

CHAPTER 4: HOUSING SITES AND RESOURCES

Introduction

The housing sites analysis is one of the most important parts of the Housing Element. Its purpose is to evaluate whether there are sufficient sites with appropriate zoning to meet the Town’s housing targets for the eight-year planning period.¹ State Law requires the Town to show that the properties it identifies provide realistic opportunities to satisfy the targets for Moraga established by the Association of Bay Area Governments (ABAG) and the State Department of Housing and Community Development (HCD). Moreover, the Town must demonstrate that its sites can meet the needs of all economic segments of the community, including lower income households.

As noted in Chapter 1 of the Housing Element, ABAG has allocated 1,118 units of the Bay Area’s housing need to Moraga. This assignment includes 501 housing units for low- and very low-income households. State law effectively requires that the lower-income units be accommodated on sites zoned for at least 20 units per acre. When this assignment was given to the Town in 2021, it did not have a sufficient supply of land zoned at this density to meet its need. As a result, a comprehensive rezoning program was implemented concurrently with the Housing Element Update (see Introduction to the Housing Element for additional explanation).

The sites analysis is intended to both comprehensive and realistic. It includes properties zoned for residential uses, as well as properties that are zoned to allow both residential and commercial uses. It includes sites that are vacant as well as non-vacant sites that are underutilized. It also includes sites in the development “pipeline”—in other words, sites where projects have been entitled for construction but are not yet developed.

Housing sites in the 2023-2031 Moraga Housing Element have been selected using guidelines developed by the California Department of Housing and Community Development (HCD), along with local knowledge and input from property owners, the community, the Planning Commission and the Town Council. Among the factors considered are physical features (slope, hazards, vegetation), road access and infrastructure, size, existing use, ownership, zoning, proximity to services and transit, and the value and extent of improvements on each site. The 2015-2023 site inventory provided the starting point for the analysis, but the inventory has been expanded to reflect the larger RHNA assignment as well as new State requirements.

Several of the sites listed in this chapter are being rezoned concurrently with Housing Element adoption. The rezoning will allow housing on properties where it was not previously permitted. In some

¹ The “planning period” is the time period between the due date for one housing element and the due date for the next housing element (Government Code section 65588(f)(1).) In this case, it is January 31, 2023-January 31, 2031.

cases, these sites are vacant and in others they are underutilized commercial properties, which were rezoned with input from property owners. The rezoning will also allow higher housing densities than those allowed in 2022 when this Element was prepared.

The Housing Element does not propose any zoning or General Plan Map amendments that would change an open space designation to a development designation, nor does it “downzone” any properties. Consistent with Moraga’s General Plan, the Town is strategically directing most residential growth to infill sites and sites in commercial areas that are already urbanized. This helps achieve complementary objectives such as the vitality of the Town’s shopping centers and businesses, creation of community gathering places, encouraging walking and bicycling, and conserving hillsides and natural resources.

As required by State law, the housing sites listed in this Element are assigned to income categories. Low-density sites are presumed to be most suited for “above moderate income” housing due to the high cost of land and construction, the absence of subsidies for such housing, and the location of these sites. Higher density sites (those with the capacity to support densities greater than 20 units per acre) are presumed to include a mix of “above moderate,” “moderate,” and “lower Income” housing.

The Housing Sites analysis includes six parts:

- First, the chapter provides the context for identifying housing sites in Moraga and the steps the Town has taken in recent years to expand housing choices.
- Second, the chapter provides general information about State requirements for the site inventory and the methodology for identifying sites. Appendix B provides a detailed tabular summary with information about each site, including zoning, allowable density, General Plan designation, size, realistic unit capacity, and constraints.
- Third, the Element identifies housing that was entitled but not yet constructed at the start of the planning period. The Town is assuming these units will be built by 2031. As such, it can assign them to each income category and get “credit” toward the RHNA for their construction.
- Fourth, the potential for new housing is summarized and mapped. Sites are organized in four categories:
 1. Vacant sites zoned for low- and medium-density residential use
 2. Vacant sites zoned for high-density residential use
 3. Vacant sites zoned for mixed use
 4. Non-vacant (underutilized) sites zoned for mixed use

- Fifth, an estimate is made of the potential for Accessory Dwelling Units (ADUs) over the planning period.
- Sixth, the information is summarized to demonstrate the total number of units that could potentially be produced. This is compared to the RHNA. A surplus has been identified in each income category, providing the required buffer in the event sites become unavailable or are used for other purposes. Other information required by the California Government Code is addressed in the summary section, including environmental constraints, infrastructure availability, and demonstration that the Town's sites are affirmatively furthering fair housing.

As noted above, Appendix B of the Housing Element contains a detailed inventory of Housing Opportunity Sites. It demonstrates how the Town will accommodate its RHNA, including measures to geographically distribute lower income opportunities and affirmatively further fair housing.

Context

Chapter 1 of the Housing Element provides the overall context for the Housing Element and the housing challenges facing the Town of Moraga. Some of these challenges relate to the availability of sites necessary to meet the Town's future housing needs. In the 1960s and early 1970s, Moraga experienced a significant amount of multi-family construction as well as single family construction. Following incorporation in 1974, the Town's long-range plans and zoning maps established zoning districts and development standards intended for single family homes. This made it more difficult to build multi-family housing. Much of the planning focus in the 1980s and 90s was on conserving open space and scenic hillsides and retaining Moraga's low-density single-family character.

In 2002, Moraga adopted a new General Plan. While the Plan emphasized preservation of the town's semi-rural qualities, it also acknowledged the need for more diverse housing choices. The General Plan called for multi-family housing, including affordable and workforce housing, in the Town's two commercial districts. Its implementation measures included Specific Plans for the Moraga Center and Rheem Center. These two centers are roughly 1.7 miles apart along Moraga Road and are the only commercial areas in the Town of Moraga. The remainder of the Town consists of residential neighborhoods, open space, public land, and the campus of Saint Mary's College. According to the 2002 General Plan, the Specific Plans were intended to revitalize aging shopping centers areas, creating new community gathering places, and providing higher-density housing opportunities.

Following adoption of the General Plan, the Town proceeded with more detailed planning for the Moraga Center. The area is nearly 190 acres and includes a large shopping center, much of the Town's professional office space, many of its services, and the historic Moraga Ranch, once the agricultural center of the Moraga Valley. Much of the property is owned by one family, and there are still large areas of undeveloped land within the boundaries. The area was designated as a "Priority Development

Area” (PDA) in the early 2000s, making it eligible for planning, transportation, and infrastructure grants. Adding housing to aging commercial centers like Moraga Center is a foundational premise of Plan Bay Area, the regional plan for the San Francisco Bay Area.

In 2010, the Town adopted the Moraga Center Specific Plan (MCSP) and created its first high-density zoning districts in this area. Ten years later, it adopted its first mixed use zoning districts for the MCSP area. This created new opportunities for housing on land formerly zoned for office use and retail use. The MCSP plans and regulations were the outcome of years of community engagement, and hundreds of hours of thoughtful discussion about the town’s future. An overarching goal was to streamline development processing and accommodate new types of housing, including apartments, condominiums, senior housing, and townhomes, and “missing middle” housing such as duplexes and fourplexes.

The Rheem Center commercial district is smaller than the Moraga Center district, has less vacant land, and multiple property owners. The anchor of the Rheem Commercial district is a 165,000 square foot shopping center initially developed in 1957. Like the Moraga Center, this district also includes professional offices, restaurants, and civic uses. It also includes property owned by Saint Mary’s College, and it includes the Rheem Theater, a beloved local institution. While the General Plan supports housing in this area, the zoning in place as of 2022 did not allow residential uses.

One of the Town’s goals in identifying future housing sites was to distribute multi-family housing opportunities between these two commercial districts. While past efforts have emphasized Moraga Center, there are important opportunities in the Rheem Center as well. Rheem Center is somewhat closer to the freeway and regional transit (though still three miles away), and has access to several roads leading out of Moraga. The area also includes several vacant sites, underutilized retail buildings, and office buildings that are either for sale or have recently been sold. A number of property owners have expressed an interest in developing multi-family housing. An important part of the Housing Element process has been rezoning the Rheem Center to make housing a permitted use and adopting objective design standards so that future projects may be streamlined.

While the focus of the sites inventory is on sites for multi-family housing, it is important to note that the Town also supports opportunities for units that are affordable “by design” in existing neighborhoods. This includes accessory dwelling units (ADUs), which are permitted by right in all zoning districts where residential uses are allowed. There may also be future infill housing opportunities as a result of Senate Bill 9 (SB 9), which allows for additional housing units on single family lots.

State Requirements

Requirements for the sites analysis have been substantially expanded over the last 20 years. In 2004, AB 2348 established “default densities” for sites identified as providing opportunities for lower income housing. AB 2348 established that in communities with fewer than 25,000 residents such as Moraga, sites may only be considered acceptable for meeting the lower income RHNA if they are zoned at densities of *at least* 20 units per acre. In suburban communities with more than 25,000 residents, the standard is 30 units per acre. This is because the cost of land and construction make it impossible to meet a community’s need for lower income housing through single family homes alone. In addition, State law requires all cities and towns to plan for a mix of housing types, including multi-family units.

