

## CHAPTER 6: HOUSING PLAN

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This chapter presents the Town of Moraga’s Housing Plan for the 2023-2031 Housing Element planning period. The Housing Plan is the core of the Moraga Housing Element, as it lays out the Town’s housing goals, the policies that will guide the Town’s actions to achieving those goals, and the programs that the Town will implement in the 2023 to 2031 Housing Element Planning period to work toward its goals. The goals, policies, and programs provided below are based on findings from the analysis of housing needs, constraints, and sites inventory presented in prior chapters of this report, as well findings from the Assessment of Fair Housing Appendix. In addition, the goals, policies, and programs reflect input received from the stakeholders, community members, and others that participated in the public outreach process for the Housing Element Update, along with direction from the Moraga Planning Commission and Town Council. The programs below provide a comprehensive strategy for addressing State requirements and advancing the Town’s housing objectives, while remaining tailored to be achievable within the Housing Element planning period, given the Town’s financial and staffing resources.

### Draft 2023-2031 Moraga Housing Element Goals, Policies, and Programs

#### Goal 1: Anticipated Housing Needs

 *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.*

#### Policies

 **H1.1 Fair Share Housing.** The Town shall create and maintain a sufficient inventory of developable vacant land to coordinate future housing growth to provide for Moraga’s ‘fair share’ of the regional housing need, as identified by the Association of Bay Area Governments, by identifying adequate sites for a range of housing types and densities within the town.

 **H1.2 Sufficient Land for a Range of Housing Types.** The Town shall ensure sufficient land is designated and zoned to provide for the development of a range of housing types, including single family and multifamily housing, senior housing, workforce housing, “missing middle” housing, and second units.

 **H1.3 Existing Residentially Zoned Land.** The Town shall retain existing residentially zoned sites and discourage rezoning these sites to lower densities or non-residential zones or approving non-residential developments on such sites. Where sites are rezoned or



approved for non-residential development, the Town shall ensure that sufficient land is zoned and available to meet its Regional Housing Needs Allocation.



**H1.4 Infill Housing Opportunities.** The Town shall continue working with property-owners in the Moraga Center and Rheem Center commercial districts to support and proactively encourage the development of housing on vacant and underutilized sites. This should include implementation of the Moraga Center Specific Plan as well as additional plans and programs to make residential and mixed use development more viable in both the Moraga and Rheem Center areas.

### Programs



**Program 1: General Plan Update.** The Town will complete a comprehensive update of the 2002 Moraga General Plan. This program will be completed in two phases. Phase One includes housing-related consistency amendments, amendments related to the Bollinger Canyon Study Area, and Circulation and Safety Element amendments to comply with recent State laws. This phase is being completed concurrently with adoption of the 2023-2031 Housing Element. Phase Two includes updates to the remaining elements of the Plan, and additional amendments to address long-range planning issues.

As part of Phase 2, the Town will include the following measures to support housing production and preservation:

- a) Revise higher density residential land use categories to recognize existing patterns of multi-family development and opportunities for higher density and mixed use development in the Rheem Center and Moraga Center areas. Clearly define all land use categories shown on the General Plan Map in the Land Use Element.
- b) Continue to direct the Town’s growth to the Rheem and Moraga Center areas, while acknowledging that established neighborhoods may adapt and change in response to housing needs. Policies in the Plan should be affirming and supportive of multiple housing types, including “missing middle housing” and accessory dwelling units.
- c) Address circulation, traffic, and parking issues associated with new housing growth, while working to lower vehicle miles traveled
- d) Address safety and evacuation needs associated with population growth and increasing risk levels due to climate change and other factors. This should include additional technical analysis to address public concerns about evacuation times, capacity, and procedures.
- e) Address the need for additional infrastructure, community services, parks, and public facilities associated with population growth

*Objective: Fully updated General Plan, with 2040 horizon*



*Timeframe:* Complete by end of 2024  
*Responsibility:* Planning Department  
*Potential Funding Sources:* SB2 grants, General Fund, American Rescue Plan Act funds, Impact fees



