 of these MCSP Design Guidelines, public lighting in the Town Square should conform with the following examples:

Pole Type	Pipe (round)	Post (square)	Column
Illustration			

B. Pedestrian lighting shall be of a height where the luminaire is mounted between 12 to 14 feet above the sidewalk/pavement. Pedestrian lighting can have-pipe, post, or column type poles.

C. Vehicular lighting shall be of a height where the luminaire is mounted between 18 to 20 feet above the pavement. Vehicular lighting shall only have-pipe or post poles.

D. Pipe and post lighting shall feature a pendant-style light head type that is dark sky compliant. Column lighting shall feature an acorn-style light head type that is dark sky compliant.

E. The color of the light poles shall relate to the surrounding architecture and town square design features.

### 11.10.4 Town Square Examples

The following photos show examples of successful town squares from other locations whose overall character is appropriate for Moraga's Town Square. Individual design elements will differ from the examples shown. These examples are shown with reference to the town squares only, and not the architectural style or size of the surrounding buildings shown in the photographs.



South Side Works,  
Pittsburgh, PA  
≈0.5 acres



Livermore Lizzie Fountain Park  $\approx$ 0.2 acres



Livermore Plaza  $\approx$ 0.2 acres



One Colorado Plaza, Pasadena, CA  $\approx$ 0.3 acres



Healdsburg Plaza Gazebo

## **11.11**

### **Remodels, Renovations and Additions**

These guidelines provide guidance on remodels and renovations of existing buildings within the MCSP area.

#### **11.11.1 Existing Buildings**

- A. On-going repair, maintenance, and stabilization of an existing building, regardless of time period or style, is encouraged.
- B. Remodels or renovations that comprise more than 50% of the building's exterior may be required to include elements to enhance the character of the building.
- C. Interior remodels and renovations of buildings that proposed no changes to the exterior of the building are exempt from design review.
- D. Buildings that are demolished or destroyed may be rebuilt at the same size, height and within the building footprint in compliance with the applicable zoning district or if applicable, Moraga Municipal Code Chapter 8.20 – Nonconforming Uses, Structures and Lots.

#### **11.11.2 Additions**

- A. Additions to existing buildings shall be designed to match the character of the existing building.

# **APPENDIX A**

## **Moraga Design Guidelines**

### **Build It Green**

#### **Single-Family GreenPoint Checklist**

The GreenPoint Checklist offers builders, homeowners and municipalities a tool to assess how environmentally friendly or green a home is. This checklist is also the basis for Build It Green's third-party verification program – GreenPoint Rated. GreenPoint Rated was developed with the cooperation of local builders, city planners and building officials. Each green measure has been assigned a point value based on its benefits to the homeowners and the environment, as well as its ease of implementation.

A home can be considered green if it fulfills the prerequisites, earns at least 50 points and meets the minimum points per category: Energy (30), Indoor Air Quality/Health (5), Resources (6), and Water (9). You can obtain additional information on the Green Building Guidelines, GreenPoint Rated Manuals and most recent versions of the GreenPoint Checklists at [GreenPointRated@BuilditGreen.org](mailto:GreenPointRated@BuilditGreen.org) or call (510) 845-0472, ext. 604. The GreenPoint Rated program is updated every three years to coincide with changes to the California Building Energy Efficiency Standards. Currently, there are checklists for existing and new single family homes and for multifamily structures. The most current checklist for new single family homes (SF Data Collection Form v3.7) is printed on the following pages. Please contact Build It Green for a list of certified GreenPoint Raters if you are interested in obtaining a green home rating.

## GreenPoint Rated Checklist: Single Family

The GreenPoint Rated checklist tracks green features incorporated into the home. A home is only GreenPoint Rated if all features are verified by a Certified GreenPoint Rater through Build It Green. GreenPoint Rated is provided as a public service by Build It Green, a professional non-profit whose mission is to promote healthy, energy and resource efficient buildings in California.

The minimum requirements of GreenPoint Rated are as follows: verification of 50 or more points; Earn the following minimum points per category: Energy (30), Indoor Air Quality/Health (5), Resources (6), and Water (9); and meet the prerequisites A.3.a (50% construction waste diversion), J.1 (Exceed Title 24 by 15%), and N.1 (Incorporate Green Point Rated checklist in blueprints).

The criteria for the green building practices listed below are described in the GreenPoint Rated Single Family Rating Manual. For more information please visit [www.builditgreen.org/greenpointrated](http://www.builditgreen.org/greenpointrated)

Single Family New Home 3.7



Total Points Achieved: 0



Enter Project Name		Points Achieved	Community	Energy	IAQ(Health)	Resources	Water	Blueprint Page No.	Notes
<b>A. SITE</b>									
	1. Protect Topsoil and Minimize Disruption of Existing Plants & Trees								
No	a. Protect Topsoil from Erosion and Reuse after Construction	0	1				1		
No	b. Limit and Delineate Construction Footprint for Maximum Protection	0					1		
No	2. Deconstruct Instead of Demolishing Existing Buildings On Site	0				3			
	3. Recycle Job Site Construction Waste (Including Green Waste)								
No	a. Minimum 50% Waste Diversion by Weight (Recycling or Reuse) - <b>Required</b>	0					R		
No	b. Minimum 65% Diversion by Weight (Recycling or Reuse)	0				2			
No	c. Minimum 80% Diversion by Weight (Recycling or Reuse)	0				2			
	4. Use Recycled Content Aggregate (Minimum 25%)								
No	a. Walkway and Driveway Base	0				1			
No	b. Roadway Base	0				1			
	Total Points Available in Site = 12	0							
<b>B. FOUNDATION</b>									
	1. Replace Portland Cement in Concrete with Recycled Flyash or Slag								
No	a. Minimum 20% Flyash or Slag	0				1			
No	b. Minimum 25% Flyash or Slag	0				1			
No	2. Use Frost-Protected Shallow Foundation in Cold Areas (C.E.C. Climate Zone 16)	0				3			
No	3. Use Radon Resistant Construction	0				1			
	[*Point automatically granted when project qualifies for measure J3: B8 with IAQ]								
	4. Design and Build Structural Pest Controls								
No	a. Install Termite Shields & Separate All Exterior Wood-to-Concrete Connections by Metal or Plastic Fasteners/Dividers	0				1			
	[*Point automatically granted when project qualifies for measure J3: ES with IAQ]								
No	b. All New Plants Have Trunk, Base, or Stem Located At Least 36 Inches from Foundation	0				1			
	Total Points Available in Foundation = 8	0							
<b>C. LANDSCAPING</b>									
	1. Construct Resource-Efficient Landscapes								
No	a. No Invasive Species Listed by Cal-IPC Are Planted	0				1			
No	b. No Plant Species Will Require Hedging	0				1			
No	c. 75% of Plants Are California Natives or Mediterranean Species or Other Appropriate Species	0				3			
No	2. Use Fire-Safe Landscaping Techniques	0				1			
	3. Minimize Turf Areas in Landscape Installed by Builder								
No	a. All Turf Will Have a Water Requirement Less than or Equal to Tall Fescue ( $\leq 0.8$ plant factor)	0				2			
No	b. Turf Shall Not Be Installed on Slopes Exceeding 10% or in Areas Less than 8 Feet Wide	0				2			
No	c. Turf is 33% of Landscaped Area (total 2 points)	0				2			
No	d. Turf is 10% of Landscaped Area (total 4 points)	0				2			
No	4. Plant Shade Trees	0				3			
No	5. Group Plants by Water Needs (Hydrozoning)	0				2			
	6. Install High-Efficiency Irrigation Systems								
No	a. System Uses Only Low-Flow Drip, Bubbler, or Low-flow Sprinklers	0				2			
No	b. System Has Smart (Weather-Based) Controllers	0				3			
No	7. Incorporate Two Inches of Compost in the Top 6 to 12 Inches of Soil	0				3			
No	8. Mulch All Planting Beds to the Greater of 2 Inches or Local Water Ordinance Requirement	0				2			
No	9. Use 50% Salvaged or Recycled-Content Materials for 50% of Non-Plant Landscape Elements	0				1			
No	10. Reduce Light Pollution by Shielding Fixtures and Directing Light Downward	0				1			
	Total Points Available in Landscaping = 31	0							
<b>D. STRUCTURAL FRAME &amp; BUILDING ENVELOPE</b>									
	1. Apply Optimal Value Engineering								
No	a. Place Rafters and Studs at 24-Inch On Center Framing	0				1			
No	b. Size Door and Window Headers for Load	0				1			
No	c. Use Only Jack and Cripple Studs Required for Load	0				1			
	2. Use Engineered Lumber								
No	a. Beams and Headers	0				1			
No	b. Insulated Engineered Headers	0				1			
No	c. Wood I-Joists or Web Trusses for Floors	0				1			
No	d. Wood I-Joists for Roof Rafters	0				1			
No	e. Engineered or Finger-Jointed Studs for Vertical Applications	0				1			
No	f. Oriented Strand Board for Subfloor	0				1			
No	g. Oriented Strand Board for Wall and Roof Sheathing	0				1			
	3. Use FSC-Certified Wood								
No	a. Dimensional Lumber, Studs and Timber: Minimum 40%	0				2			
No	b. Dimensional Lumber, Studs and Timber: Minimum 70%	0				2			
No	c. Panel Products: Minimum 40%	0				1			
No	d. Panel Products: Minimum 70%	0				1			