Jurisdictions are required to estimate the capacity of housing sites based on “realistic” capacity rather than “theoretical capacity.” A one-acre site may be zoned for 20 units per acre, but that does not mean 20 units will be constructed on the property. A smaller number of units may be built due to topographical and physical features such as steep slopes and hillsides, creeks, narrow roads and woodland areas. When establishing realistic capacity calculations, the jurisdiction must consider existing development trends or existing or approved residential developments at a similar affordability level in that jurisdiction. The analysis also must consider the imposition of any development standards that impact the residential development capacity such as maximum lot coverage, height, open space, floor area ratios, and parking, as well as requirements for on-site improvements such as sidewalks.

Cities and towns can refer to recent projects to determine what is “realistic” in each zoning district.² In communities that have adopted “minimum density” requirements as well as “maximum densities,” the minimums may be used to estimate realistic capacity. This is the case in some of the Moraga Specific Plan zones, where minimum densities apply. The Town is generally estimating “realistic capacity” as being 60 to 80 percent of the maximum allowed by zoning.

Government Code 65583.2(h) requires that each site designated for lower income housing have the capacity for at least 16 units. This is because the economics of affordable housing usually require larger unit counts for such a project to be viable.

Site inventories must follow a format prescribed by HCD, with specific data provided for each site (such as Assessor Parcel Number and zoning designation). Cities and towns are also required to evaluate the availability of utilities to serve each site and disclose whether the site is publicly or privately owned.

AB 1397 established additional requirements for housing sites, particularly those sites identified as being suitable to accommodate the lower income RHNA. These include:

² See Chapter 5 (*non-governmental constraints, page 5-44*) for a discussion of requests to develop sites at densities below what is allowed by zoning and General Plan designations.

- Limitations on identifying sites smaller than 0.5 acres and larger than 10 acres as suitable for lower income housing. These limitations do not prohibit the use of such sites, but they do require jurisdictions to prove that they are viable based on past trends and actual projects. In general, affordable housing projects are built on sites between 0.5 and 10 acres.
- Special requirements for “non-vacant” sites to demonstrate that they are viable. Existing uses on these sites are considered potential constraints to their redevelopment. When listing such sites, cities and towns must explain why it is reasonable to assume the sites will be available for housing during the eight-year planning period.
- Special requirements for sites that are being carried forward from one housing element to the next. These requirements vary depending on if the site is vacant or non-vacant. “Carry-over” sites must be zoned so that certain types of housing development are permitted “by right.” This includes projects in which 20 percent or more of the units are affordable to lower income households. By-right approval means that the Town cannot require a Planned Development permit, Conditional Use Permit, or other form of local discretionary review. The Town can still require design review, as long as objective development and design standards are applied. Such standards are already in place in the Moraga Center Specific Plan area and are now being developed for the Rheem area.

Jurisdictions are required to identify sites by income category. For reporting purposes, low- and very low-income sites may be added together and described as “lower income” sites. Individual sites may also be assigned to multiple income categories. For example, some of the larger mixed use and multi-family residential sites have been “split” between above moderate- and lower-income categories. These sites could potentially be divided into multiple parcels, including a mix of affordable and market rate housing. For those multi-family and mixed use sites where market rate housing has been assumed, 10 percent of the unit count as been assigned to the lower-income category. This assumes the Town adopts and implements a 10% inclusionary zoning requirement immediately after the Housing Element. The Town will evaluate the effectiveness of the 10% standard over the planning period and adjust it as necessary.

The designation of a site as a “lower-income” opportunity site does not mandate the development of lower-income housing on that site, nor does it require the property owner to develop the site during the planning period. The designation is merely an acknowledgment that the site meets certain metrics that are conducive to the development of lower-income housing. Cities and towns may approve market-rate housing on such sites. Where commercial uses are permitted, cities and towns may also approve commercial uses on such sites.

The caveat to the above paragraph is that cities and towns must be able to demonstrate that they have adequate sites to meet their RHNA at all times during the planning period. If a “lower income” site is developed for another purpose during the planning period, the Town must show that it can still meet its 2023-2031 RHNA on the remaining sites. If the Town is no longer able to meet its RHNA, it

must identify a developable “replacement” site to make up the lost capacity. In some cases, this could require rezoning. This is referred to as the “no net loss” requirement under Senate Bill 166 (SB 166) (2017).

SB 166 also required that cities and towns include a “buffer” of additional sites in case some of the sites listed in this Housing Element become unavailable before 2031. Moraga’s site inventory includes a buffer of 25 percent for the lower income sites and higher buffers for the moderate- and above moderate-income sites.

As required by HCD, the estimated yields for housing sites do not include the potential for additional units made possible through State density bonuses. These bonuses can add up to 50 percent to the unit yields for market-rate projects that include certain percentages of affordable units, and 80 percent to the unit yields for 100% affordable projects.

Finally, the sites inventory is subject to the Affirmatively Furthering Fair Housing requirements of AB 686. This requires that the lower income sites be geographically distributed in ways that foster integration and create affordable housing opportunities throughout high resource areas. Consistent with the HCD Housing Element Sites Inventory Guidebook, all of the identified sites are in high opportunity neighborhoods that are close to major roads and services, as well as high performing schools, services, existing bus routes and available infrastructure. The Town has also selected sites that support community and regional objectives to preserve open space, meet greenhouse gas emission-reduction goals, and promote more compact development patterns.

Methodology

The methodology for identifying Moraga’s Housing Opportunity Sites followed guidelines established by the State Department of Housing and Community Development while also incorporating feedback from the public, direction from the Planning Commission and Town Council, and input from property owners. The process included the following steps:

1. Identify Entitled Projects. Projects that have already been approved were identified and placed in their respective income categories.
2. Revisiting 5th Cycle Housing Sites. Each housing site identified in the 2015-2023 Housing Element was revisited to determine if it was still available and should be carried forward. The prior Element identified capacity for 873 units. Most of the sites listed are still vacant and a few are in entitled development projects. These sites represent roughly half of the sixth cycle inventory.
3. Consider input from staff, property owners, developers, and the public. Town staff provided information on sites where inquiries about housing have been received over the past few years. The Housing Element team also met with property owners, developers, and various community

organizations and stakeholders to discuss housing opportunities. A number of additional sites were suggested through this process.

4. Consider existing policy documents. In particular, the General Plan and the Moraga Center Specific Plan were used to identify vacant and underutilized sites with the potential for multi-family residential and mixed uses.
5. Residents were invited to use an on-line “app” called Balancing Act to express their views on how housing sites should be distributed. The app asked participants to distribute 800 hypothetical multi-family units between 11 subareas—four in the Rheem area and seven in the MCSP area. More than 100 map submittals were received and the app was viewed over 1,000 times. This input helped inform the distribution of sites between the two commercial districts and establish the final list of opportunity sites.
6. A comprehensive analysis of all parcels in Moraga was performed. The basis for this analysis was the 2021 Contra Costa County Assessor data base for the town. The data base includes a record (spreadsheet “row”) for all 6,138 assessor parcels in Moraga. There are 125 fields of information (spreadsheet “columns”) for each parcel, including a two-digit “use code” that indicates the current use of the site. The data base was sorted by use code. Existing single family homes, townhomes, multi-family apartment buildings, and planned development open space were screened out of the data base. Parcels with use codes corresponding to vacant land, commercial land, and public/institutional land were retained and subject to further analysis. In total, about 1,000 parcels remained after the screening.
7. The remaining parcels were sorted by category and analyzed based on several variables in the data base. Key variables evaluated were:
 - a. Property size (parcels smaller than 0.2 acres were generally eliminated).
 - b. The ratio of assessed improvement value to assessed land value (parcels with low ratios were flagged for further analysis). Total assessed building value also was considered.
 - c. Floor area ratio (the ratio of building area to lot area). Parcels with ratios below 0.1 were flagged for further analysis.
 - d. Adjacent parcels in common ownership.
 - e. Year of construction (most buildings less than 40 years old were eliminated).
 - f. Average slope and other topographical and physical features.
 - g. Location (most properties outside of the Rheem Center area and the Moraga Center commercial districts were screened out).
 - h. Consistent with Government Code Section 65583.2(b)(5)(B), sites were analyzed for available infrastructure, including water, sewer, and dry utilities.
8. A “shortlist” of properties that appeared to have high potential for reuse was created. Field surveys and Google Earth images were used to further refine the list.

9. A preliminary list of Opportunity Sites was compiled. This list was included in a staff report to the Town Council in April 2022. Further refinements were made through this meeting, and a final list was compiled.

Entitled Projects

The RHNA covers a period starting on June 30, 2022. Housing that has been approved for construction (“entitled”) but not yet built as of that date is presumed to be completed during the next 8-year planning period. These units are “credited” against the RHNA by income category.³ The adjustments for built or approved units are shown in Table 4-1 below.