**Program 2: Phase One Zoning Text Amendments.** Adopt the following amendments to the Moraga Zoning Regulations:

- a) Replace the R-20A district with an R-24 district, carrying forward existing standards but increasing the maximum allowable density to 24 units/ acre. The requirement for a minimum density of 16 units per acre, and the allowance for 30 units/ acre for senior housing, should remain. Development that conforms to applicable zoning standards in this zone shall be eligible for ministerial (by right) approval. Retitle the “R-20B” district as “R-20.”
- b) Increase the allowable density in the MCSP O-R and MCSP R-R zones from 20 units per acre to 24 units/acre. The minimum density of 12 units per acre should remain.
- c) Replace the Suburban-Office (SO) zone with a “Mixed Office-Residential” zone. This zone shall include updated development standards and allow residential and mixed use development as permitted uses, with a minimum density of 12 units per acre and a maximum of 24 units per acre.
- d) Create a new “Mixed Commercial-Residential” zone and apply this designation to selected parcels in the Rheem commercial district (as identified in Chapter 4 of the Housing Element). The new zone shall allow residential and mixed use development as permitted uses, with a minimum density of 12 units per acre and a maximum of 24 units per acre.
- e) Consistent with SB 35 and SB 330, adopt objective development and design standards for the new Mixed Office-Residential and Mixed Commercial-Residential zones to facilitate ministerial approval of future multi-family residential projects in the Rheem Commercial area.
- f) Amend Chapter 8.104 (Density Transfer) to add the new Rural Residential Zone to the list of zones from which density may be transferred, and to add all commercial and mixed use zones to the list of zones to which transferred density may be “received.”

*Objective:* Zoning capacity to meet the 1,118 units required by the RHNA, including capacity for at least 501 lower income units at densities exceeding 20 units per acre

*Timeframe:* January 31, 2023 (concurrently with adoption of the Housing Element and conforming General Plan Amendments)

*Responsibility:* Planning Department, Planning Commission, Town Council

*Potential Funding Sources:* General Fund



**Program 3: Phase One Zoning Map Changes.** Amend the Moraga Zoning Map to make the following changes:

- a) Rezone APN 256-070-012, 256-070-013, and 256-070-028 (southwest corner of Lucas Drive and Moraga Road) from Limited Commercial to Mixed Commercial-Residential
- b) Rezone APN 255-321-010 and the northern 200' of 255-321-021 (generally corresponding to the former Moraga Garden Center footprint) from MCSP Community Commercial to MCSP Retail-Residential.
- c) Rezone APN 257-191-055, 257-190-054, 257-190-053, and 257-190-048 (all on the block bounded by School Street, Country Club Drive, Viader Drive, and Moraga Way) from MCSP- Commercial to MSCP Office-Residential

*Objective:* Increased zoning capacity to meet the RHNA  
*Timeframe:* January 31, 2023 (concurrently with adoption of the Housing Element and conforming General Plan Amendments)  
*Responsibility:* Planning Department, Planning Commission, Town Council  
*Potential Funding Sources:* General Fund



**Program 4: Phase Two Zoning Text Amendments.** Within 24 months of Housing Element adoption, adopt the following additional revisions to the zoning regulations:

- a) Amendments to the 6 DUA regulations (or elimination of this district and rezoning of 6 DUA properties to R-12 or R-20 densities). This action recognizes that almost all properties in the 6 DUA district are developed at substantially higher densities than 6 units per acre. The new or amended regulations should recognize the built form of existing development in this zone and should list multi-family housing as a permitted (rather than conditional) use.
- b) Amendments to the R-12 regulations to facilitate small lot development without requiring PD applications and accommodate a wider density range than minimum 10 DUA and maximum 12 DUA. This should include re-evaluating the FARs that currently apply in this zone.
- c) Amendments to the development standards applicable to the R-20A (to be renamed R-24) and R-20B (to be renamed R-20) zoning districts, potentially including a reduction of the requirement for a minimum 3-acre, 60-unit development size. This should include clarifying standards in the existing zoning text.
- d) Rescind the Research and Development Overlay District, which is currently mapped on one of the housing sites.
- e) Move the Town’s residential FAR standards from the Moraga Design Guidelines to the Municipal Code.