## Enter Project Name

	Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
4. Use Solid Wall Systems (Includes SIPs, ICFs, & Any Non-Stick Frame Assembly)								
a. Floors	0		2	2				
b. Walls	0		2	2				
c. Roofs	0		2	2				
5. Reduce Pollution Entering the Home from the Garage [*Point automatically granted when project qualifies for measure J3: ES with IAQ]								
a. Tightly Seal the Air Barrier between Garage and Living Area	0		1					
b. Install Garage Exhaust Fan OR Build a Detached Garage	0		1					
6. Design Energy Heels on Trusses (75% of Attic Insulation Height at Outside Edge of Exterior Wall)	0		1					
7. Design Roof Trusses to Accommodate Ductwork	0		1					
8. Use Recycled-Content Steel Studs for 90% of Interior Wall Framing	0			1				
9. Thermal Mass Walls: 5/8-Inch Drywall on All Interior Walls or Walls Weighing more than 40 lb/cu.ft.	0		1					
10. Install Overhangs and Gutters								
a. Minimum 16-Inch Overhangs and Gutters [*Point automatically granted when project qualifies for measure J3: ES with IAQ]	0			1				
b. Minimum 24-Inch Overhangs and Gutters	0		1					
Total Points Available in Structural Building Frame and Envelope = 36	0							
<b>E. EXTERIOR FINISH</b>					Points Available Per Measure			
1. Use Recycled-Content (No Virgin Plastic) or FSC-Certified Wood Decking	0		2					
2. Install a Rain Screen Wall System	0		2					
3. Use Durable and Non-Combustible Siding Materials	0		1					
4. Use Durable and Non-Combustible Roofing Materials	0		2					
Total Points Available in Exterior Finish = 7	0							
<b>F. INSULATION</b>					Points Available Per Measure			
1. Install Insulation with 75% Recycled Content								
a. Walls and Floors	0		1					
b. Ceilings	0		1					
2. Install Insulation that is Low-Emitting (Certified Section 01350)								
a. Walls and Floors	0		1					
b. Ceilings	0		1					
3. Inspect Quality of Insulation Installation before Applying Drywall [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0		1					
Total Points Available in Insulation = 5	0							
<b>G. PLUMBING</b>					Points Available Per Measure			
1. Distribute Domestic Hot Water Efficiently (Additive, Maximum 7 Points)								
a. Insulate Hot Water Pipes from Water Heater to Kitchen	0		1		1			
b. Insulate All Hot Water Pipes	0		1		1			
c. Use Engineered Parallel Piping	0				1			
d. Use Engineered Parallel Piping with Demand Controlled Circulation Loop	0				1			
e. Use Structured Plumbing with Demand Controlled Circulation Loop	0		1		2			
f. Use Central Core Plumbing	0		1		1	1		
2. Install Only High Efficiency Toilets (Dual-Flush or 1.28 gpf)	0				4			
Total Points Available in Plumbing = Total 11	0							
<b>H. HEATING, VENTILATION &amp; AIR CONDITIONING</b>					Points Available Per Measure			
1. Design and Install HVAC System to ACCA Manual J, D, and S Recommendations [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0		4					
2. Install Sealed Combustion Units [*Points automatically granted when project qualifies for measure J3: ES with IAQ]								
a. Furnaces	0		2					
b. Water Heaters	0		2					
3. Install Zoned, Hydronic Radiant Heating	0		1	1				
4. Install High Efficiency Air Conditioning with Environmentally Responsible Refrigerants	0	1						
5. Design and Install Effective Ductwork [*Subd. e are automatically granted when project qualifies for measure J3: ES with IAQ]								
a. Install HVAC Unit and Ductwork within Conditioned Space	0		3					
b. Use Duct Mastic on All Duct Joints and Seams	0		1					
c. Install Ductwork under Attic Insulation (Buried Ducts)	0		1					
d. Pressure Relieve the Ductwork System	0		1					
e. Protect Ducts during Construction and Clean All Ducts before Occupancy	0		1					
6. Install High Efficiency HVAC Filter (MERV 6+) [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0			1				
7. Don't Install Fireplaces or Install Sealed Gas Fireplaces with Efficiency Rating NOT Less Than 60% using CSA Standards	0			1				
8. Install Effective Exhaust Systems in Bathrooms and Kitchens [*Subd. a & c are automatically granted when project qualifies for measure J3: ES with IAQ]								
a. Install ENERGY STAR Bathroom Fans Vented to the Outside	0		1					
b. All Bathroom Fans Are on Timer or Humidistat	0		1					
c. Install Kitchen Range Hood Vented to the Outside	0		1					
9. Install Mechanical Ventilation System for Cooling (Max. 4 Points)								
a. Install ENERGY STAR Ceiling Fans & Light Kits in Living Areas & Bedrooms	0		1					
b. Install Whole House Fan with Variable Speeds	0		1					
c. Automatically Controlled Integrated System	0		2					
d. Automatically Controlled Integrated System with Variable Speed Control	0		3					
10. Install Mechanical Fresh Air Ventilation System (Maximum 3 Points)								
a. Any Whole House Ventilation System That Meets ASHRAE 62.2	0		2					
b. Install Air-to-Air Heat Exchanger that meets ASHRAE 62.2 [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0		1	2				
11. Install Carbon Monoxide Alarm(s) [*Points automatically granted when project qualifies for measure J3: ES with IAQ]	0			1				
Total Points Available in Heating, Ventilation and Air Conditioning = 30	0							

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
			Points Available Per Measure						
<b>L. RENEWABLE ENERGY</b>									
No	1. Pre-Plumb for Solar Hot Water Heating	0	4						
No	2. Install Solar Water Heating System	0	10						
No	3. Install Wiring Conduit for Future Photovoltaic Installation & Provide 200 ft of South-Facing Roof	0	2						
No	4. Install Photovoltaic (PV) Panels								
No	a. 30% of electric needs OR 1.2 kW (total 6 points)	0	6						
No	b. 60% of electric needs OR 2.4 kW (total 12 points)	0	6						
No	c. 90% of electric need OR 3.6 kW (total 18 points)	0	6						
Total Available Points in Renewable Energy = 28		0							
<b>J. BUILDING PERFORMANCE</b>									
	1. Diagnostic Evaluations		Points Available Per Measure						
No	a. House Passes Blower Door Test [*Points automatically granted when project qualifies for measure J3: ES with IAO]	0	1						
No	b. House Passes Combustion Safety Backdraft Test	0		1					
	2. Design and Build High Performance Homes - 15% above 2005 Title 24 - <b>Required</b>	0	≥30						
No	3. House Obtains ENERGY STAR with Indoor Air Package Certification - <b>Pilot Measure</b> (Total 45 points; read comment)	0		5	2				
Total Available Points in Building Performance = 39		0							
<b>K. FINISHES</b>									
No	1. Design Entryways to Reduce Tracked in Contaminants	0	Points Available Per Measure						
No	2. Use Low-VOC or Zero-VOC Paint (Maximum 3 Points)								
No	a. Low-VOC Interior Wall/Ceiling Paints (<50 gpl VOCs (Flat) & <150 gpl VOCs (Non-Flat))	0	1						
No	b. Zero-VOC: Interior Wall/Ceiling Paints (<5 gpl VOCs (Flat))	0		3					
No	3. Use Low VOC, Water-Based Wood Finishes (<250 gpl VOCs)	0		2					
No	4. Use Low-VOC Caulk and Construction Adhesives (<70 gpl VOCs) for All Adhesives	0		2					
No	5. Use Recycled-Content Paint	0		1					
No	6. Use Environmentally Preferable Materials for Interior Finish: A) FSC-Certified Wood, B) Reclaimed, C) Rapidly Renewable, D) Recycled-Content or E) Finger-Jointed								
No	a. Cabinets (50% Minimum)	0		1					
No	b. Interior Trim (50% Minimum)	0		1					
No	c. Shelving (50% Minimum)	0		1					
No	d. Doors (50% Minimum)	0		1					
No	e. Countertops (50% Minimum)	0		1					
No	7. Reduce Formaldehyde in Interior Finish (CA Section 01350)								
No	a. Subfloor & Stair Treads (90% Minimum)	0	1						
No	b. Cabinets & Countertops (90% Minimum)	0		1					
No	c. Interior Trim (90% Minimum)	0		1					
No	d. Shelving (90% Minimum)	0		1					
No	8. After Installation of Finishes, Test of Indoor Air Shows Formaldehyde Level <27 ppb	0		3					
Total Available Points in Finishes = 21		0							
<b>L. FLOORING</b>									
	1. Use Environmentally Preferable Flooring: A) FSC-Certified Wood, B) Reclaimed or Refinished, C) Rapidly Renewable, D) Recycled-Content, E) Exposed Concrete. Flooring Adhesives Must Have <70 gpl VOCs.		Points Available Per Measure						
No	a. Minimum 15% of Floor Area	0		1					
No	b. Minimum 30% of Floor Area	0		1					
No	c. Minimum 50% of Floor Area	0		1					
No	d. Minimum 75% of Floor Area	0		1					
No	2. Thermal Mass Floors: Floor Covering Other than Carpet on 50% or More of Concrete Floors	0	1						
No	3. Flooring Meets Section 01350 or CRI Green Label Plus Requirements (50% Minimum) [*Points automatically granted when project qualifies for measure J3: ES with IAO]	0		2					
Total Available Points in Flooring = 7		0							
<b>M. APPLIANCES AND LIGHTING</b>									
	1. Install Water and Energy Efficient Dishwasher		Points Available Per Measure						
No	a. ENERGY STAR (total 1 point)	0	1						
No	b. Dishwasher Uses No More than 6.5 Gallons/Cycle (total 2 points)	0			1				
	2. Install ENERGY STAR Clothes Washing Machine with Water Factor of 6 or Less								
No	a. Meets Energy Star and CEE Tier 2 requirements (modified energy factor 2.0, Water Factor 6.0 or less) (total 3 points)	0	1		2				
No	b. Meets Energy Star and CEE Tier 3 requirements (modified energy factor 2.2, Water Factor 4.5 or less) (total 5 points)	0			2				
	3. Install ENERGY STAR Refrigerator								
No	a. ENERGY STAR Qualified & < 25 Cubic Feet Capacity	0	1						
No	b. ENERGY STAR Qualified & > 20 Cubic Feet Capacity	0	1						
	4. Install Built-In Recycling Center and Composting Center								
No	a. Built-In Recycling Center	0		2					
No	b. Built-In Composting Center	0		1					
Total Available Points in Appliances and Lighting = 12		0							
<b>N. OTHER</b>									
No	1. Incorporate GreenPoint Rated Checklist in Blueprints - <b>Required</b>	0			R				
No	2. Develop Homeowner Manual of Green Features/Benefits [*Points automatically granted when project qualifies for measure J3: ES with IAO]	0	1	1	1	1			
Total Available Points in Other = 3		0							
<b>O. COMMUNITY DESIGN &amp; PLANNING (maximum 20 points in this section)</b>									
	1. Develop Infill Sites		Points Available Per Measure						
No	a. Project is Located in a Built Urban Setting with Utilities in Place for Fifteen Years	0	1		1				
No	b. Development is Located within 1/2 Mile of a Major Transit Stop	0	2						