Table 4-1: Entitled Projects as of 2022

Name	Acres	Total Units	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Comments
Palos Colorados	460	123				123	Fully entitled, completion anticipated during planning period
Palos Colorados ADUs	0	30			15	15	Per approved development plan
Country Club Extension	19	65				65	Roads and utilities in place
Hetfield Estates	58	7				7	Project approved but not yet constructed. Extensions granted.
TOTAL	537	225	0	0	15	210	

Source: Barry Miller Consulting, 2022. See Appendix B for detailed inventory

Table 4-1 indicates 225 approved units expected to be built and occupied during the period covered by this Plan. These units are located in Palos Colorados, Moraga Country Club Extension, and Hetfield Estates. Completion of these developments will meet 47 percent of the Town’s RHNA for “Above Moderate” income housing and 9 percent of the RHNA for “Moderate” income housing. There are no lower income units planned in these three developments as they were approved as low-density single-family neighborhoods.

The three projects are further described below:

³ The “RHNA projection period” and the “planning period” are slightly different. The RHNA projection period is June 30, 2022 to December 15, 2030. The planning period is January 31, 2023 to January 31, 2031.

- Palos Colorados is a 123-unit single family home development on 460 acres. The housing will be clustered, allowing most of the site to be retained as open space. Most of the lots are 15,000 to 30,000 square feet. Site improvements have not been started, but all approvals and entitlements have been received and the lots have been recorded by the Assessor. The approved plans call for 30 of the homes to include accessory dwelling units (ADUs). Based on assumptions stated in the 2015 Housing Element (prior to the approval of the project), half of the ADUs are expected to serve “above moderate” income households and half are expected to serve “moderate” income households.
- Moraga Country Club Extension is a subdivision of 65 lots that adjoins the Moraga Country Club development. The project is planned for 65 new homes along an already-constructed 3,400-foot extension of Augusta Drive. Utilities are already in place and the lots have been subdivided and recorded.
- Hetfield Estates is a 7-unit subdivision on a 65-acre site. Most of the site is being conserved as open space, with the new units clustered near existing residences along Sanders Drive.

Housing Opportunity Sites

Vacant Sites Zoned for Low and Medium Residential Use

The site inventory in Appendix B includes 15 vacant sites that are zoned for low-density residential use (Table B-2) and six vacant sites zoned for medium-density residential use (Table B-3). The low-density sites are estimated to have the cumulative capacity for 242 units while the medium-density sites have the cumulative capacity for 200 units. Figure 4-1 shows the location of the low and medium density residential sites, all of which are currently vacant.

The low-density residential sites include five sites zoned at 3 units/acre, three sites zoned at 2 units/acre, one site zoned at 1.5 units/acre, and six sites zoned at 1 unit/acre. Nine of the 15 sites are estimated as having a capacity of four units or less and are individual vacant lots or parcels with the potential for lot splits or minor subdivisions. These are mostly infill sites abutted by existing development. Some of these parcels have constraints, including limited access and steep slopes.

The larger low-density residential sites include a combination of properties on the fringes of existing subdivisions and properties that would likely require planned development applications. Although these parcels are scattered across the town, most are owned by the same landowner. The larger properties include Indian Valley, which consists of more than 100 acres and has a General Plan designation of 1.5 units per acre. They also include two adjacent parcels on the east side of St. Mary’s Road at the Lafayette border totaling 41 acres, zoned at 1 unit per acre. Due to the location and

environmental sensitivity of these sites, and the need for internal street and utility systems, they would require a variety of environmental and feasibility studies prior to development.

The medium-density residential sites include three small infill parcels in the Donald Drive/ Ascot Drive area, and three large sites in the Moraga Center Specific Plan (MCSP) Area. The MCSP medium-density sites were specifically identified as housing opportunities in the MSCP and include:

- MCSP “Area 3” (Table B-3, ID C6) is just over 12 acres and is zoned R-12, meaning that 12 units per acre are allowed. The site represents a portion of a former pear orchard located west of Laguna Creek. It is described in the Specific Plan as an important opportunity for medium-density housing, including townhomes and small lot single family homes.
- MCSP “Area 15” (Table B-3, ID C5) is 6.4 acres and is zoned R-6, meaning that 6 units per acre are allowed. This area is east of Moraga Road near Country Club Drive and is also a former orchard. A proposal for 33 units of small lot single family housing was recently submitted here under Senate Bill 330, but the application has expired.
- MCSP “Area 16” (Table B-3, ID C4) is 5.4 acres and is zoned R-12. This upslope site is located on the east side of Moraga Road just east of the Moraga Shopping Center. It is adjacent to townhome developments on the north and south. The MCSP provides direction that development should be clustered along Moraga Road, with the slopes on the eastern part of the site preserved as open space. As such, this site is more likely to develop with multi-family housing or townhomes than single family homes.

Areas 3 and 15 were listed in the 2015-2023 Housing Element but Area 16 was not.

The text box on the next page provides a description of the MCSP. Figure 4-2 shows Housing Opportunity sites in the MCSP area, including the numbered “Areas” identified by the MCSP. Figure 4-3 shows Housing Opportunity sites in the Rheem Center.

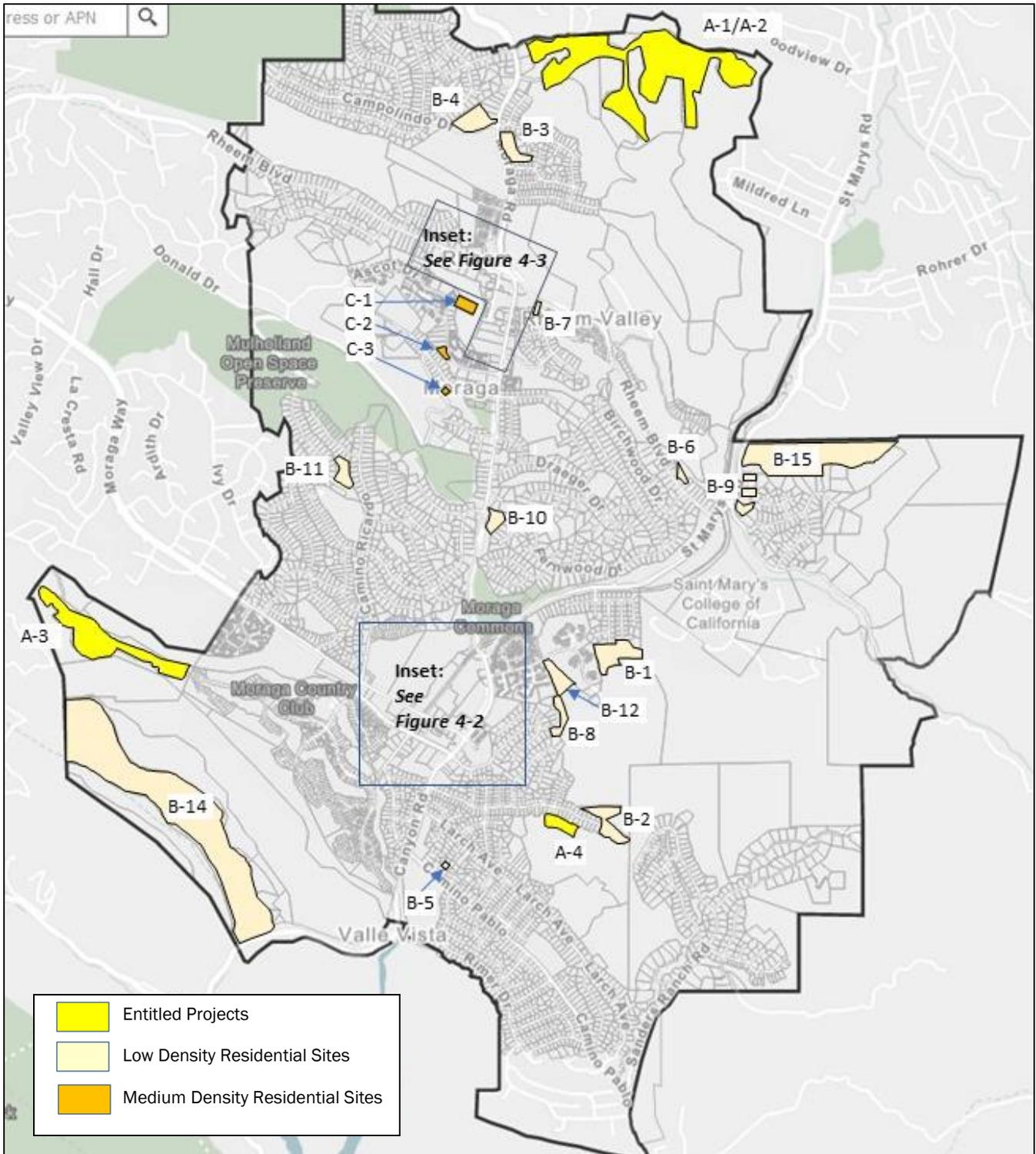


Moraga Center Specific Plan

Moraga Center—a 187-acre area around the intersection of Moraga Road and Moraga Way—has been designated as a Priority Development Area by ABAG and the Metropolitan Transportation Commission. The Town adopted the Moraga Center Specific Plan (MCSP) in 2010 after a multi-year planning effort. The MCSP calls for the development of an attractive, pedestrian-friendly village with retail, office, and housing surrounding (and including) the Moraga Shopping Center.