*Objective:* Removal of constraints to developing higher density housing

*Timeframe:* Complete by end of 2025  
*Responsibility:* Planning Department  
*Potential Funding Sources:* General Fund

 **Program 5: Moraga Center and Rheem Center Development Monitoring.** As part of the Annual Housing Progress Report to the Planning Commission and Town Council, include an update on development activity in the Moraga Center and Rheem areas. The update should consider input from property owners and developers who have completed projects or expressed interest in development in the area. If, after four years, development is falling short of anticipated levels, consider changes that might stimulate development activity in the area. These changes could include but are not limited to:

- (a) increasing the maximum density from 24 units/acre to 30 units/acre; and
- (b) eliminating density restrictions in the mixed use districts, and instead using a combined residential-commercial floor area ratio (FAR) of 1.15 or greater to regulate new development.<sup>1</sup>

*Objective:* Achievement of RHNA production target over planning period  
*Timeframe:* Annual, with mid-term evaluation in 2027  
*Responsibility:* Planning Department  
*Potential Funding Sources:* General Fund

 **Program 6: No Net Loss Monitoring.** Consistent with AB 166, the Town shall monitor development activity on all Housing Opportunity Sites identified by this Element to ensure that the capacity to meet the regional housing need is maintained at all times during the 2023-2031 planning period. In the event a project with no lower income units (or fewer lower income units than were assumed in the Housing Element) is proposed on an identified lower-income housing site, the Town will ensure that sufficient sites remain in the inventory to meet the remaining unmet need. In the event an adequate supply of sites is not available, the Town shall identify additional Housing Opportunity Sites with the capacity to close the shortfall.

*Objective:* Capacity to meet the RHNA at all times during planning period  
*Timeframe:* Begin monitoring in January 2023. Continue for duration of planning period. Include this information in the Annual Housing Progress Report  
*Responsibility:* Planning Department  
*Potential Funding Sources:* General Fund

 **Program 7: Vacant and Underutilized Land Inventory.** The Town shall maintain a publicly available inventory of vacant and underutilized parcels designated and zoned to allow

<sup>1</sup> 1.15 is currently the maximum FAR allowable for residential projects in the R-20 zone. See 8.34.060(B).

residential development. The inventory will highlight sites that are appropriate for developments that address housing needs for lower-income households. The town will publicize the inventory on the Town website to ensure that information is available to developers of market-rate, affordable, and special-needs housing.

*Objective: Maintain and publicize an inventory that meets or exceeds the Town's RHNA of 501 low- and very-low income units, 172 moderate-income units, and 445 above moderate-income units.*

*Timeframe: Update inventory at least annually and publicize updated inventory on the Town website*

*Responsibility: Planning Department*

*Potential Funding Sources: General Fund*

**Program 8: Annual Progress Report.** The Town shall review and report annually on the implementation of Housing Element programs for the prior calendar year, and present the annual report to the Town Council before submitting the annual report to the California Department of Housing and Community Development (HCD) and the Office of Planning and Research (OPR).

*Objective: Annual Report*

*Timeframe: Annually*

*Responsibility: Planning Department*

*Potential Funding Source: General Fund*

## **Goal 2: Housing Mix and Affordability**

*Provide a variety of housing types and affordability levels to help meet the Town's projected housing needs*

### **Policies**

**H2.1 Housing Variety.** The Town shall ensure that new residential developments provide the Town with a wide range of housing types to meet the various needs and income levels of people who live and work in Moraga, including single family and multifamily homes, senior housing, workforce housing, "missing middle" housing, dormitory units, accessory dwelling units (ADUs) and three-bedroom units.

**H2.2 Rental Housing.** The Town shall encourage the retention of existing and development of new rental housing units.

**H2.3 Affordable and Workforce Housing.** The Town shall foster housing opportunities that are affordable to the local workforce as well as other lower-income households.

-  **H2.4 Encourage Multi-generational Housing.** The Town shall encourage new residential construction to be designed to include spaces that allow for the conversion to an ADU at a later date to encourage more multi-generational housing.
-  **H2.5 Manufactured Housing.** As a means to offer lower cost housing options, the Town shall continue to allow manufactured housing, built to current Federal and State standards and on permanent foundations, in all residential areas, providing their overall design is consistent with the Town Design Guidelines.
-  **H2.6 Missing Middle Housing.** The Town shall encourage missing middle housing, including smaller single family attached homes, buildings with 2-4 units, and other housing types that are affordable by design, and respond to the needs of moderate income households.
-  **H2.7 Density Bonus.** The Town shall continue to provide density bonuses for affordable and senior housing projects consistent with State law.
-  **H2.8 Federal Housing Assistance Programs.** The Town shall encourage and facilitate, to the extent possible, participation by property owners in Federal for-sale and rental housing assistance programs that maintain affordability for very low- and low-income residents and special needs groups.
-  **H2.9 Affordable Housing Partnerships.** The Town shall continue to work with Saint Mary's College, the Moraga School District, affordable housing developers, and other groups and organizations to develop collaborative approaches for meeting local housing needs and to identify and facilitate the development of housing affordable to all income levels.