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
2. Cluster Homes & Keep Size in Check									
a. Cluster Homes for Land Preservation	0	1			1				
b. Conserve Resources by Increasing Density (1 pt for every 5 u/s greater than 10 u/s) <a href="#">Enter Project Density (In Units Per Acre)</a>	0	2			2				
c. Home Size Efficiency	0				9				
3. Subdivision Layout & Orientation to Improve Natural Cooling and Passive Solar Attributes	0	3	7						
4. Design for Walking & Bicycling									
a. Pedestrian Access to Neighborhood Services within 1/4 Mile: 1) Community Center/Library; 2) Grocery Store; 3) School; 4) Day Care; 5) Laundry; 6) Medical; 7) Entertainment/Restaurants; 8) Post Office; 9) Place of Worship; 10) Bank: <a href="#">Enter number of services</a>	0	2							
b. Development is Connected with A Dedicated Pedestrian Pathway to Places of Recreational Interest within 1/2 mile	0	1							
c. At Least Two of the Following Traffic-Calming Strategies: - Designated Bicycle Lanes are Present on Roadways; - Ten-Foot Vehicle Travel Lanes; - Street Crossings Closest to Site are Located Less Than 300 Feet Apart; - Streets Have Rumble Strips, Bulbouts, Raised Crosswalks or Refuge Islands	0	2							
5. Design for Safety & Social Gathering									
a. All Home Front Entrances Have Views from the Inside to Outside Callers	0	1							
b. All Home Front Entrances Can be Seen from the Street and/or from Other Front Doors	0	1							
c. Orient Porches (min. 100sf) to Streets and Public Spaces	0	1							
6. Design for Diverse Households									
a. All Homes Have at Least One Zero-Step Entrance	0	1							
b. All Main Floor Interior Doors & Passageways Have a Minimum 32-Inch Clear Passage Space	0	1							
c. Locate at Least a Half-Bath on the Ground Floor with Blocking in Walls for Grab Bars	0	1							
d. Provide Full-Function Independent Rental Unit	0	1							
Total Achievable Points in Community Design & Planning = 20	0								
<b>P. INNOVATION (maximum 20 points in this section)</b>			Possible Points						
<b>A. Site</b>									
1. Reduce Heat-Island Effect - Install light-colored, high albedo materials (solar reflectance index >= 0.3) for at least 50% of site's non-roof impervious surfaces	0	1							
2. Build on Designated brownfield site	0	3							
<b>B. Foundation</b>									
[*Points automatically granted when project qualifies for measure J3: ES with IAQ]									
1. Install a Foundation Drainage System	0			2					
2. Sealed and Moisture Controlled Crawlspace	0		2						
<b>C. Landscaping</b>									
1. Meets Bay-Friendly Landscape Program Requirement (mutually exclusive with P.C.2)	0				4				
2. Meets California-Friendly Landscape Program Requirement	0				4				
3. Rain Water Harvesting System (1 point for <350 gallons, 2 points for > 350 gallons)					2				
a. Less than 350 gallon capacity	0				1				
b. Greater than 350 gallon capacity	0				2				
4. Assess Site Climate, Exposure, Topography, and Drainage	0				1				
5. Perform a Soil Analysis	0				1				
6. Irrigation System Uses Recycled Wastewater	0				1				
7. FSC Certified, Recycled Plastic or Composite Lumber - Fencing: 70%	0				1				
<b>D. Structural Frame and Building Envelope</b>									
1. Design, Build and Maintain Structural Pest and Rot Controls									
a. Locate All Wood (Siding, Trim, Structure) At Least 12" Above Soil	0				1				
b. All Wood Framing 3 Feet from the Foundation is Treated with Boretes (or Use Factory-Impregnated Materials) OR Walls are Not Made of Wood	0		1						
2. Use Moisture Resistant Materials in Wet areas of Kitchen, Bathrooms, Utility Rooms, and Basements					1				
[*Points automatically granted when project qualifies for measure J3: ES with IAQ]									
3. Use FSC Certified Engineered Lumber (3 points maximum)									
a. Beams and Headers	0				1				
b. Insulated Headers	0				1				
c. Wood I-Joists or Web Trusses for Floors	0				1				
d. Wood I-Joists for Roof Rafters	0				1				
e. Engineered or Finger-Jointed Studs for Vertical Applications	0				1				
f. Roof Trusses: 100%	0				1				
4. FSC Certified Wood									
a. Dimensional Lumber, Studs and Timber: 100%	0				2				
b. Panel Products: 100%	0				2				
<b>E. Exterior Finish</b>									
1. Green Roofs (25% of roof area minimum)	0	1	1						
2. Flashing Installation Techniques Specified	0			1					
[*Points automatically granted when project qualifies for measure J3: ES with IAQ]									
<b>F. Insulation</b>									
<b>G. Plumbing</b>									
1. Graywater Pre-plumbing (includes washing machine at minimum)	0				1				
2. Graywater System Operational (includes washing machine at minimum)	0				2				
3. Innovative Wastewater Technology (Constructed Wetland, Sand Filter, Aerobic System)	0				1				
4. Composting or Waterless Toilet	0				2				
5. Install Drain Water Heat-recovery System	0		1						
6. Install Water Efficient Fixtures									
a. Showerheads or Shower Towers Use <2.0 Gallons Per Minute (GPM) Total	0				1				
b. Faucets - bathrooms <1.5 gpm	0				1				
c. Faucets - Kitchen & Utility <2.0 gpm	0				1				
<b>H. Heating, Ventilation, and Air Conditioning</b>									
1. Humidity Control Systems (only in California humid/maritime climate zones 1,3,5,6,7)	0			1					

Enter Project Name		Points Achieved	Community	Energy	IAQ/Health	Resources	Water	Blueprint Page No.	Notes
	I. Renewable Energy								
No	1. Extraordinary Passive Solar Design (> 50% of load) That is Not Already Reflected in T-24 Modeling	0		5					
	J. Building Performance								
No	1. Test Total Supply Air Flow Rates	0		1					
	2. Energy Analysis Design Review								
No	a. Title-24 prepared and signed by CABEC Certified Energy Analyst	0		1					
No	b. Participation in utility incentive program	0		1					
	K. Finishes								
	1. Use Environmentally Preferable Materials for Interior Finishes								
No	a. Cabinets (80% minimum)	0			1				
No	b. Interior Trim (80% minimum)	0			1				
No	c. Shelving (80% minimum)	0			1				
No	d. Doors (80% minimum)	0			1				
No	e. Countertops (80% minimum)	0			1				
	L. Flooring								
No	1. Flooring Meets Section 01350 or CRI Green Label Plus Requirements (80% Minimum) [Points automatically granted when project qualifies for measure J3: ES with IAQ]	0			1				
	M. Appliances								
	N. Other								
No	1. Homebuilder's Management Staff are Certified Green Building Professionals	0	1						
No	2. Detailed Durability Plan [Points automatically granted when project qualifies for measure J3: ES with IAQ]	0			2				
No	3. Third-Party Verification of Implementation of Durability Plan	0			2				
0	4. Materials Sourced, Processed and Manufactured Within a 500 Mile Radius of the Home	0	1+						
No	5. Comprehensive Owner's Manual and Homeowner Educational Walkthroughs	0		1					
	6. Additional Innovations: Points to be assessed by Build It Green and GreenPoint Rater.								
No	a. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	b. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	c. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	d. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	e. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	f. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	g. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
No	h. Describe Innovation Here, and Enter Possible Points in Columns L-P	0							
	Total Achievable Points in Innovation = 20	0							

### Summary

Total Available Points in Specific Categories	32+	125+	51+	103+	71+
Minimum Points Required in Specific Categories	0	30	5	6	9
<b>Total Points Achieved</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

### Project has not yet met the following recommended minimum requirements:

- Total Project Score of At Least 50 Points
- Required measures:
  - A3a: 50% waste diversion by weight
  - J2: 15% above Title 24
  - N1: Incorporate GreenPoint Rated Checklist into blueprints
- Minimum points in specific categories:
  - Energy (30 points)
  - IAQ/Health (5 points)
  - Resources (6 points)
  - Water (9 points)

# **APPENDIX B**

## **Moraga Design Guidelines**

### **Planting Palettes from the Moraga Transportation Corridor Streetscape Plan and Drought Tolerant, Fire Resistant Native Trees and Shrubs**

# Planting and Character

## Moraga Character

The Town of Moraga is nestled in rolling California hills. It has a distinct sense of place, connected to its natural setting. It has a semi-rural feel, and is characterized by the use of natural materials, such as stone and wood, and by the predominance native plants. Beautification projects should build on these aspects of Moraga's identity. The images on this page show examples of existing elements in the Town.

### Plant palettes

The Town of Moraga is characterized by predominantly native plantings. The use of natives has numerous advantages and benefits, including:

- Integrating the community into the natural surroundings
- Suitability to the local climate and soil conditions
- Lower water and maintenance requirements
- Habitat value
- Emphasizing and highlighting Moraga's "sense of place"

The Town of Moraga encourages planting of native species over non-native species and encourages applicants to refer to the Native Plant Society website at [www.nps.org](http://www.nps.org) to check that the plants that you select are not invasive species.

Plantings for the Moraga area fall within several general groupings or "palettes," which may be appropriate in different contexts. In some circumstances, it may be appropriate to use non-native plants that are horticulturally compatible with Moraga's climate and soils. For example, non-natives may be more suitable as street trees planted in sidewalk cutouts, or as accent planting at commercial areas.

The following pages give examples of plant palettes appropriate for use along Moraga's scenic corridors.



## Oak Palette

The oak palette is the predominant plant grouping which occurs naturally in the Moraga area. Plants from this group are appropriate on hillside locations, sunny open areas, and along the tops of stream banks. Excessive water during the normally dry summer periods may cause root fungus in oaks, so they should not be planted adjacent to lawns or other areas that will be watered regularly during summer months.

### OAK PALETTE

Scientific Name	Common Name	Deer Resistant	Native Plant	Low Water	Maintenance
<b>Tree</b>					
<i>Aesculus californica</i>	California Buckeye	•	•	•	L*
<i>Cercis occidentalis</i>	Western redbud	•	•	•	L*
<i>Quercus agrifolia</i>	Coast Live Oak	•	•	•	L*
<i>Quercus ilex</i>	Holly Oak	•		•	L*
<i>Quercus suber</i>	Cork Oak	•		•	L*
<b>Shrubs</b>					
<i>Arbutus unedo</i> 'Compacta'	Strawberry Tree	•		•	L
<i>Arctostaphylos</i> spp.	Manzanita	•	•	•	L
<i>Arctostaphylos</i>	Vine Hill Manzanita		•	•	L
<i>Berberis</i> spp.		•	•		L
<i>Carpenteria californica</i>	Bush Anemone		•	•	L
<i>Ceanothus</i> spp.	Wild Lilac	•	•	•	L
<i>Cistus</i> sp.	Rockrose	•		•	L
<i>Correa</i> sp.	Australian Fuchsia	•		•	L
<i>Cotoneaster</i> 'Low Fast'	Bearberry Cotoneaster	•		•	L
<i>Dendromecon harfordii</i>	Island Bush Poppy		•	•	L
<i>Eriogonum</i> species	Wild Buckwheat	•	•	•	L
<i>Fragaria</i> spp.	Ornamental Strawberry	•	•		L
<i>Fremontodendron</i> cvs	Flannel Bush	•	•	•	L
<i>Garrya elliptica</i>	Coast Silktassel	•	•	•	L
<i>Heteromeles arbutifolia</i>	California Holly	•	•	•	L
<i>Myrica californica</i> 'Compacta'	Pacific Wax Myrtle	•	•	•	L
<i>Prunus ilicifolia</i>	Hollyleaf Cherry		•	•	L
<i>Prunus lyonii</i>	Catalina Cherry		•	•	L
<i>Rhamnus californica</i> 'Eve Cae'	Coffeeberry	•	•	•	L
<i>Rhamnus crocea</i>	Redberry	•	•	•	L
<i>Rhus integrifolia</i>	Lemonade Berry	•	•	•	L
<i>Rhus ovata</i>	Sugar Bush	•	•	•	L
<i>Ribes indecorum</i>	White Flowering Currant	•	•	•	L
<i>Ribes malvaceum</i>	Chaparral Currant	•	•	•	L
<i>Ribes</i> spp.	Currant, Gooseberry	•	•	•	L
<i>Sarcococca ruscifolia</i>		•			L
<i>Salvia clevelandii</i>	California Blue Sage	•	•	•	L
<b>Low Shrubs</b>					
<i>Arctostaphylos edmundsii</i> & cvs	Little Sur Manzanita	•	•	•	L
<i>Arctostaphylos hookeri</i> & cvs	Monterey Manzanita	•	•	•	L
<i>Baccharis pilularis</i> cvs	Dwarf Coyote Brush	•	•	•	L
<i>Ceanothus griseus horizontalis</i>	Carmel Creeper	•	•	•	L
<i>Ceanothus</i>			•	•	L

L: Low maintenance - annual cleanup

L\*: Annual pruning first two years to establish proper branching habit

AM: Annual mowing or cutback

AP: Annual pruning

HP: Multiple prunings per year

Correa pulchella		•	•		L
Cotoneaster dammeri 'Lowfast'	Bearberry Cotoneaster	•		•	L
Cotoneaster salicifolius 'Repens'	Willowleaf Cotoneaster	•		•	L
Cotoneaster spp.	Cotoneaster	•		•	L
Galvezia speciosa	Island Bush Snapdragon		•	•	L
Keckiella cordifolia			•	•	L
Mahonia aquifolium 'Compacta'	Oregon Grape	•	•		L
Myrtus communis	Myrtle	•		•	L
Ribes speciosum	Fuchsia-Flowering Gooseberry		•	•	L
Ribes viburnifolium	Catalina Perfume, Evergreen Currant	•	•	•	L
Santolina		•			L
Sollya heterophylla	Australlian Bluebell Creeper	•		•	L
Symphorocarpus spp.	Snowberry, Coralberry	•	•	•	L
<b>Perennials</b>					
Mimulus spp.	Sticky Monkey Flower	•	•	•	L
Heuchera maxima & hybrids	Island Alum Root	•	•		L
Iris douglasiana		•	•		L
Penstemon heterophylla		•	•		L
Penstemon species	Beard Tongue	•	•		L
Romneya coulteri & cultivars	Matilija Poppy	•	•	•	L
Salvia spp.	Sage	•		•	L
<b>Grass</b>					
Muhlenbergia rigens	Deer Grass	•	•	•	AM
<b>Ground Cover</b>					
Erigeron Karvinskianus	Santa Barbara Daisy			•	AM
Fragaria spp.			•	•	L
Geranium spp.		•		•	L
Rubus pentalaobus	Bramble				L



## Redwood Palette

The redwood palette is appropriate in canyon and valley settings. Redwoods need summer irrigation at least for the first 5 years, and hot dry locations inhibit their growth.'