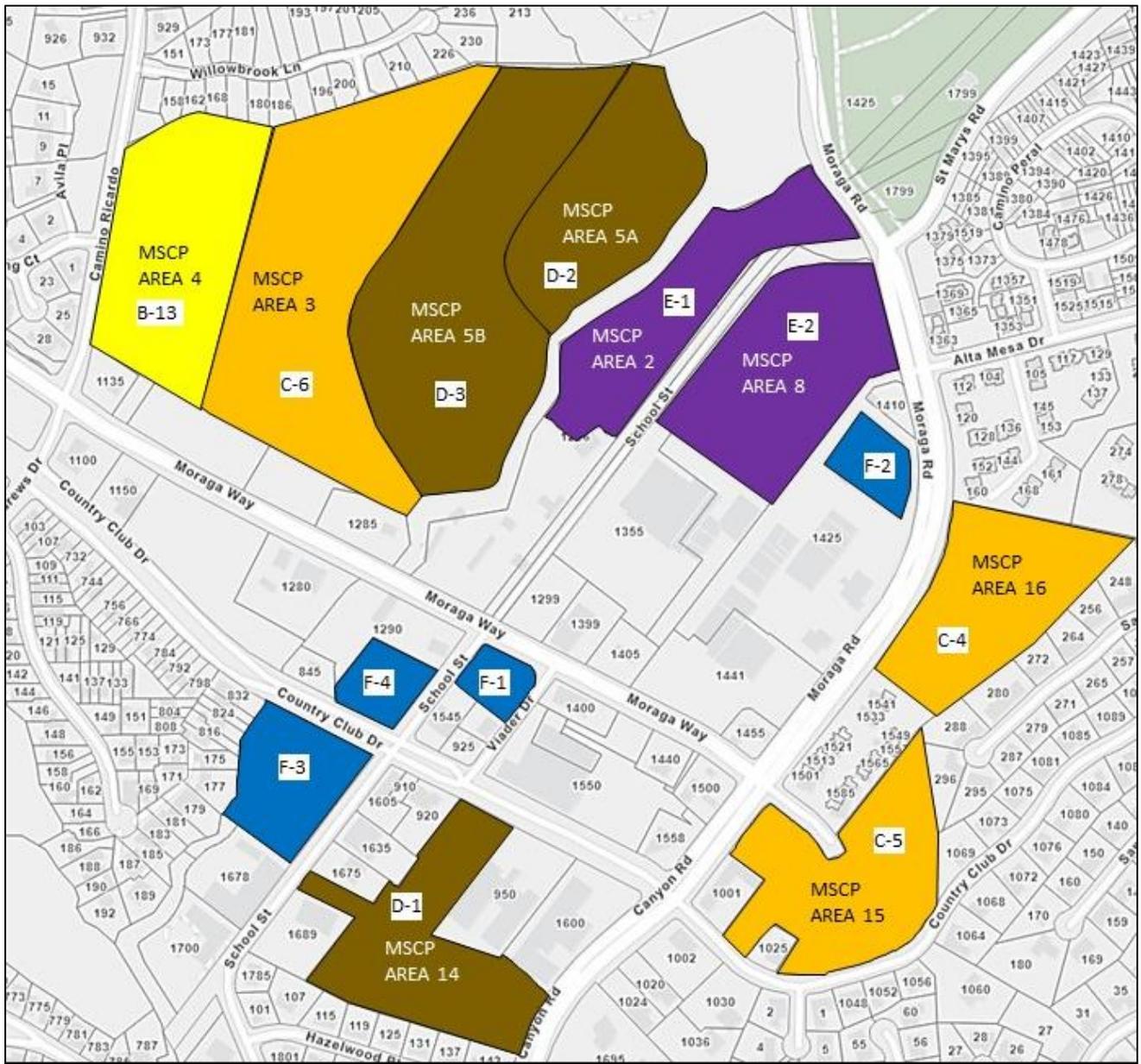
Rezoning occurred in two phases. The R-20 zone was created in 2010, providing opportunities for new housing at 20 units per acre. The remainder of the zoning changes were adopted in 2020. The 2020 zoning changes provided new incentives, streamlined processes, objective design standards, and “by right” approval opportunities, particularly on sites designated for mixed use development. Two residential projects—one with 26 units and the other with 36 units—have occurred in the MCSP area since adoption of the Specific Plan. This represents most of the residential construction that took place in Moraga during the 2015-2023 Housing Element period.

The MCSP provided CEQA clearance for up to 630 housing units. The EIR for the 2023-2031 Housing Element and related actions (e.g., the “Comprehensive Advanced Planning Initiative”) is increasing the 630-unit total to account for the increase in maximum density from 20 units per acre to 24 units per acre, and to recognize residential potential on Housing Opportunity Sites in mixed use areas. In total, the new EIR will provide CEQA clearance for approximately 355 housing units above and beyond the previous total. This includes the potential for 226 units in the MCSP-Retail Residential zone, 94 units in the MCSP-Office Residential Zone, and about 35 units in the High-Density Residential zone that were not identified in the previous Housing Element. Recognition of this capacity, as well as the rezoning of the Rheem Center, will ensure that Moraga can meet its RHNA for the next planning period.



Housing sites are shown with alpha-numeric labels. See Appendix B for full list.

Figure 4-1:
Low and Medium Density Housing Opportunity Sites and Entitled Projects

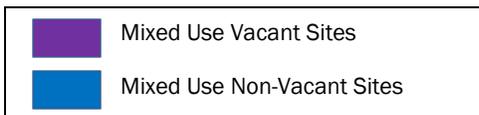


	Low Density Residential Sites
	Medium Density Residential Sites
	High Density Residential Sites

	Mixed Use Vacant Sites
	Mixed Use Non-Vacant Sites

Housing sites are shown with alpha-numeric labels. See Appendix B for full list.

Figure 4-2:
Housing Opportunity Sites in the Moraga Center Area



Housing sites are shown with alpha-numeric labels. See Appendix B for full list.

Figure 4-3:
Housing Opportunity Sites in the Rheem Center Area

Vacant Sites Zoned for High Density Residential Use

There are three Housing Opportunity Sites that are vacant and zoned for high-density residential use (Appendix B, Table B-4). All three are located in the MCSP area. Two of the sites (referred to as “Area 5” in the MCSP) adjoin each other and are contained on the same assessor parcel. Area 5 is described by the MCSP as an ideal location for senior housing. When the underlying parcel was rezoned, it was assigned multiple zoning districts corresponding to the Specific Plan. An action program in this Housing Element recommends working with the property owner to support lot line adjustments and lot splits along zoning boundaries so that each of the zoned areas becomes a more viable development site.

The three Opportunity Sites are described below:

- MCSP “Area 5, part A” (Table B-4, ID D2) is zoned R-20A and is 6.1 acres. It is part of the same former pear orchard that includes Area 3 (described earlier). The property is located along Laguna Creek and is west of an area planned for higher density housing and commercial uses in a “village” setting on the east side of creek. The 2023-2031 Housing Element includes increases the maximum density on this site from 20 to 24 units per acre. A minimum density of 16 units per acre also applies.
- MCSP “Area 5, part B” (Table B-4, ID D3) is zoned R-20B and is 12.4 acres. Like the previous site, it is part of the former pear orchard. Portions of this site are gently sloping, and the property has high visibility from the Moraga Shopping Center and surroundings. This site is zoned for 20 units per acre and is envisioned by the Specific Plan as suitable for townhomes or apartments. A minimum density of 16 units per acre applies.
- MCSP “Area 14” (Table B-4, ID D1) is zoned R-20B and is 6.1 acres. This site is on the block bounded by School Street on the west, Country Club Drive on the north, and Moraga Road/Canyon Road on the east. The site is level and physically well-situated for higher density development. An application for a 123-unit apartment building was previously being considered for this property under Senate Bill 330. As part of the Housing Element Update, this site is being rezoned to allow 24 units per acre. A minimum density of 16 units per acre applies.

Areas 5 and 14 are shown on Figure 4-2. More information on these sites is included in Appendix B. All three of these sites were also listed in the 2015-2023 Housing Element.

Vacant Sites Zoned for Mixed Use

Four vacant sites zoned for mixed use development have been identified as Housing Opportunity Sites (Appendix B, Table B-5). Two of the sites are in the Rheem commercial area and two are in the Moraga Center Specific Plan (MSCP) area. While all four sites could potentially support lower income housing, the Town has assigned half of the MCSP site capacity to lower-income housing and half to above moderate-income housing. This supports the Town’s affirmatively furthering fair housing (AFFH) goals

while maximizing flexibility and opportunities for affordable units. Total estimated capacity of all four sites is 250 units. This is a conservative estimate that excludes the potential for density bonuses.