### Programs

 **Program 9: Support Use of State Density Bonus Law (SDBL).** Support the use of State Density Bonus Law (SDBL) and the provisions of Moraga Municipal Code Chapter 8.172 that enable the use of density bonuses for senior housing and projects incorporating below market rate units. The Town will inform developers of the opportunity to apply for density bonuses early in the review process, including the number of additional units possible, and the opportunity for waivers and concessions that may be available to make the additional units economically feasible.

*Objective:* Creation of additional units through State density bonuses  
*Timeframe:* Ongoing  
*Responsibility:* Planning Department  
*Potential Funding Sources:* General Fund, Development Impact Fees



Carried over or edited from 2015-23 Housing Element



New (not in 2015-2023 Element)



**Program 10: Proactive Outreach to Affordable Housing Developers.** The Town shall engage in proactive outreach to affordable housing developers to publicize and promote the changes that will be made through the Housing Element Update to facilitate the production of affordable housing in Moraga. This outreach will include inviting affordable housing developers to visit housing opportunity sites and promoting any fee waivers or reductions that are available for affordable housing developments.

*Objective: Production of at least 501 units affordable to low/very low-income households in high-resources areas to improve residential mobility*  
*Timeframe: By December 2025*  
*Responsibility: Planning Department*  
*Potential Funding Sources: General Fund*



**Program 11: Facilitate Access to Affordable Housing Subsidies.** "The Town shall seek to increase the availability of Federal, State, county, and local financial assistance for affordable housing in Moraga through the following actions:

- a) Supporting additional Section 8 subsidies if rental dwelling units can be located that are within Federal fair market rent guidelines.
- b) Participating in future issuances of mortgage revenue bonds or mortgage tax credit programs by Contra Costa County to support home ownership opportunities for low- and moderate-income Moraga residents.
- c) Assisting developers in accessing funding for the construction of senior housing, affordable housing, and housing for other underserved populations for which State or federal subsidies are available, including providing support for tax credit applications.
- d) Supporting a waiver exemption of Lamorinda Fee and Financing Authority (LFFA) Impact Fees for affordable housing development. The Lamorinda Program Management Committee allows jurisdictions to request fee waivers for affordable housing projects. The Town of Moraga will attempt to secure these waivers for eligible developments.
- e) Supporting a County bond measure for affordable housing.

*Objective: Improve access to affordable housing subsidies*  
*Timeframe: Ongoing*  
*Responsibility: Planning Department*  
*Potential Funding Sources: General Fund*



**Program 12: St. Mary’s Partnership.** Work collaboratively with St. Mary’s College to address the housing needs of students, faculty, and staff, including opportunities for new on-campus and off-campus housing in Moraga. Town staff shall meet with college administrators at least once a year to address housing issues and discuss potential partnerships and plans to increase Moraga’s housing supply. The Town will provide technical assistance and support to St. Mary’s in the event the College seeks to develop its Moraga properties with housing that conforms to the standards in the Municipal Code, General Plan, and other planning documents.

*Objective: Development of housing serving St. Mary’s students, faculty, and/or staff*

*Timeframe: Initiate in 2023, continue through planning period*

*Responsibility: Planning Department, Town Manager*

*Potential Funding Sources: General Fund*



**Program 13: Allow Co-housing and Live/work Units.** The Town shall update the Zoning Ordinance to make co-housing and live/work units allowed uses. Co-housing developments provide units that are rented by the room or by the bed, typically within an apartment with a shared kitchen and common areas. These types of developments are often targeted to student populations and could help to address housing needs among St. Mary’s students but are not limited to student residency.