### REDWOOD PALETTE

Scientific Name	Common Name	Deer Resistant	Native Plant	Low Water	Maintenance
<b>Tree</b>					
<i>Acer circinatum</i>	Vine Maple	•	•		L*
<i>Acer macrophyllum</i>	Big Leaf Maple		•		L*
<i>Arbutus menziesii</i>	Madrone, Madrona	•	•	•	L*
<i>Cercis occidentalis</i>	Western Redbud	•	•	•	L*
<i>Cornus canadensis</i>	Dogwood			•	L*
<b>Large Shrub</b>					
<i>Calycanthus occidentalis</i>	Spice Bush	•	•	•	L
<i>Philadelphus lewisii</i>	Wild Mock Orange		•	•	L
<i>Rhododendron</i> spp.		•	•		AP
<i>Ribes sanguineum</i>		•	•		L
<i>Ribes</i> spp. ( <i>aureum</i> , , <i>viburnifolium</i> , <i>speciosum</i> )	Currant, Gooseberry	•	•	•	L
<i>Woodwardia fimbriata</i>	Giant Chain Fern	•	•		L
<b>Small Shrub</b>					
<i>Anemone hybrida</i>	Japanese Anemone	•			L
<i>Carpenteria californica</i>	Bush Anemone	•	•	•	L
<i>Gaultheria shallon</i>	Salal	•	•	•	L
<b>Perennials</b>					
<i>Brunnera macrophylla</i>	Brunnera				L
<i>Dicentra formosa</i>	Western Bleeding Heart	•	•		L
<i>Helleborus</i> spp.		•			L
<i>Heuchera</i> spp.	Coral Bells, Alum Root	•	•	•	L
<i>Helichrysum petiolare</i>	Licorice Plant	•			L
<b>Ground Cover</b>					
<i>Asarum caudatum</i>	Wild Ginger		•		L
<i>Bergenia</i> spp.		•			L
<i>Fragaria</i> spp.	Ornamental Strawberry	•	•		L
<i>Iris douglasiana</i>		•	•	•	L
<i>Lamium maculatum</i>	Spotted Nettle				L
<i>Oxalis oregana</i>	Redwood Sorrel, Oregon Oxalis		•		L
<i>Polystichum munitum</i>	Sword Fern	•	•		L
<i>Symphoricarpos</i> spp.	Snowberry, Coralberry	•	•	•	L
<b>Grass</b>					
<i>Carex</i> spp.	Sedge	•	•		AM
<i>Juncus</i> spp.	Rush	•	•		AM

L: Low maintenance - annual cleanup

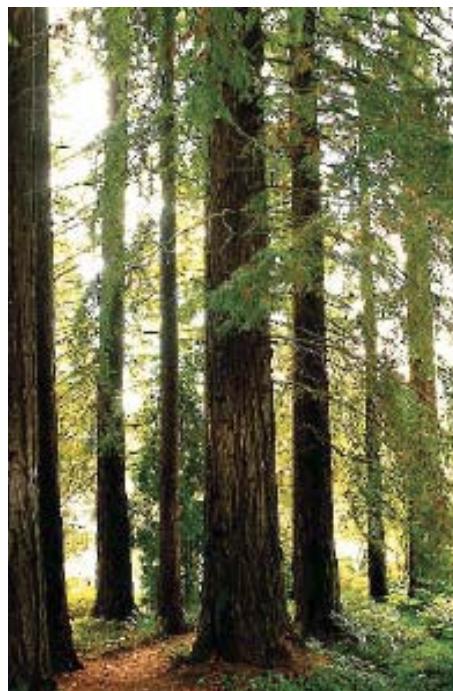
L\*: Annual pruning first two years to establish proper branching habit

AM: Annual mowing or cutback

AP: Annual pruning

HP: Multiple prunings per year

## REDWOOD PALETTE



## Traditional Palette

Many non-native plants commonly used in landscape applications are well suited for Moraga's climate, and may be appropriate where particular shapes, forms, or colors are desired. This traditional palette may be appropriate in commercial areas, or along streetscapes with a more suburban feel. They often add color and interest and may be used for emphasizing focal areas.

### TRADITIONAL PALETTE

Scientific Name	Common Name	Deer Resistant	Native Plant	Low Water	Maintenance
<b>Tree</b>					
<i>Fraxinus oxycarpa 'Raywood'</i>	Raywood Ash				L*
<i>Magnolia grandiflora</i>	Southern Magnolia	•			L*
<i>Pistacia chinensis</i>	Chinese Pistache	•			L*
<i>Prunus 'Krauter Vesuvius'</i>	Flowering Plum				L*
<i>Pyrus calleryana 'Bradford'</i>	Bradford Pear				L*
<i>Robinia ambigua 'Idahoensis'</i>	Idaho Locust				L*
<i>Ulmus parvifolia</i>	Chinese Elm				L*
<b>Medium Shrubs</b>					
<i>Arbutus unedo 'Compacta'</i>	Compact Strawberry Bush	•		•	AP
<i>Callistemon 'Little John'</i>	Dwarf Bottlebrush	•		•	L
<i>Cistus sp.</i>	White Rock Rose	•		•	L
<i>Coleonema spp.</i>	Breath of Heaven			•	L
<i>Daphne odora</i>	Winter Daphne	•		•	L
<i>Dietera vegeta</i>	African Iris	•			L
<i>Escallonia sp.</i>	Escallonia			•	L
<i>Euryops pectinatus</i>		•		•	L
<i>Gaura lindheimerii</i>	Gaura				L
<i>Grevillea 'Noelii'</i>		•		•	L
<i>Lavandula sp.</i>	Lavender	•		•	L
<i>Myrtus communis</i>	Myrtle	•		•	AP
<i>Nandina domestica</i>	Heavenly Bamboo			•	L
<i>Perovskia atriplicifolia</i>	Russian Sage	•		•	L
<i>Phormium tenax sp.</i>	New Zealand Flax	•		•	L
<i>Pittosporum tobira 'Wheeler's Dwarf'</i>	Dwarf Mock Orange			•	L
<i>Teucrium fruticans</i>	Bush Germander	•		•	L
<i>Viburnum tinus</i>	Laurustinus				AP

Low Shrubs					
<i>Agapanthus sp.</i>	Lily of the nile	•			L
<i>Buxus microphylla var. japonica</i>	Japanese boxwood				HP
<i>Carex sp.</i>	Sedge		•		L
<i>Coreopsis spp.</i>	Coreopsis				L
<i>Correa sp.</i>	Australian Fuchsia			•	L
<i>Geranium spp.</i>	Hardy Scented Geranium				L
<i>Hemerocallis evergreen</i>	Day Lily	•			L
<i>Heuchera sanguinea</i>	Coral Bells		•	•	L
<i>Iris douglasiana</i>	Pacific Coast Iris	•	•		L
<i>Kniphofia uvaria</i>	Devil's Poker/Red Hot Poker			•	L
<i>Lantana sp.</i>	Lantana			•	L
<i>Limonium perezil</i>	Statice			•	L
<i>Liriope muscari</i>	Lily Turf	•		•	L
<i>Muhlenbergia rigens</i>	Deer Grass	•	•		L
<i>Myrtus communis 'Compacta'</i>	Dwarf Myrtle	•		•	AP
<i>Nepeta sp.</i>	Catnip	•		•	L
<i>Penstemon sp.</i>	Penstemon	•	•		L
<i>Santolina sp.</i>	Lavender Cotton	•		•	L
<i>Scaevola 'Mauve Clusters'</i>	Fan Flower			•	L
<i>Stipa sp.</i>	Needle Grass	•		•	L
<i>Teucrium chamaedrys</i>	Germander	•		•	L
<i>Tulbaghia violacea 'Silver Lace'</i>	Society Garlic	•			L
<i>Viburnum tinus compacta</i>	Viburnum				AP

Groundcovers					
Acacia redolens		•		•	L
Ajuga reptans	Carpet Bugle	•			L
Carpobrotus	Sea Fig	•		•	L
Ceanothus sp.	California Lilac	•	•	•	L
Ceratostigma plumbaginoides	Dwarf Plumbago	•		•	L
Coprosoma kirkii 'Verde Vista'	Prostrate Mirror Plant	•		•	L
Cotoneaster 'Low Fast'	Cotoneaster	•		•	L
Delosperma alba	White Trailing Ice Plant	•		•	L
Drosanthemum floribundum rosea	Ice Plant	•		•	L
Erigeron karvinskianus	Santa Barbara Daisy	•	•	•	AM
Festuca glauca	California Fescue	•	•	•	AM
Gazania	Orange Gazania				L
Myoporum parvifolium prostrate	Myoporum			•	L
Oenothera speciosa childsii	Mexican Evening Primrose			•	L
Osteospermum fruticosum	African Daisy	•		•	AM
Rosa 'Carpet Rose'	Carpet Rose				L
Rosmarinus officinalis	Rosemary	•		•	L
Trachelospermum asiaticum	Asiatic Jasmine				L
Trachelospermum jaminoides	Star Jasmine	•			AM
Vinca minor	Dwarf Periwinkle				L
Viola labradorica			•		L

## TRADITIONAL PALETTE



## Grasses and Bioswale

Bioswale planting must be adaptable to high moisture during winter months as well as dry summer conditions. The bioswale and grass palette includes plants that help filter stormwater runoff. Many are seasonal grasses that will turn dry in summer months without supplemental irrigation, as do Moraga's grassy hillsides.