The sites are described below

- MCSP “Area 2” (Table B-5, ID E1) is approximately five acres and is located between School Street and Laguna Creek just north of the Moraga Ranch property. The parcel is identified in the MCSP as having an opportunity for “village retail” activities, along with multi-family housing. Both “horizontal” mixed use and “vertical” mixed use projects are allowed here. The area provides opportunities for a linear open space along the creek, a Town Square as well as Creekside walkway and other outdoor amenities. As part of Housing Element adoption, the Town is increasing the allowable density from 20 to 24 units per acre. In addition, the Town allows commercial floor area based in a Floor Area Ratio limit of 0.85, which is measured independently of the residential capacity.⁴

Current activities on this site include an un-improved recreational vehicle storage area, two small cottages (not permitted for habitation), and open space. School Street currently “dead ends” at the property and is planned for extension to the Moraga Road/ St. Mary’s Road intersection.

- MCSP “Area 8” (Table B-5, ID E2) is an approximately 8-acre area immediately east of Area 2. It includes frontage along Moraga Road, School Street and the planned School Street extension, and the Moraga Shopping Center access driveway. The northeast corner of the site is a large gravel area used for seasonal product sales (Christmas trees, etc.). The southwest corner of the site is leased to a private entity for batting cages, operating under a Temporary Use Permit. A majority of the site is flat and unimproved, with grass and scrubby vegetation.

Area 8 consists of three separate assessor parcels, plus several small “sliver” parcels with their own APNs. Like Area 2, it has mixed retail-residential zoning with additive standards for commercial and residential development.

Areas 2 and 8 are shown on Figure 4-2. Neither of these sites was included in the 2015-2023 Housing Element.

- West of Rheem Theater Lot (Table B-5, ID E3). This site is 1.26 acres and is located immediately west of the Rheem Theater on Park Street/Rheem Boulevard. The property is an unpaved vacant lot and is privately owned. It has been considered for housing in the past but has never been listed in prior Housing Elements. In 2022, the underlying Suburban Commercial zoning on this site did not allow housing—that will change with adoption of this Housing Element. The new zoning will allow multi-family residential uses up to 24 units per acre, as well as offices, mixed use, and other commercial activities.

⁴ In other words, a one-acre parcel could include 37,026 square feet of commercial space plus 24 units of housing. $43,560 \text{ SF} \times \text{FAR of } 0.85 = 37,026 \text{ SF}$

- Lucas Drive/Moraga Road (Table B-5, ID E4). This is a 1.18-acre vacant, unimproved lot at the southeast corner of Lucas Drive and Moraga Road. The Town has received inquiries from property owners about housing here, but the parcel has not been previously listed as an opportunity site. As part of the Housing Element Update, it is being rezoned to permit up to 24 units per acre.

Underutilized Sites Zoned for Mixed Use

There are nine non-vacant (“underutilized”) sites zoned for mixed use development on the Housing Opportunity Site list (Appendix B, Table B-6). Four are located in the Moraga Center area and five are located in the Rheem area. All of these sites are considered “improved” by the County Assessor, although the value of improvements tends to be less than the value of the land. Moreover, the floor area of structures on each site is well below what it is allowed by zoning. These parcels may also have vacant storefronts, closed businesses, and other conditions that make them well suited for housing. Total estimated capacity for the non-vacant mixed use sites is 436 units.

The Moraga Center sites are described below and are shown on Figure 4-2:

- 1600-1660 School Street (Moraga Office Plaza) (Table B-6, ID F3). This 2.9-acre site is comprised of four parcels, each with a one-story office building built in the 1970s. The site is zoned MCSP Mixed Office-Residential. The Planning Commission considered a design concept for housing on this site a few years ago, and the current property owner has expressed interest in building housing on the site. Zoning changes being implemented as part of the Housing Element Update will allow 24 units per acre.
- Moraga USD Offices/Yard (Table B-6, ID F4). This is a 1.15-acre site owned by AT&T and leased to the Moraga Unified School District. It includes a small administrative office building, but most of the site is used for vehicle and equipment operations, maintenance and storage. Given the location of the site in Moraga’s “Town Center,” it presents an opportunity for teacher housing or other housing that serves low and/or moderate-income workers.
- Moraga Garden Center (Table B-6, ID F2). This is an approximately one-acre site that was home to a plant nursery/ garden center for 49 years. The nursery has permanently closed. The site is part of a larger parcel that includes the Moraga Shopping Center and would likely need to be split off as its own parcel prior to development. The Housing Element proposes a zoning change to this site from MSCP-Commercial to MSCP Mixed Retail-Residential (MCSP-RR). With the proposed increase in MCSP R-R densities, it could develop at 24 units per acre.
- 1350 Moraga Way (Table B-6, ID F1). This site includes two parcels with the same owner. It encompasses the north half of the block bounded by Moraga Way, Country Club Drive, School Street, and Viader Drive. The westerly parcel includes a single family house being used as a pre-school. The easterly parcel is completely vacant and is a flat, developable lot. The parcels are

being rezoned from MSCP-Commercial to a mixed use designation that will allow multi-family housing up to 24 units per acre.

The Rheem Center sites are described below and shown on Figure 4-3:

- 346 Rheem Boulevard (Table B-6, ID F5). This is a 16,000 square foot office building that is currently being marketed for sale as a “high-density residential redevelopment site.” The Town has received inquiries from prospective purchasers regarding high density housing. In 2022, housing was not a permitted use in the Suburban Office zoning district. As part of Housing Element adoption, this parcel is being rezoned to a mixed use office-residential district that allows housing up to 24 units per acre.
- 350 Rheem Boulevard (Table B-6, ID F6). This is an 8,100 square foot single story office building constructed in 1964. The existing floor area ratio is only 0.1 on this property, and most of the site is parking and lawn. The building had been leased to a private school until 2021. The property is currently vacant and for sale. Like 346 Rheem, the parcel is being rezoned to a new mixed office-residential district that will allow housing up to 24 units per acre.
- 380 Moraga Road (Table B-6, ID F7). This was originally a supermarket but subsequently was purchased by St. Mary’s College. The college has expressed interest in using this 2.5-acre property for multi-family housing, potentially including affordable units for faculty and staff. Although housing is not permitted by the Community Commercial zoning that was in place in 2022, adoption of the Housing Element and related zoning amendments will allow up to 24 units per acre.
- Rheem Shopping Center (Table B-6, ID F8 and F9). The Rheem Shopping Center is a 165,000 square foot shopping center on approximately 18 acres at the southwest corner of Rheem Boulevard and Moraga Road. The Center was initially built in 1955 and is currently anchored by TJ Maxx, CVS, Dollar Tree, and the Moraga Post Office. A Home Goods Department store (under separate ownership) is located south of the center. There are also a number of outparcels within the center perimeter that are owned by other parties. A portion of the shopping center includes a second level with office space, but a majority of the site is a single-story retail strip. Large areas between the shopping center and Moraga Road are used for parking. Most of the site is under single ownership.

Over the course of the Housing Element Update, Town staff met with the primary landowner to discuss the possibility of housing on the site. Based on these conversations, the northern half of the Shopping Center property (including the outparcels) is being rezoned from Community Commercial to a new Mixed Retail-Residential designation that would facilitate multi-family and mixed use housing construction. Two Housing Opportunity Sites have been identified within this area:

- The first opportunity site includes the northeast corner of the shopping center and is approximately 4 acres. It includes the portion of the center with ground floor retail and

upper story office uses. Realistic capacity for this area is estimated at 80 units (Table B-6, ID F8).

- The second opportunity site includes the area immediately to the south of the first site. This site spans both sides of Center Street (the drive aisle that runs between the parking lots and retail facades). This site is slightly larger than the first site but most of the acreage is parking. The Housing Element recommends an urban design plan for the Rheem Center to ensure that the reuse of the center is attractive, creates new gathering places and civic amenities, and addresses pedestrian, bicycle, and vehicle circulation and parking needs (Table B-6, ID F9).

Non-Vacant Site Analysis

Approximately 47 percent of the lower income housing capacity described in the previous sections is associated with vacant sites (279 out of 614 units). The remaining 53 percent (335 out of 614 units) is associated with non-vacant—or “underutilized”—sites. Government Code Section 65583.2(g) allows cities and towns to include non-vacant sites in their housing site inventories, provided that they:

1. Consider the extent to which existing uses may constitute an impediment to residential development
2. Consider the jurisdiction’s prior experience converting existing uses to higher density residential development, as well as market trends
3. Consider regulatory or other incentives to encourage residential development on such sites.

The Town has determined that the non-vacant sites are feasible based on existing conditions, interviews with developers and property owners, development trends in Central Contra Costa County, and metrics such as floor area ratio and improvement to land value ratio.