*Objective: Enable the production of co-housing and live/work units*

*Timeframe: Incorporate in Phase 2 of zoning update (complete by end of 2024)*

*Responsibility: Planning Department*

*Potential Funding Sources: General Fund*

### **Goal 3: Access to Opportunity and Safety**

-  *Ensure that all Moraga residents, regardless of income, have access to high-quality housing, excellent services, and safe neighborhoods without risk of displacement. This includes sustained efforts to address wildfire hazards and maintain high levels of emergency preparedness and response.*

#### **Policies**

-  **H3.1 Integrated Living Patterns.** The Town shall avoid creating concentrated lower income areas and will promote social and economic integration of all incomes, ages, ethnicities, and household types.
-  **H3.2 Affordable Housing in Areas of Opportunity.** The Town shall support the provision of affordable housing in areas that provide access to opportunity, including by promoting inclusionary housing, ADUs, SB 9 developments, and room rentals in existing and new single family and multifamily communities.
-  **H3.3 High-Resource Neighborhoods.** The Town shall foster the development of housing, particularly affordable housing, in areas with services, high-quality schools, and other resources.
-  **H3.4 Code Enforcement.** The Town shall continue to work with the County to respond to complaints of substandard property conditions by inspecting properties and enforcing applicable building, health and safety codes.
-  **H3.5 Housing Rehabilitation Programs.** The Town shall continue to participate in the Contra Costa County Neighborhood Preservation Loan program, which provides low interest loans for the rehabilitation of homes owned or occupied by extremely low- to moderate-income households.
-  **H3.6 Condominium Conversions.** Consistent with the Condominium Conversion Ordinance, Chapter 8.96 of the Moraga Municipal Code, the Town shall allow the conversion of rental units to condominiums only when: the safety, design, and environmental requirements of the Town are met; the relocation needs of the apartment residents are adequately addressed; and an adequate supply of rental units is preserved elsewhere in the town for those who want to live in Moraga but cannot afford or do not desire to purchase a residence.
-  **H3.7 Wildfire Prevention and Response.** Consistent with the General Plan Public Safety Element, the Town shall make wildfire prevention and safety a priority in the location and design of new housing. It shall also support measures to make existing



neighborhoods and housing units more resilient, thereby minimizing the potential for the loss of housing and displacement of residents.



**H3.8 Evacuation Capacity.** Consistent with the General Plan Public Safety Element, the Town shall consider the effects of new housing on the ability to safely and efficiently evacuate residents in the event of an emergency, including residents with special needs such as seniors and persons with disabilities. Ongoing efforts should be made to improve emergency preparedness and reduce the potential for injury and loss of life in the event of a wildfire or other disaster.

**Programs**



**Program 14: Adoption of an Inclusionary Zoning Ordinance.** Adopt an inclusionary housing ordinance. The ordinance shall require that 10 percent of all units in future market-rate development be set aside as “below market rate” (BMR) and sold or rented to qualifying low- or moderate-income households. The specific requirements of the Ordinance should be determined through a collaborative process involving the public, the development community, the Planning Commission, and Town Council. This includes the targeted income mix for BMR units, exemptions for small projects, zoning districts to be included, and alternatives to providing BMR units on-site, such as in-lieu fees, dedication of land, or conversion of existing market rate units to affordable housing.

This program will be accomplished in two phases: the initial phase should be completed within six months of Housing Element adoption, or by July 2023 and includes adoption of the Ordinance. The second phase should be completed two years later. It includes an assessment of the Ordinance’s effectiveness, and recommendations for any changes to ensure it is achieving its intended goals.

*Objective:* 10% inclusionary requirement of all units in future development set aside as below market rate

*Timeframe:* Adopt ordinance by July 2023  
Evaluate the ordinance and adjust as needed by July 2025 to meet RHNA goals

*Responsibility:* Planning Department

*Potential Funding Sources:* General Fund



**Program 15: Facilitate ADU Production.** The Town shall facilitate the production of ADUs by taking the following actions:

- a) Streamlining ADU Approvals.
- b) Providing a website page dedicated to the ADU permit process as well as an informational brochure to inform property owners of ADU development standards, permitting procedures, and construction resources.