### BIOSWALES

Scientific Name	Common Name	Deer Resistant	Native Plant	Low Water	Maintenance
<i>Acorus gramineus</i>	Japanese Sweet Flag	•			L
<i>Carex spp.</i>	Sedge	•	•	•	L
<i>Hemerocallis spp.</i>	Daylily	•		•	L
<i>Juncus spp.</i>	Rush		•		L
<i>Molinia caerulea 'Moor Flamme', 'Varigata'</i>	Moor Grass	•			L
<i>Panicum virgatum</i>	Switch Grass	•			L

### SWALES & GRASSES



## Drought Tolerant, Fire Resistant, Native Tree and Shrub Species

<b>Native Trees</b>	
California Buckeye ( <i>Aesculus californica</i> )	California Sycamore ( <i>Platanus racemosa</i> )
Incense-cedar ( <i>Calocedrus decurrens</i> )	Hollyleaf Cherry ( <i>Prunus ilicifolia</i> )
Western Redbud ( <i>Cercis occidentalis</i> )	Blue Oak ( <i>Quercus douglasii</i> )
Mountain Mahogany ( <i>Cercocarpus</i> )	California Black Oak ( <i>Quercus kelloggii</i> )
Desert Willow ( <i>Chilopsis linearis</i> )	Valley Oak ( <i>Quercus lobata</i> )
Ash ( <i>Fraxinus</i> )	Sumac ( <i>Rhus parvifolia</i> )
Toyon ( <i>Heteromeles arbutifolia</i> )	Elderberry ( <i>Sambucus mexicana</i> )
Catalina Ironwood ( <i>Lyonia ferruginea</i> )	California Redwood ( <i>Sequoia sempervirens</i> )
Pacific Wax Myrtle ( <i>Myrica californica</i> )	

<b>Native Shrubs</b>	
California Buckeye ( <i>Aesculus californica</i> )	Mahonia ( <i>Mahonia repens</i> )
Manzanita ( <i>Arctostaphylos</i> )	Bush Mallow ( <i>Malacothamnus</i> )
Artemesia ( <i>Artemesia</i> )	Wax Myrtle ( <i>Myrica</i> )
Saltbrush ( <i>Atriplex</i> )	Wild Mock Orange ( <i>Philadelphus lewisii</i> )
Bush Anemone ( <i>Carpenteria</i> )	Hollyleaf Cherry ( <i>Prunus ilicifolia</i> )
California Lilacs ( <i>Ceanothus</i> )	Oak ( <i>Quercus</i> )
Western Redbud ( <i>Cercis occidentalis</i> )	Rhamnus ( <i>Rhamnus</i> )
Mountain Mahogany ( <i>Cercocarpus</i> )	Sumac ( <i>Rhus parvifolia</i> )
Desert Willow ( <i>Chilopsis linearis</i> )	Currant ( <i>Ribes</i> )
Bush Poppy ( <i>Dendromecon rigida</i> )	Rose ( <i>Rosa</i> )
Encelia ( <i>Encelia</i> )	Bramble ( <i>Rubus</i> )
Flannel Bush ( <i>Fremontodendron</i> )	Sage ( <i>Salvia</i> )
Silktassel ( <i>Garrya</i> )	Elderberry ( <i>Sambucus</i> )
Toyon ( <i>Heteromeles arbutifolia</i> )	Solanum ( <i>Solanum</i> )
Cream Bush ( <i>Holodiscus</i> )	Snowdrop Bush ( <i>Styrax</i> )
Tree Mallow ( <i>Lavatera assurgentifolia</i> )	Snowberry ( <i>Symporicarpos</i> )
Pitcher Sage ( <i>Lepechinia</i> )	Woolly Blue Curls ( <i>Trichostema</i> )
Lupine ( <i>Lupinus</i> )	

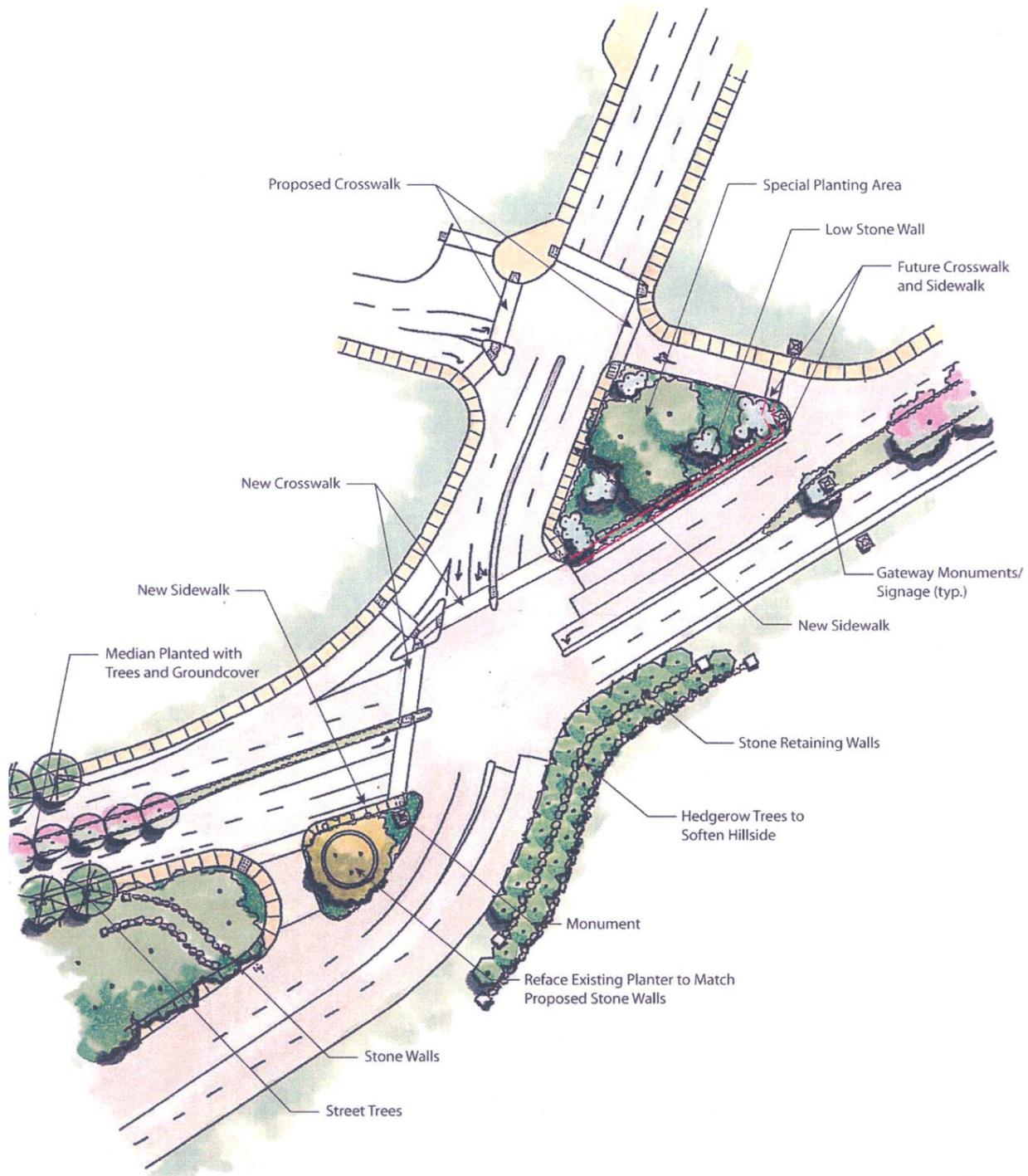
# **APPENDIX C**

## **Moraga Design Guidelines**

### **Street and Roadway Enhancement From the Moraga Transportation Corridor Streetscape Plan**

This appendix addresses desired types of improvements to Moraga's street and roadway corridors in the context of Moraga's semi-rural character. Using Moraga Road as a template, this appendix offers measures to add aesthetic enhancements, increase planting, provide biological storm water treatment where feasible, and enhance pedestrian and bicycle connections and safety. These should be applied along the scenic corridors, as well as at other locations throughout Moraga.

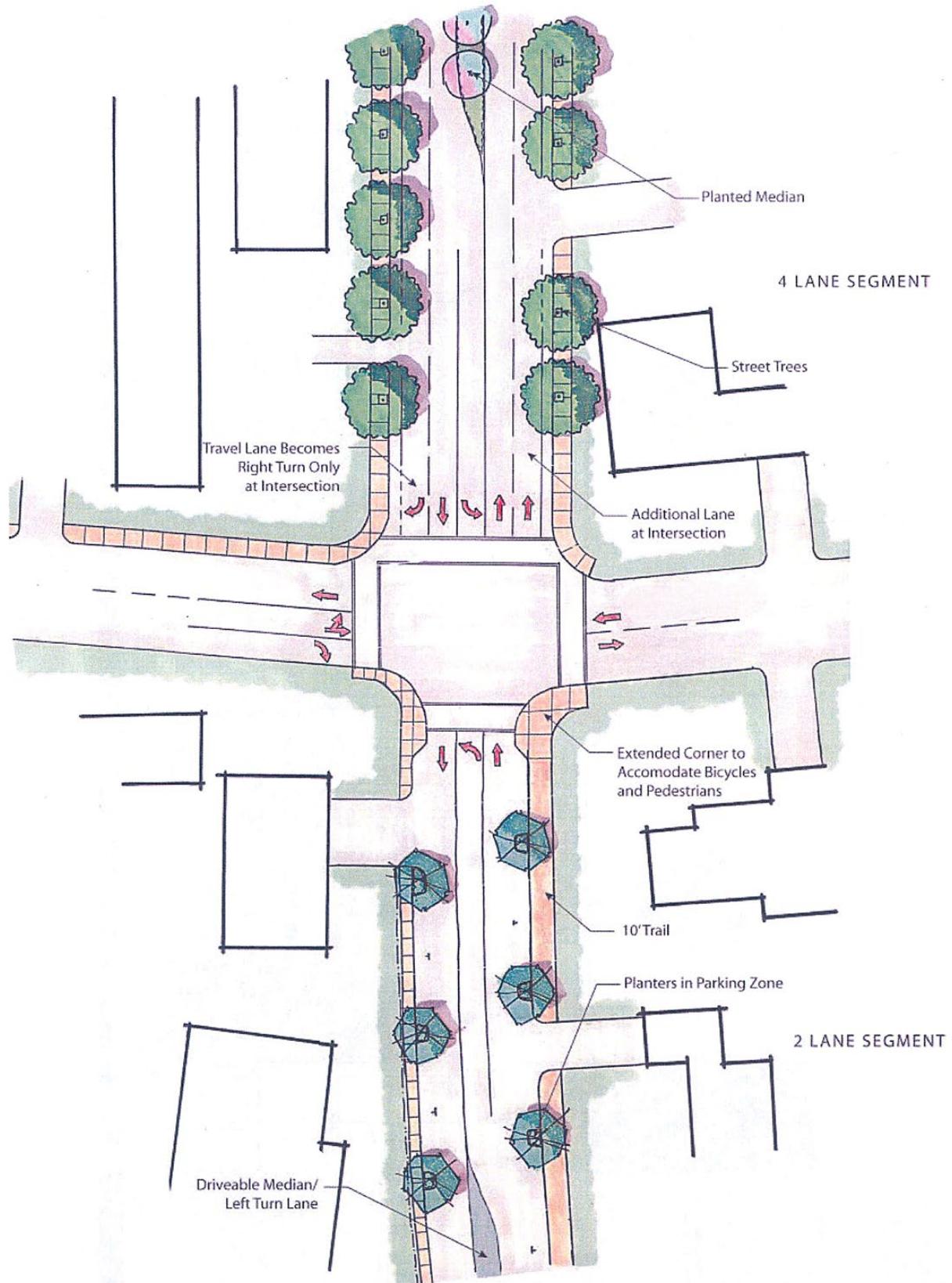
### Example of an Intersection of Two Four Lane Roads