The analysis of Housing Opportunity Sites in Appendix B includes data on existing uses for each site. The non-vacant sites include:

- Several office buildings, including one that is completely vacant, one that is for sale and being actively marketed as a high-density residential development site, and a “complex” of four small buildings for which conceptual housing plans have been already presented to the Planning Commission for discussion.
- A tenant-operated space most recently in use as a garden center/nursery but now closed.
- A small house in the town center being used as a day care center, adjoined by a flat, vacant half-acre development site.
- A non-residential building, formerly occupied by a supermarket and converted to offices/storage by St. Mary’s College that has been discussed as a potential location for off-campus workforce housing.
- A 67-year old one-story strip shopping center with a number of vacant storefronts and large areas of surface parking.

In most instances, the owners of the listed sites have communicated an interest in redevelopment to the Town. Some have already prepared conceptual site plans. The principal constraint to reuse is that a few of the properties have existing uses that would need to relocate (either permanently or temporarily) in order for housing to be constructed. On sites where this is an issue, the Town will work with property owners and tenants to minimize economic disruption and retain these businesses in Moraga.

The reuse of older commercial sites with multi-family housing is a well-established trend in the Bay Area, although it is relatively new to Moraga. Historically, most of Moraga's development has occurred on vacant land. Since 2015, the Town has seen the redevelopment of a bowling alley with a 17-unit small lot single family housing development. It has also seen a 36-unit single-family housing development on a site previously zoned for office uses on Country Club Drive.

Market factors and development trends support the conversion of additional non-vacant sites in the Town to higher-density housing. Recycling of older commercial sites is occurring in almost every East Bay city in response to a diminishing supply of vacant sites and an emphasis on transit-oriented development. In nearby Lafayette, approved multi-family projects include sites previously developed with offices, retail stores, a gas station and an auto repair facility. A 2-acre restaurant site in Lafayette was recently developed with 66 townhomes. In Danville, the town's largest multi-family project in several decades was recently completed on a former office building site. Danville also recently approved a 37-unit mixed use project on a property currently in use as a restaurant. The conversion of commercial properties to residential is occurring on an even larger scale in Walnut Creek. Hundreds of units in that city have been developed on underused commercial sites, institutional properties, and BART parking lots.

With the adoption of new MCSP mixed use zoning in 2020 and the upcoming rezoning of the Rheem Center, the Town will be better positioned to support reuse of commercial properties with multi-family housing. Moraga's zoning provides a strong incentive for mixed use by regulating the allowable number of housing units (i.e., density) separately from the allowable square footage of commercial space (i.e., Floor Area Ratio). This helps support larger projects and provides an incentive to add housing on sites that might otherwise develop only with commercial uses. The 45' height limit in commercial/ mixed use areas is also conducive to buildings with three to four stories, including residential use above ground level parking or commercial uses. Proposed modifications to parking standards will further create regulatory conditions that support mixed use. Multi-family housing meeting objective design standards is also permitted "by right," providing greater certainty and a pathway to faster approval.

Accessory Dwelling Units (ADUs)

Government Code Section 65583.1(a) allows a city or town to account for ADUs in its calculation of housing opportunities. In the four years from the start of 2018 through the end of 2021, the Town of Moraga entitled 11 ADUs, or an average of 2.75 units per year. The number of ADUs permitted per year was trending upward, however, with seven units entitled in 2021 alone. The Town expects continued interest in ADU development during the 2023-2031 planning period. For Housing Element purposes, it is assumed that four ADUs per year will be added, or a total of 32 units over the planning period.⁵ These units will develop incrementally on scattered sites zoned to allow low density single-family residential dwellings (one, two and three dwelling units per acre).

ADUs are generally rented at market rates and serve households with a range of incomes. In some instances, an ADU may be offered “rent free” or rented at a discount to a family member or friend. These units may meet a portion of the Town’s need for “very low income” (or even “extremely low income”) housing. In general, ADUs tend to be more affordable than conventional apartments. They are often smaller, and their owners may be more interested in a reliable, stable tenant than maximizing profit. Further, the unit cost of constructing an ADU is typically less than the unit cost of building a multi-family apartment, as the land on which the ADU is built is already owned by the homeowner and in many cases the structure already exists.

To count ADUs toward the RHNA, the Town must estimate the income groups these units will serve. The size of the unit is sometimes used as a metric, with units smaller than 500 square feet presumed to be affordable “by design” to lower-income households and units larger than 500 square feet presumed to be affordable to moderate-income households. In 2021, the Association of Bay Area Governments (ABAG) published the findings of a rent survey based on data provided by 387 ADU owners across the Bay Area. The report includes recommendations for local governments seeking to estimate ADU production using the four income categories required for the Housing Element. In jurisdictions that historically have not produced affordable housing, the survey recommended the following assumptions:

- Very Low Income: 5%
- Low Income: 30%
- Moderate Income: 50%
- Above Moderate Income: 15%

Applying these percentages to the forecast of 32 units over eight years yields the following breakdown:

⁵ The 32-unit projection does not include the 30 ADUs that were approved as part of the Palos Colorados subdivision.

- Very Low Income: 2 units
- Low Income: 9 units
- Moderate Income: 16 units
- Above Moderate Income: 5 units

This distribution has been incorporated in this Housing Element.

It should be noted that the town has much more theoretical capacity for ADUs than what is presumed for Housing Element purposes. Moraga's housing stock is conducive to ADU and Junior ADU construction. The median single family lot size in the town is 15,000 square feet. Most homes are larger than 2,000 square feet and 52 percent have four bedrooms or more. Based on 2020 Census data, 57 percent of the Town's owner-occupied homes have only one or two occupants. The Town has a large number of older adults, including households who might benefit from an on-site home care provider, or from the extra income an ADU can provide. Most Moraga homes have space for off-street parking and relatively flat backyards for accessory structures. Some have pool houses and guest quarters that could be converted into independent dwellings.

As required by State law, the Town allows the conversion of such structures to ADUs, and it supports the creation of Junior ADUs within existing residential footprints. A program in this Housing Element supports expanded education and outreach to homeowners regarding opportunities for ADU construction.

Summary of Housing Opportunities

Table 4-2 summarizes housing opportunities for the 2023-2031 planning period, adding together entitled projects, Housing Opportunity Sites, and projected accessory dwelling units (ADUs). The table indicates the capacity for 1,802 additional units. About 12 percent of this total is associated with entitled projects. About 2 percent is associated with ADUs. The remaining 86 percent is associated with potential development on the Housing Opportunity Sites.

Of the Housing Opportunity Sites, 75 percent are vacant and 25 percent are non-vacant. With the adoption of zoning changes proposed as part of the Town's Comprehensive Planning Initiative, the Town will have the capacity for roughly 1,100 units on sites zoned as high-density residential or mixed use. As Table 4-2 indicates, the multi-family sites have been distributed across the three income categories in a way that ensures the RHNA can be met. It is possible that some of the lower income sites may develop with market-rate housing, but it is also possible that some of the moderate and above moderate sites will develop with affordable units. The Town has identified significant buffers in all income categories. For lower income sites, the Town has identified a 25 percent buffer.

More detailed assumptions for each site can be found in Appendix B.

Table 4-2: Capacity to Meet the RHNA by Income Category

Site Type		Income Category			TOTAL
		Low/ Very Low	Moderate	Above Moderate	
Entitled Projects (Development Pipeline)		0	15	210	225
Housing Opportunity Sites					
	Vacant, zoned for Low Density Residential	0	0	242	242
	Vacant, zoned for Medium Density Residential	0	18	182	200
	Vacant, zoned for High Density Residential	129	288	0	417
	Vacant, zoned for Mixed Use	150	0	100	250
	Non-Vacant, zoned for Mixed Use	335	0	101	436
Accessory Dwelling Units		11	16	5	32
TOTAL		625	337	840	1,802
RHNA		501	172	445	1,118
Buffer		+124	+165	+395	+684
Percent Buffer for Lower Income Sites		25%			

Source: Barry Miller Consulting, 2022. See Appendix B for detailed inventory

Other Considerations

The Government Code requires consideration of environmental constraints and infrastructure as part of the Opportunity Site analysis. Data for each site is provided in Appendix B and is summarized below. This section also considers the ability of the housing sites to affirmatively further fair housing.

Environmental Constraints

The Moraga General Plan establishes environmental preservation, including preservation of ridgelines and open space areas, as a guiding principle for new development. Development in open space areas requires higher levels of environmental analysis than development on flat, previously disturbed areas. Policies in the General Plan and Local Hazard Mitigation Plan provide a framework for reviewing development on sites deemed to contain environmental constraints.

Each of the housing opportunity sites was evaluated based on environmental and natural hazard conditions. While these conditions do not preclude development, they may require additional development costs or reduce the number of units that could potentially be accommodated on a given site. The Town has adopted various regulations and standards to mitigate these hazards where development is proposed:

- **Slopes over 20 percent.** Hillside sites are typically more expensive and difficult to develop than flat sites, and are subject to special requirements for roads, building sites, landslide mitigation, and grading. From 2014-2018, the Town undertook a Comprehensive Hillside and Ridgeline Protection Project, including an evaluation of soil stability, steepness of slope, proximity to ridgelines, accessibility (distance to road), hydrology, vegetation, development features, and visibility. This analysis resulted in Hillside Development regulations, including requirements for hillside development permits. Many of the lower density housing sites in Appendix B are on hillside sites, but the higher density and mixed use sites are generally on flat ground and are not affected by these requirements.
- **Geologic hazards.** Some of the hillside sites may include areas at risk of landslides. The Town requires geotechnical reports on most hillside sites to identify foundation design requirements, road design standards, and other measures to ensure slope stability and protect the safety of life and property. The Town created a Geologic Hazard Abatement District in 2015 to facilitate development of the Palos Colorados, Hetfield Estates, and Bella Vista (Rancho Laguna) subdivisions.
- **100-year flood plain.** Moraga is traversed by a number of creeks, some of which have associated flood plains. While construction in the 100-year flood plain is not prohibited, drainage and hydrologic reports may be required, and special design and construction standards are prescribed to reduce flood hazards. Properties along creeks are also subject to a 50-foot setback requirement

from the top of the stream bank. Flood plain areas may also include ecologically sensitive riparian corridors.

- **Wildfire hazards.** CALFIRE has mapped areas across California based on their wildfire hazard severity levels. One of the housing sites in Appendix B (Indian Valley) is in a “very high” fire severity hazard area, and few others are in “high” severity areas. Sites in high fire hazard areas are subject to specific Building Code and Fire Code requirements that may affect the cost of development. They are also subject to special requirements for internal streets, fire-fighting water supply, and emergency vehicle access.
- **Biological resources.** Areas with sensitive biological resources include sites with riparian corridors, wetlands, oak woodlands, and protected trees as well as areas with potential habitat for special status species. Some of the lower density sites include such areas, but the higher density and mixed use sites generally do not. Sites with potential biological resources may be subject to requirements for site-specific plant and animal surveys, and mitigation measures relating to tie timing and method of construction and grading activities.

The sites identified as suitable for lower income housing in Moraga are only minimally affected by the environmental factors listed above. A few of the higher-density residential sites in the MCSP area are on moderate slopes and will require grading for roads and building pads. This includes the former orchard west of Laguna Creek and the orchard on the east side of Moraga Road opposite the shopping center (Area 16). There is also a riparian corridor along Laguna Creek, meaning that projects along the creek will be required to preserve a 50’ setback from the top of the bank. Chapter 6 of this Housing Element describes the regulations that apply to these sites, including Municipal Code standards for projects in the 100-year flood plain.

The environmental constraint that was mentioned most frequently during the Housing Element community outreach process is the risk of wildfire. The Town’s Fire Hazard Area regulations are listed in Chapter 8.110 of the Municipal Code. They are designed to ensure that any new development is constructed in accordance with Chapter 7A of the California Building Code (Materials and Construction Methods for Exterior Wildfire Exposure) and all other applicable laws. Even outside the Very High Fire Hazard Severity Zones (VHFHSZ), some of the low- density sites are located on hilly brush-covered terrain that are prone to wildfire. There is a possibility that parts of the Rheem Center may be added to the VHFHSZ during the lifetime of this Housing Element. This could require additional measures that affect the cost of construction in order to improve resilience and reduce hazards. There is also a need for sustained emergency preparedness and evacuation planning, particularly as periods of extended drought and heat become more common.

Availability of Infrastructure to Serve Housing Sites

Public facilities and infrastructure have a direct influence on the Town's ability to accommodate residential growth. This includes access to roads, water, sewer, storm drainage, electric, gas, and telecommunications facilities. As shown in Appendix B, most of the sites identified in this Element currently have access to all public facilities and infrastructure. However, some of the lower-density sites would require internal street and utility systems and a few would require the extension of utilities to the property prior to constructing on-site improvements. Both on-site and off-site improvements generally occur at the developer's expense, representing an additional cost and factor in determining the feasibility of development.

About 60 percent of the Town's lower income housing potential is in the Moraga Center Specific Plan (MCSP) area. The MCSP concluded that the area has sufficient water and sewer capacity, as well as dry utility capacity, to meet anticipated demand. However, localized improvements will be needed to extend service from existing water and sewer mains into proposed development sites, especially in the orchard area west of Laguna Creek. A bridge across Laguna Creek is shown on the MCSP. Although the Specific Plan notes this could be a pedestrian/ bicycle bridge, more detailed traffic studies and site plans could determine that a complete road crossing is needed.

Development of the MCSP Retail-Residential sites at the north end of School Street will require completion of a 500-foot extension of School Street so that it aligns with the Moraga Road/ St. Mary's Road intersection. Intersection and signal improvements also will be needed. Overall, there is need for follow-up infrastructure and circulation planning in the western part of the MCSP area to resolve infrastructure alignment, design, and cost issues. The 2010 MCSP recommended a development agreement with the landowner and other financial incentives to make these improvements more viable. An action item in this Housing Element calls for continued coordination with the primary landowner on infrastructure planning, as well as applications for grants and other funding sources to complete necessary improvements.

The Rheem area sites have fewer infrastructure needs, and currently have road access, water, sewer, and dry utilities. There is a storm sewer easement running north-south through the eastern part of the Shopping Center that could potentially affect development footprints along Moraga Road. This easement does not affect the capacity of the sites, as calculated in the Housing Element.

Contribution of the Housing Sites toward Affirmatively Furthering Fair Housing

Pursuant to AB 686, housing sites must be identified throughout the community in a manner that affirmatively furthers fair housing (AFFH) (Government Code Section 65583(c)(10)). This means that sites identified to accommodate the lower income need are not concentrated in "low resource areas." Low resource areas are neighborhoods with low-performing schools, poor environmental health indicators, and more limited access to jobs and economic opportunity.

In Moraga's case, the entire Town is a high-resource area. As indicated in Appendix A (AFFH analysis, Figure A-32), the community is relatively homogenous and there are not significant differences in income, education levels, tenure, or special needs from one census tract to the next. Providing affordable housing opportunities *anywhere* in the Town supports AFFH goals. However, given that the Town must plan for 501 lower-income units, it is important that the identified sites are not all concentrated in a single location or area. The Town has distributed most of the lower income RHNA between its two commercial/mixed use districts to ensure geographic dispersal. These sites are spread across each of the commercial/mixed use districts and are not concentrated on a single parcel, or in a single location within each district.

Moraga is also evaluating ways to introduce affordable units in established single family neighborhoods. It is important that the Town affirmatively further fair housing in these areas, as well as in its mixed use districts. One potential way of doing this would be to apply inclusionary housing requirements across the entire town rather than only in multi-family areas. Another way of doing this is by encouraging accessory dwelling units (ADUs). Although the number of projected lower income ADUs is small relative to the total RHNA (see Table 4-2 above), they provide an ideal way to distribute lower cost housing in high resource areas. As indicated in the Housing Plan (Chapter 6 of this document), the Town will encourage ADUs as a way to create housing that is affordable "by design" in areas that are otherwise unaffordable to lower income households.

Energy Conservation

Government Code 65583(a)(7) requires that the Housing Element include “an analysis of opportunities for energy conservation with respect to residential development.” State guidelines recommend that this analysis identify measures to incorporate energy-saving features, materials, and design in residential development. These measures indirectly reduce housing costs since they can reduce monthly utility bills. They also provide the collateral benefit of reducing greenhouse gas emissions and creating a more sustainable community.

The link between energy conservation and housing also includes transportation. The transportation sector is the single greatest consumer of energy in California, and the largest source of greenhouse gas emissions. Reducing transportation costs can leave more disposable income for housing. Much of the regional planning focus over the last decade has been focused on reducing vehicle miles traveled (VMT) by making it easier to live closer to work, or travel shorter distances for shopping and services. Housing Elements can contribute to that goal by supporting more compact growth that makes walking, bicycling, and transit use more viable.

The discussion below covers the design techniques that can be used to reduce residential energy consumption, the building code standards that support energy conservation, the link between the Town of Moraga’s Climate Action Plan and housing, and the energy efficiency programs and cost subsidies that are currently available to Moraga households.

Design Techniques

Residential energy costs can be significantly reduced through site planning. New buildings can be oriented to retain natural heat during the winter and keep natural heat out during the summer. This reduces heating and air conditioning demands. Design techniques to reduce energy consumption include:

- Using materials (such as stone, brick, and concrete) that absorb heat during the day and release heat at night
- Using window coverings, insulation, and other materials to reduce heat exchange between the interior and exterior
- Locating openings and ventilating devices to take advantage of natural air flow
- Using eaves and overhangs that block direct solar gain through window openings during the summer, but allow solar gain during the winter
- Orienting the long axis of dwellings north-south, while minimizing southern and western exposure
- Locating dwellings to take advantage of natural air circulation and evening breezes
- Locating windows and building openings in a way that considers the path of the sun
- Using landscaping features such as shade trees to moderate interior temperatures

These measures apply primarily to new construction and major additions. Even more significant gains can be made through the retrofitting of existing construction. Much of Moraga’s housing stock was

built before current energy efficiency standards were in place. Weatherization and insulation can reduce heat gain and loss in older homes. Likewise, the replacement of older home appliances with energy-efficient appliances, and the replacement of older windows with glazed or dual-paned windows can repel summer heat and retain winter warmth. Moraga's climate makes it well suited for photovoltaic panels and other solar devices.