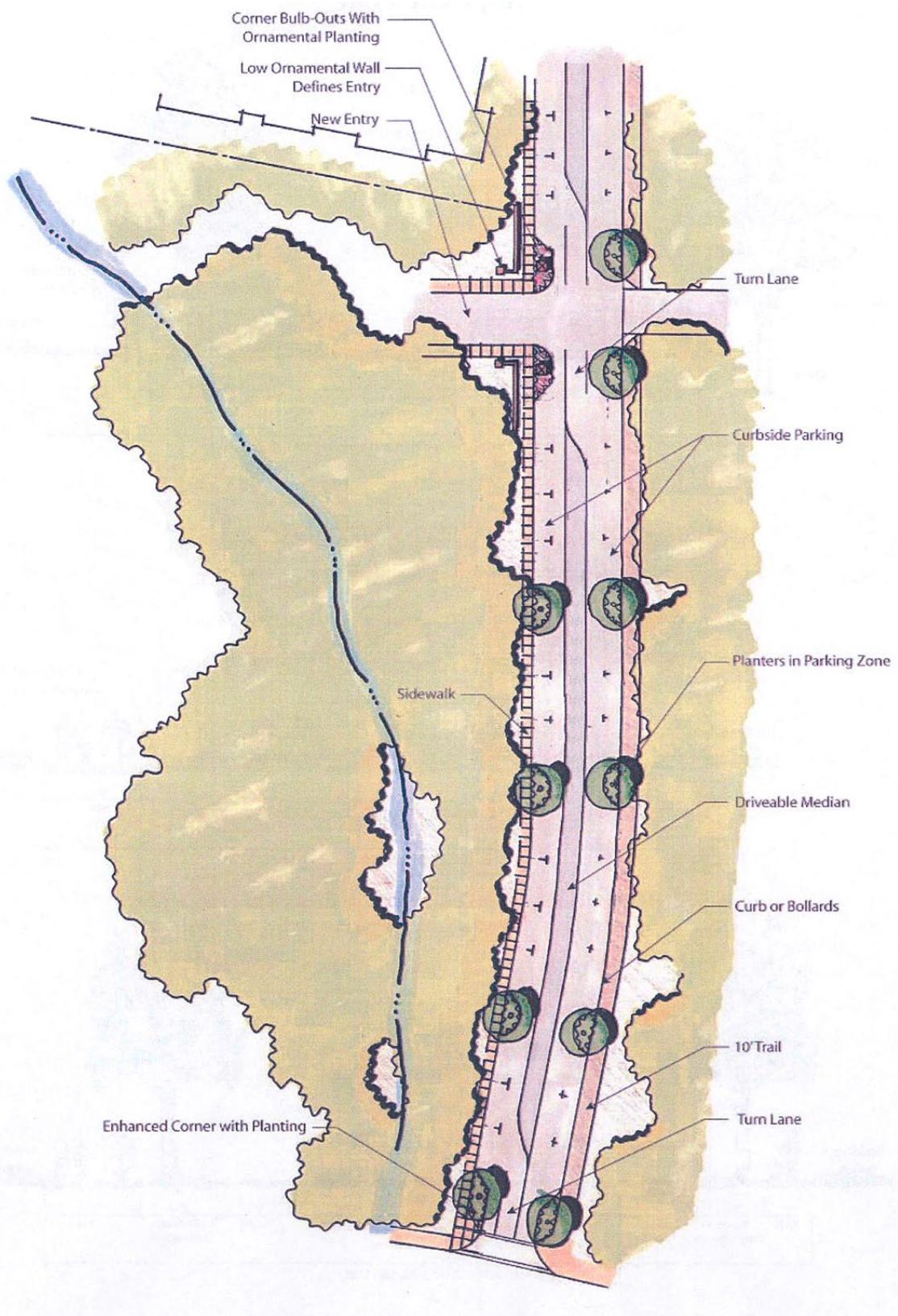
## Example of Commercial Center frontage



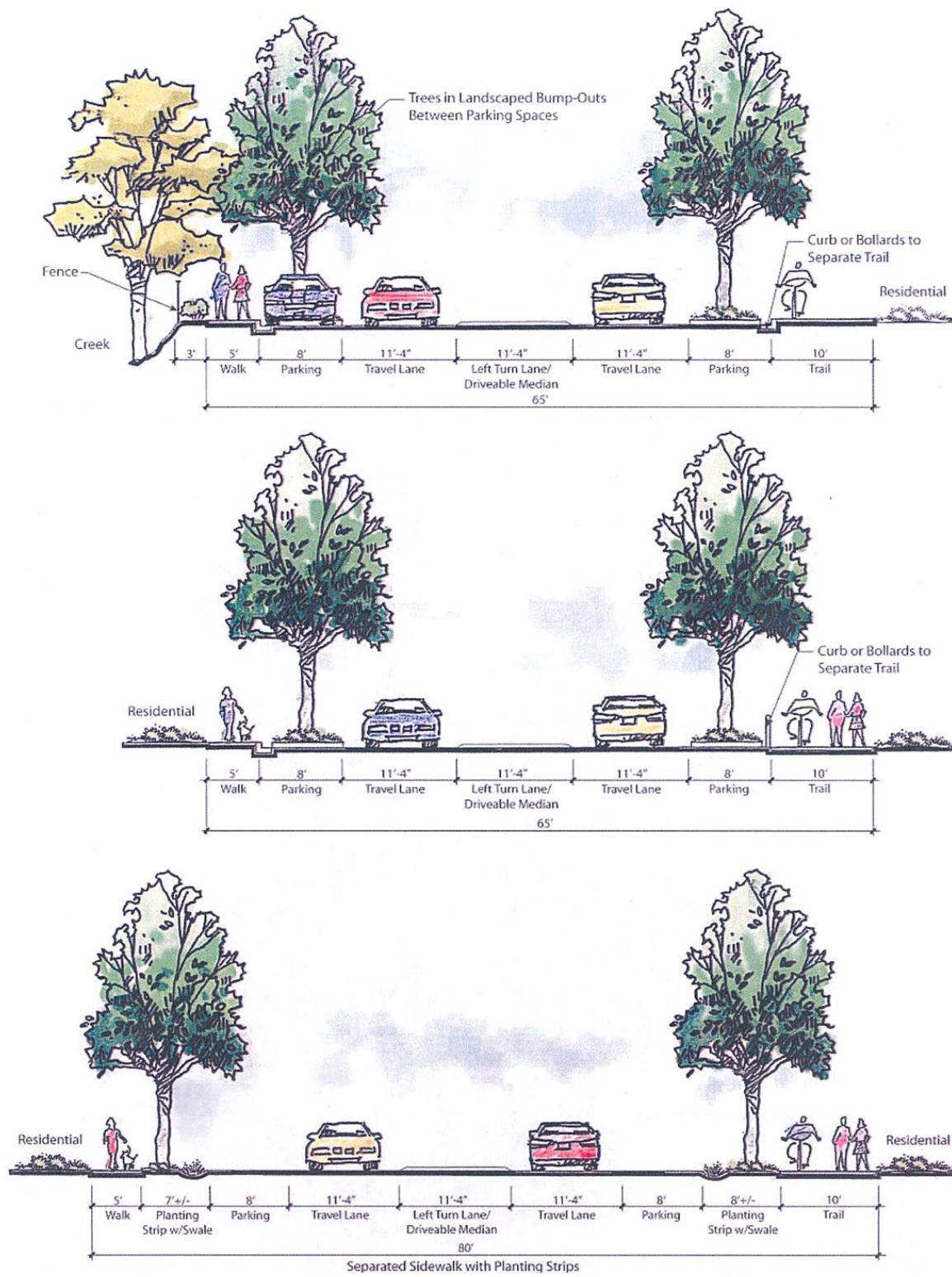
## Example of an Intersection with a Four to Two Lane Transition



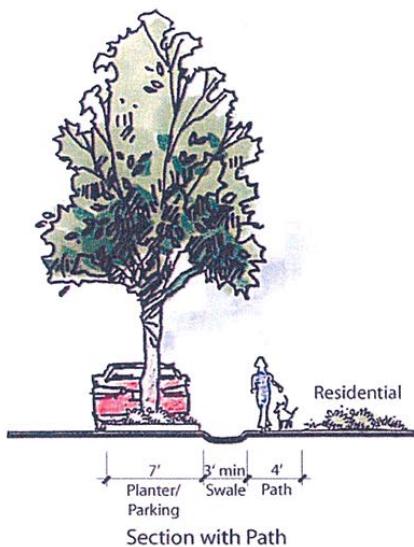
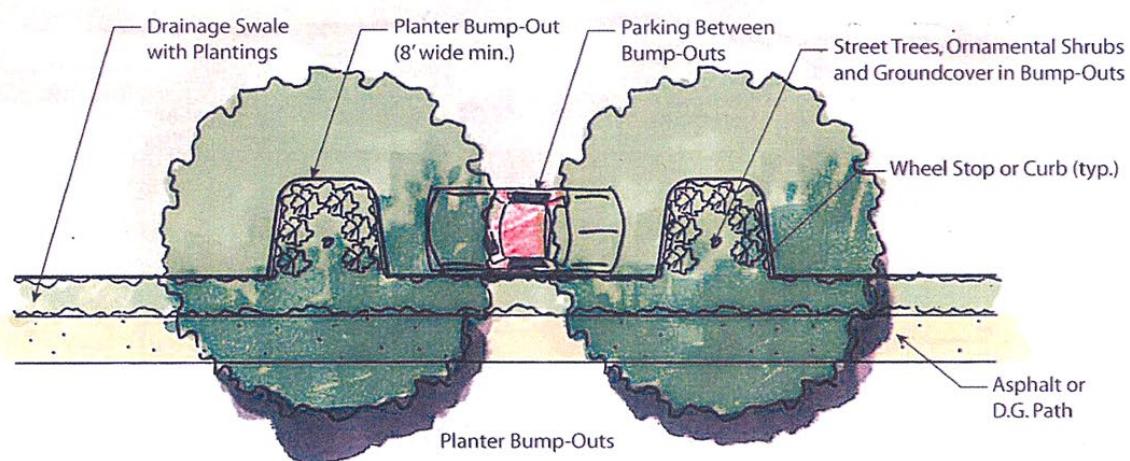
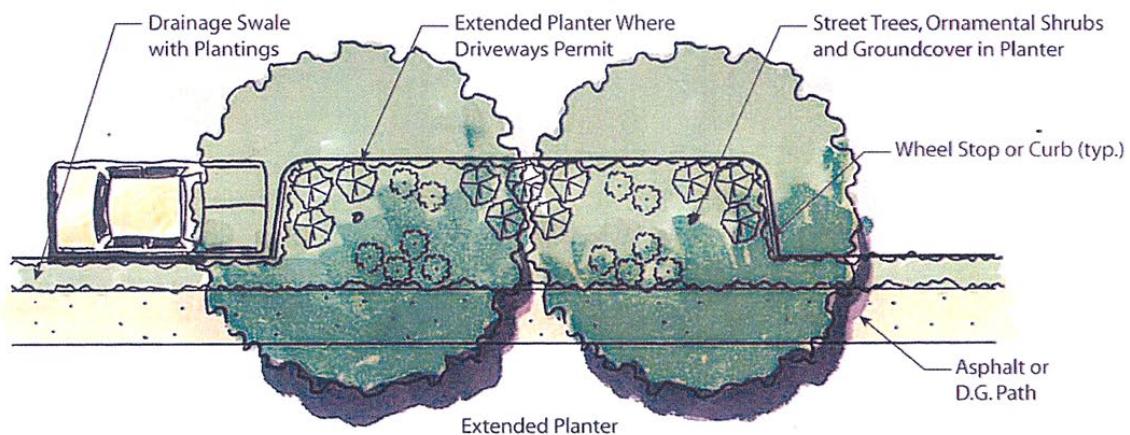
## Example of a Two Lane Road with Drivable Turn Lane/Median and Adjacent Trail