Energy-efficiency retrofits may be cost-prohibitive for lower income homeowners and are not an option for most renters. Financial incentives such as those available through the Contra Costa County Neighborhood Preservation Program can help. The Program provides loans to low- and moderate-income individuals for plumbing and heating repair, roof replacement, and energy efficiency upgrades.

Building Codes

The State's Green Building Standards Code (also known as "CALGreen"), mandates statewide energy efficiency and water conservation measures for all new construction. It also promotes healthy indoor and outdoor air quality in accordance with the provisions of AB 32. Moraga adopted CALGreen standards in 2016 and updated these standards in 2019. The updates added new requirements to further reduce energy consumption in new or remodeled buildings, while also adding standards for reduced water use, recycling of construction debris, and low-emissions interior finish materials (e.g., paint, carpet, etc.). CALGreen also promotes the development of renewable energy systems and electric vehicle charging infrastructure.

The Green Building Code requirements supplement those already in place under Title 24 (Parts 6 and 11), including California's standards for energy-efficient design and conservation. The next set of Title 24 standards will take effect at the State level on January 1, 2023. The new requirements encourage efficient electric heat pumps, establish electric-ready requirements for new homes, expand solar photovoltaic and battery storage standards, and strengthen ventilation standards.

The Town also uses "Build it Green" guidelines for new home construction, including site planning, foundations, landscaping, structural frame and building envelope, exterior finishes, insulation, plumbing, heating, ventilation, air conditioning, renewable energy, building performance, finishes, floor, appliances, and other features. These guidelines were developed by Build it Green, an East Bay nonprofit whose mission is to promote green building. The guidelines use a point system, with a minimum number of points in specific categories.

Like energy, water service is also considered an indirect housing expense. As such, reduced water use can help reduce monthly housing costs. Moraga has adopted a Water Efficient Landscaping Ordinance (WELo), which includes specific requirements and guidelines to reduce water consumption and use drought-tolerant plant materials. Locally adopted building codes also encourage water efficient faucets, showerheads, and toilets. East Bay Municipal Utility District (EBMUD) provides technical support and education for customers to reduce water waste and track their water use.

Energy Action Plan and Climate Action Plan

Moraga drafted an Energy Action Plan (EAP) in 2013. The plan was designed to reduce emissions resulting from energy use and included a variety of recommendations related to conservation and energy efficiency. In 2014, some of the recommendations of the EAP were incorporated into the Moraga Climate Action Plan (CAP). While the CAP was not formally adopted, it has been used as a benchmark for monitoring the Town's efforts to reduce greenhouse gas emissions. The CAP supports continued implementation of various green building and energy efficiency requirements, while aspiring to expand the use of solar energy and Energy Star certification criteria.

Some of the CAP measures relate to land use and transportation. This includes programs to reduce vehicle miles traveled and encourage walking, bicycling, and carpooling. The CAP's targets include a 10 percent reduction in car trips to school, and a 5 percent reduction in single vehicle occupancy trips. The CAP also supports the use of transportation demand management (TDM) measures that make it easier to get around Moraga without a car. The 2023-2031 Housing Element strongly advances one of the CAP's major initiatives, which is to make it more possible for persons working in Moraga to live locally, thereby reducing car travel and related emissions.

MCE

In 2017, The Town of Moraga became the first community in Contra Costa County to enroll in MCE (formerly Marin Clean Energy), a Community Choice Aggregation Program serving a number of Bay Area communities. MCE provides Moraga's residents and businesses with the ability to select the source of their electricity supply. The current electricity options MCE offers are "Light Green" (50% from renewable sources) and "Deep Green" (100% renewable - zero emissions). Pacific Gas and Electric (PG&E)'s default option is 33% renewable, while it also offers a 100% renewable option called "Solar Choice."

In April 2018, all 6,417 existing residential and commercial electric accounts in Town were automatically enrolled in MCE and provided with the ability to opt out at any time. Most of those accounts remain enrolled in MCE today.

Energy Management and Efficiency Programs

There are a number of other programs designed to provide energy efficiency for residents of Moraga and surrounding communities:

- **Bay Area Regional Energy Network (BayREN)** provides energy efficiency rebates, no-cost energy consulting to Contra Costa County residents. Single family homeowners can receive rebates up to \$5,000. BayREN also offers a program for multifamily property owners to receive \$750 per unit for improvements that reduce their building's energy use by 15 percent.

- **Property Assessed Clean Energy (PACE)** is a financing tool that allows property owners to borrow money to pay for renewable energy systems, energy efficient improvements, seismic retrofits, and more by spreading the cost of the upgrade over a period of time. Payments are made through a special assessment on the property tax bill. Moraga does not use PACE financing at this time, but it has been discussed.
- **East Bay Energy Watch (EBEW)** is a collaboration between PG&E, local governments, and non-profit and for-profit energy service providers in the East Bay. EBEW's provides no cost home energy assessments, energy assistance to multi-family buildings and local businesses, and recommendations for cost-effective energy retrofits that can reduce monthly utility costs. Recommendations can include simple solutions such as replacing old and inefficient lighting or replacing outdated appliances. Energy watch also offers technical assistance for implementation of energy efficiency projects and rebates to help defray project costs.
- **Energy Upgrade California** is a statewide initiative committed to helping Californians be more energy efficient and use more sustainable natural resources. They offer planning assistance and cash rebates to multi-family properties that undertake energy and green upgrades. The program is designed to save 10 percent or more of a building's energy usage. They also provide assistance and incentives for home improvement projects.
- **Energy audits** are offered by MCE and PG&E. These programs are intended to identify sources of energy loss in private homes, with follow-up recommendations to address deficiencies. The audit includes a review of home appliances, furnaces, air conditioning systems, ductwork, insulation, and other building systems. In some instances, rebates are available for residents who implement energy efficiency recommendations.
- **California Public Utilities Commission Energy Savings Assistance Program (ESA)** provides no-cost weatherization services to low-income households who meet specified income guidelines. Services provided include attic insulation, energy efficient refrigerators, energy efficient furnaces, weatherstripping, caulking, low-flow showerheads, water heater blankets, and door and building envelope repairs which reduce air infiltration.
- **GoGreen Home Energy Financing** is a State program that administers financing loans for central heating and air conditioning, windows and appliances, cool roofs, and other home improvements.
- **Federal Housing Administration Energy Efficient Mortgage Program (EEM)** is designed to help families save money on their utility bills by enabling them to finance energy efficient improvements with their FHA-insured mortgage.

Reduced Rates for Lower Income Households

A number of programs have been developed by PG&E to assist lower income customers. These are available regardless of whether the household receives its power through MCE or PG&E, provided that the customer meets the income criteria. They include:

CARE (California Alternate Rates for Energy) reduces monthly energy bills for qualified households by about 30 percent (for electricity; 20 percent for natural gas). Eligibility is based on whether any person living in the home participates in a list of public assistance programs or meets certain household income guidelines.

FERA (Family Electric Rate Assistance) Program is a rate reduction program for large households of three or more people with low- to middle-income. Qualifications are based on household income. FERA generally provides an 18 percent discount on electricity.

Relief for Energy Assistance through Community Help (REACH) is a one-time energy-assistance program sponsored by PG&E and administered through non-profit organizations like the Salvation Army. Those who have experienced an uncontrollable or unforeseen hardship may receive an energy credit of up to \$300. Generally, recipients can receive REACH assistance only once within a 12-month period, but exceptions can be made for seniors, the physically challenged, and the terminally ill.

Low-Income Home Energy Assistance Program (LIHEAP): LIHEAP is a federally funded program that helps low-income households pay their energy bills. The program offers a variety of services, including HEAP, which provides one-time financial assistance; LIWP, which provides weatherization services; and the Energy Crisis Intervention Program (ECIP), which assists low-income households that are in a crisis situation. Qualifying customers receive up to \$1,000 in assistance.

Energy Savings Assistance Program: The Energy Savings Assistance Program provides qualified low-income customers with energy-saving improvements at no charge, significantly reducing energy bills. Both renters and owners who live in a house, mobile home, or apartment that is at least 5 years old are eligible. Common improvements may include free weatherization measures and energy-efficient appliances to reduce gas and electricity use.

Medical Baseline Program: Residential customers can get additional quantities of energy at the lowest (baseline) price. To qualify for Medical Baseline a full-time resident in the home must have a qualifying medical condition and/or require the use of a qualifying medical device to treat ongoing medical conditions.