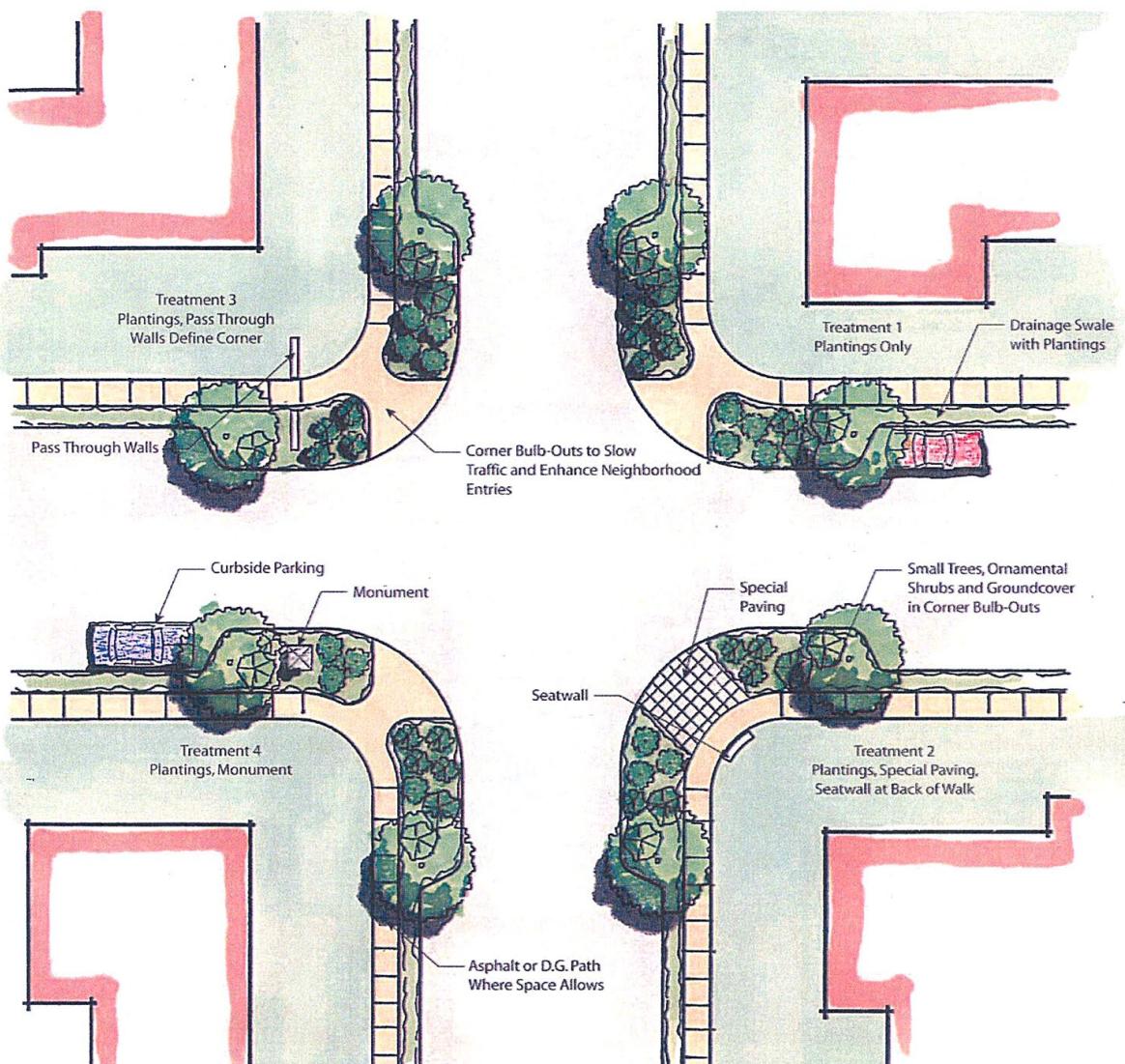
## Examples of a Two Lane Road with Drivable Turn Lane/Median and Adjacent Trail



## Example of Planters in the Parking Zone

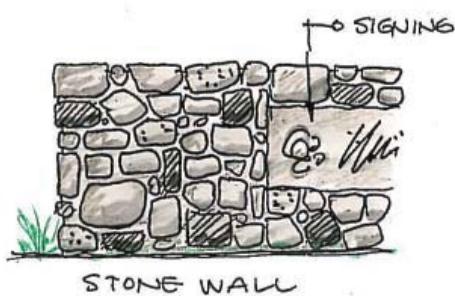
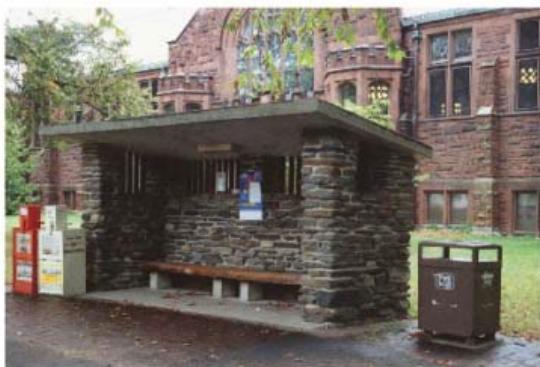
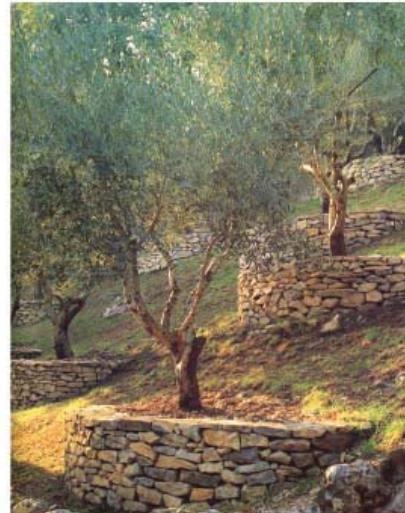
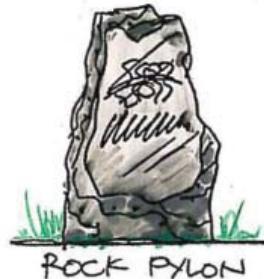
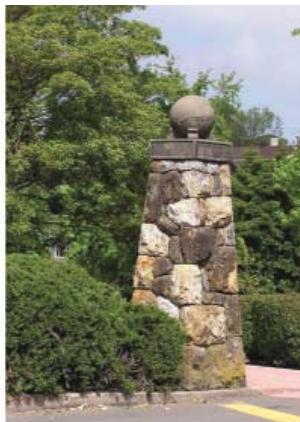


## Example of Residential Corner Options

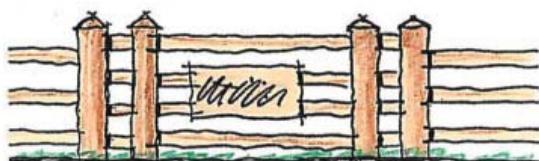


## Example Site Elements

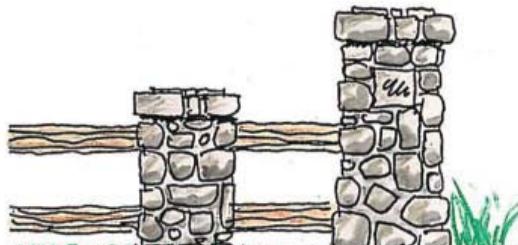
Hardscape elements and site furnishings should reflect Moraga's semi-rural character. Use of natural material, particularly stone, is appropriate. The following pages show examples of site elements and furnishings that may be compatible with Moraga's sense of place.



STONE WALL



TIMBER



TIMBER and ROCK PYLONS

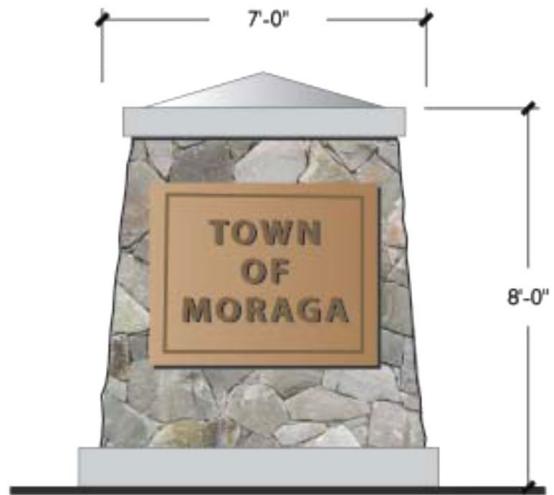
## SIGNAGE AND MONUMENTS



Existing Signage

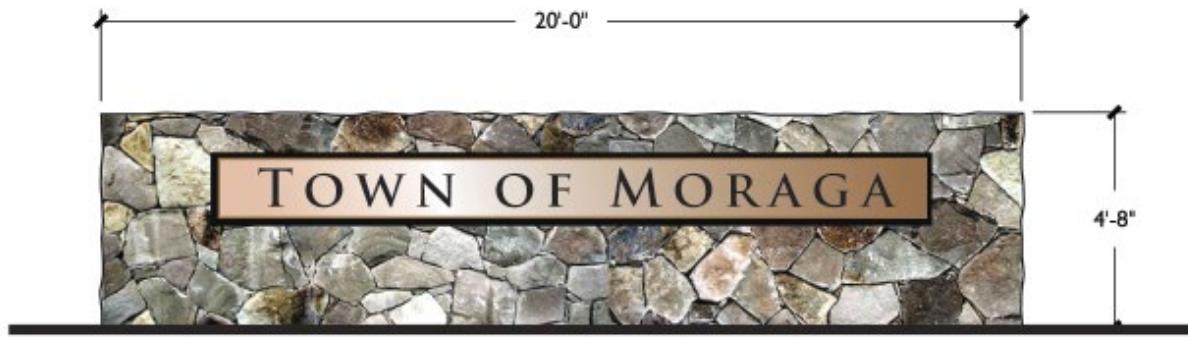


Column Option 1



Column Option 2

## SIGNAGE



## SITE FURNISHINGS



## LIGHTING





# **APPENDIX D**

## **Moraga Design Guidelines**

### **Single Family Residential Floor Area Ratio (FAR) Guidelines**

**Adopted by the Planning Commission on  
April 15, 2002**

## **I. Purpose**

The purpose of these guidelines is to set forth standards that will help prevent new single family residential homes and additions to existing homes where the size and scale of the proposed home would be out of character with an existing neighborhood or surrounding homes; and to maintain the semi-rural character of the Town, while still providing a variety of house sizes. The guidelines are intended to establish the maximum size of a home based on the size of the property, in order to achieve the following goals:

- a. Maintain the existing character of established residential neighborhoods;
- b. Minimize the out-of-scale appearance of large homes relative to their lot size and to other homes in a neighborhood;
- c. Minimize loss of light and privacy to neighbors caused by the construction of large homes;
- d. Minimize the dominance of structures on sloping hillside properties;
- e. Minimize the environmental damage of tree removal and grading or destruction of natural features which may result from overbuilding;
- f. Permit reasonable expansion of existing dwellings.

## **II. Applicability**

These FAR guidelines apply to new single-family residences, additions and remodels to existing residences, and infill development involving new single-family residences. These guidelines do not apply in cases where the Planning Commission or Town Council established alternative FAR standards for new homes approved as part of a Planned Development or Major Subdivision project.

The reviewing body has the authority to permit a floor area greater than the maximum allowed provided that appropriate findings are made as described in Section VI - Modifications. If the findings are geotechnically related, they should be supported by a site specific geotechnical analysis consistent with the Town's General Plan.

The maximum permitted FAR for a proposed project will be determined by the Town through the Design Review and permit approval process. The Town may require a reduced FAR depending on individual site characteristics such as parcel size, visibility from streets and other public places, proximity to adjacent development, and project design.

## **III. Definitions used in these guidelines**

- a. ATTIC means that space of the building above a story and which is not habitable and may be utilized for storage. The space must be unconditioned.
- b. BASEMENT means that portion of a building, which is either partly above finished ground surface or all below finished ground surface found between the floor and ceiling or finished floor level directly above. If the height between the ceiling and the finished ground surface adjoining the exterior walls exceeds six feet at any point or if it is utilized as a habitable space/room, the space will be considered a story.
- c. FLOOR AREA RATIO means the ratio of the buildings gross floor area divided by the net lot area.
- d. GROSS FLOOR AREA means the sum of:
  - (1) The area measured on outside walls of the first story of the dwelling;

- (2) Garage area measures on outside walls;
- (3) That portion of any first story room with a ceiling height of 15 feet or more and not a part of a second story;
- (4) Area of the second story measured on outside walls;
- (5) The area of that portion of any attic space that has a clear height of 7 feet above the floor;
- (6) The area of accessory structures greater than 400 square feet in area with permanent foundations, measured on outside walls.

- e. INFILL DEVELOPMENT means the development of a lot(s) within an existing subdivision.
- f. LOT AREA means the area of a lot in square feet, excluding access easements.
- g. MAXIMUM ALLOWABLE FLOOR AREA means the maximum floor area that may be developed on a lot, based on the lot size.

#### **IV. Exemptions**

Each of the following structures is excluded from the calculation to determine the maximum allowable floor area.

- a. A one-time only building addition of 200 square feet or less in area to an existing residence, if no other additions have been previously approved;
- b. A basement or attic, as defined by these guidelines;
- c. An accessory building(s) with a total area of less than 400 square feet, other than a garage or carport; and
- d. A covered or uncovered balcony, porch, and deck.
- e. A legally constructed building which exceeds the maximum floor area permitted by the guidelines and which is destroyed by fire, flood, landslide or other act of nature. Such a building may be rebuilt with up to the same amount of floor area, subject to approval in accord with Section 8-1704 of the Town's Municipal Code.
- f. A new residence in a Planned Development or Major Subdivision, where the maximum floor area of the new homes was approved by the Planning Commission and/or the Town Council.

#### **V. Maximum Floor Area.**

Table 1 shows the maximum FAR guidelines that apply to proposed homes on a lot with an area of 1 acre or less.

**Table 1: Maximum Floor Area – Lots 1 Acre and Less**

<b>Lot Size (sq. ft.)</b>	<b>FAR</b>	<b>Home Size (sq. ft.)</b>
4,999 and less		1,900
5,000	0.380	1,900
5,200	0.378	1,965
5,400	0.376	2,030
5,600	0.374	2,094
5,800	0.372	2,157
6,000	0.370	2,220
6,200	0.368	2,281
6,400	0.366	2,342
6,600	0.364	2,402
6,800	0.362	2,461
7,000	0.360	2,520
7,200	0.358	2,577
7,400	0.356	2,634
7,600	0.354	2,690
7,800	0.352	2,745
8,000	0.350	2,800
8,200	0.348	2,853
8,400	0.346	2,906
8,600	0.344	2,958
8,800	0.342	3,009
9,000	0.340	3,060
9,200	0.338	3,109
9,400	0.336	3,158
9,600	0.334	3,206
9,800	0.332	3,253
10,000	0.330	3,300
10,200	0.328	3,345
10,400	0.326	3,390
10,600	0.324	3,434
10,800	0.322	3,477
11,000	0.320	3,520
11,200	0.318	3,561
11,400	0.316	3,602
11,600	0.314	3,642
11,800	0.312	3,681
12,000	0.310	3,720
12,200	0.308	3,757
12,400	0.306	3,794
12,600	0.304	3,830
12,800	0.302	3,865
13,000	0.300	3,900
13,200	0.298	3,933
13,400	0.296	3,966
13,600	0.294	3,998
13,800	0.292	4,029

<b>Lot Size (sq. ft.)</b>	<b>FAR</b>	<b>Home Size (sq. ft.)</b>
14,000	0.290	4,060
14,200	0.288	4,089
14,400	0.286	4,118
14,600	0.284	4,146
14,800	0.282	4,173
15,000	0.280	4,200
15,200	0.278	4,225
15,400	0.276	4,250
15,600	0.274	4,274
15,800	0.272	4,297
16,000	0.270	4,320
16,200	0.268	4,341
16,400	0.266	4,362
16,600	0.264	4,382
16,800	0.262	4,401
17,000	0.260	4,420
17,200	0.258	4,437
17,400	0.256	4,454
17,600	0.254	4,470
17,800	0.252	4,485
18,000	0.250	4,500
18,200	0.248	4,513
18,400	0.246	4,526
18,600	0.244	4,538
18,800	0.242	4,549
19,000	0.240	4,560
19,200	0.238	4,569
19,400	0.236	4,578
19,600	0.234	4,586
19,800	0.232	4,593
20,000	0.230	4,600
21,000	0.22	4,720
22,000	0.22	4,820
23,000	0.21	4,910
24,000	0.21	4,990
25,000	0.20	5,060
26,000	0.20	5,120
27,000	0.19	5,170
28,000	0.19	5,215
29,000	0.18	5,255
30,000	0.18	5,290
31,000	0.17	5,320
32,000	0.17	5,346
33,000	0.16	5,369
34,000	0.16	5,389
35,000	0.15	5,406
36,000	0.15	5,422
37,000	0.15	5,437

<b>Lot Size (sq. ft.)</b>	<b>FAR</b>	<b>Home Size (sq. ft.)</b>
38,000	0.14	5,451
39,000	0.14	5,464
40,000	0.14	5,476
41,000	0.13	5,486
42,000	0.13	5,493
43,000	0.13	5,498
43,560	0.13	5,500
Greater than 1 acre		5,500 [1]

[1] Applies only to homes that would be visible from a scenic corridor.

For lots greater than one acre where the home would be visible from a scenic corridor, the maximum home size is 5,500 square feet. If a home on a lot greater than one acre would not be visible from a scenic corridor, the maximum size of the home shall be as determined by the Planning Commission (acting either as the Design Review Board or in its regular planning capacity) after consideration of Town policies applicable to the size and scale of proposed new homes.

The maximum gross floor area is determined by multiplying the net square footage of the parcel by the floor area ratio. The maximum floor area shall be adjusted downward in increments of two-tenths of one percent (.002) based upon each additional 200 square feet of net parcel area. For example, a lot with a net parcel size of 10,350 square feet will have a maximum floor area ratio of .328 and a maximum permitted house size of 3,394 square feet.

It is the responsibility of the property owner to provide accurate site and building area data to the Town. The Town, at its sole discretion, may require that the data be prepared at owner's expense by a licensed surveyor or civil engineer.

The maximum FAR guidelines in Table 1 is a starting point for the Town's analysis of a proposed project and do not create any entitlement for an applicant. In each case, site-specific factors may require the Town to reduce the allowed maximum floor area below the default maximum FAR guidelines shown in Table 1. Table 1 does not account for all constraining factors, including but not limited to:

- A buildable area on the lot that is significantly smaller than the total lot size, thus necessitating an unusual siting or building design approach.
- Adjacent existing homes that are significantly smaller than would be allowed by Table 1.
- Lot size in combination with hillside location would result in significant visual impacts on adjacent or nearby existing homes.

Infill lots and remodel expansion projects are often especially challenged by these factors and may require reduced floor areas below the Table 1 values. The maximum FAR for each project shall be evaluated based on the site-specific characteristics.

## **VI. Modifications**

The reviewing body may grant a modification to the FAR standards with appropriate findings relating to the goals identified under Section I (Purpose). The reviewing body should not grant a modification to the FAR standard for projects with one or more of the following adverse design characteristics:

1. Any building addition that requires a variance to a front, side or rear yard property line setback.
2. The use of multiple or stacked retaining walls or retaining walls higher than three (3) feet to create level yard areas on hillside lots.
3. The lack of sufficient driveway maneuvering space or very tight turning radius for access in and out of garages or insufficient guest parking on lots with less than 45- feet of frontage to a public street.
4. Angled exterior wall solely for the purpose of making the house plan conform to the minimum building setback from a property line that is not parallel with the existing building.

The reviewing body may grant a modification to increase the allowed FAR only for projects with low visibility from neighboring properties, streets and other public places. The Town may allow increased FAR to accommodate reasonable use and enjoyment of properties where new development would not create visual impacts or diminish the quality of life for surrounding properties.

## **ATTACHMENT E**

Staff Packet October 14, 2020 Link:

<https://www.moraga.ca.us/DocumentCenter/View/5230/Council-10-14-20-MCSP-Implementation-Plan-PDF>

## **ATTACHMENT F**

Public Comments Received

**From:** Dave McKinnis <[cdmckinnis@yahoo.com](mailto:cdmckinnis@yahoo.com)>

**Sent:** Wednesday, October 14, 2020 6:57 PM

**To:** Planning <[planning@moraga.ca.us](mailto:planning@moraga.ca.us)>

**Subject:** MCSP - IP Comment

Dear Planning Commission Members:

The plan as proposed does not adequately address the problems Moraga will experience with commuter traffic and school traffic, let alone emergency evacuation with such limited egress for the Town.

Moraga is not a transportation hub. It is a sleepy little town, and generally residents like it that way. It doesn't make sense to build so much high-density housing so far from transportation centers.

I urge you to reconsider the scope of the housing plan and to consider carefully the quality of life we currently enjoy in this semi-rural environment, and what is at stake.

Moraga has had a surplus of vacant retail for the twenty-four years I have lived here. Renovating the retail spaces may make sense but adding to the supply at this time is wishful thinking. We can't even keep a BK and Jack in the Box in business in this college town.

Finally, replacing the pear orchard on Country Club Dr with anything other than 3 DU per acre to match the residential housing across the street on Country Club Dr is a bad idea, aesthetically and from a traffic standpoint. I strongly object to the higher density zoning there!

Sincerely,

CD McKinnis

From: Rich Scarpitti <[richscarpitti@gmail.com](mailto:richscarpitti@gmail.com)>  
Sent: Wednesday, October 14, 2020 4:57 PM  
To: Marty McInturf <[mmcinturf@moraga.ca.us](mailto:mmcinturf@moraga.ca.us)>  
Subject: Public Comment MCSP Implementation

Dear staff and Councilmembers,

Make Public Record that Richard Scarpitti and Kay Gertmenian , 50 year residents of Moraga , currently residing at 920 Camino Ricardo oppose any action tonight due to the updated agenda and it's 600 pages.Not sure if you all have read the recent omissions and adjustments to the draft zoning code attachment C redline and strikeout.specifically code 8.32.040 for zoning of 3dua 6 dua and 12 dua This is unprofessional and hastily done for a project I have been involved in since the inception of mcsp and this implementation plan should not move forward as written and until understood by the citizens of moraga.

Thank you,

Richard Scarpitti and Kay Gertmenian

Sent from my iPhone