- c) Maintain existing fee reductions and waivers for ADUs (this action is encompassed in Program 31)

*Objective:* 32 new ADU units in high-resource neighborhoods to improve residential mobility

*Timeframe:* Items a and b by December 2024.  
See Program 31 for item c.

*Responsibility:* Planning Department

*Potential Funding Sources:* General Fund



**Program 16: ADU Compliance.** The Town shall work with the Contra Costa County Department of Conservation and Development to bring unpermitted ADUs into compliance and legalize ADUs to ensure resident safety.

*Objective:* Bring unpermitted ADUs into compliance

*Timeframe:* Ongoing

*Responsibility:* Planning Department, Contra Costa County Department of Conservation and Development

*Potential Funding Sources:* General Fund



**Program 17: ADU Database.** The Town shall maintain a database of existing ADUs within Moraga and the greater region to understand trends and issues in ADU development, maintenance, and habitation. The Town shall revise its ADU application materials to request that property owners provide information on the anticipated use and rental rate for proposed ADUs and will use this information to track ADU uses and rents. Halfway through the planning period, the Town shall review the data from ADU permit applications to determine if ADU production is on track to meet or exceed the estimates provided in the site inventory. If not, the Town shall modify its ADU policies or ensure that other housing sites are available to accommodate the unmet portion of the lower-income and moderate-income RHNA.

*Objective:* 32 new ADU units in high-resource neighborhoods, at least 27 of which are affordable to extremely low-, very low-, low-, or moderate-income households to improve residential mobility

*Timeframe:* Revise application materials to collect data on use and rents by 2024. Evaluate progress and initiate modifications if needed by December 2026.

*Responsibility:* Planning Department

*Potential Funding Sources:* General Fund



**Program 18: Facilitate SB 9 Projects.** The Town shall develop and implement a program to promote development of new housing units under SB 9 in order to expand homeownership opportunities. The Town will create public information materials or draw materials from existing



resources prepared by ABAG or other organization to provide property owners with information on SB 9 development standards, permitting procedures, and construction resources. The Town shall publish these materials through media such as About Town and the City’s website.

*Objective: Provide information*  
*Timeframe: Develop or identify materials by June 2023; publish materials on an ongoing basis.*  
*Responsibility: Planning Department*  
*Potential Funding Sources: General Fund*



**Program 19: Shared Housing.** Participate in Eden Council for Hope and Opportunity Housing’s Shared Housing or similar program to improve housing opportunities for lower-income seniors and extremely low-income residents. A Shared Housing program matches persons needing housing with homeowners that have space in their homes. In some cases, rooms are provided in homes for free or reduced rent in exchange for services from tenants. This program will increase residential mobility by providing access to homes in Moraga’s high-resource neighborhoods and could prevent displacement of lower-income households, including lower-income seniors and persons with disabilities, that are in need of rental income or minor help with home repairs and maintenance in order to stay in their homes.

*Objectives: (1) Develop an outreach program and connect with ECHO to establish a program; (2) Connect 10 Moraga residents with shared housing program participants*  
*Timeframe: End of 2023*  
*Responsibility: Planning Department*  
*Potential Funding Sources: General Fund*



**Program 20: Promote Rooms for Rent.** The Town shall educate the community that it is permissible to rent rooms in single family houses by putting information in the Town newsletter and on the Town website and working with St. Mary’s to proactively inform students of this housing opportunity.

*Objective: Provide information*  
*Timeframe: Publish information annually in the Town newsletter*  
*Responsibility: Planning Department*  
*Potential Funding Sources: General Fund*



**Program 21: Rheem Center Public Realm Plan.** Seek grant funding to prepare a Public Realm Plan for the Rheem Center area that addresses issues related to circulation, parking, civic space, infrastructure, public art, urban design, and future building locations. Engage property owners and the community in this process. The Plan should help achieve the longstanding goal of

revitalizing the entire Rheem Center area as a community focal point, shopping, dining and entertainment area, and opportunity for new mixed density, mixed income housing.

*Objective:* Completed Public Realm Plan, facilitating Rheem Center development  
*Timeframe:* 2026  
*Responsibility:* Planning Department  
*Potential Funding Sources:* State/regional planning grants, Development Fees

 **Program 22: Allow Services By Right in Residential Uses.** The Town shall update the Zoning Ordinance to allow services such as childcare and community gathering spaces by right on the ground floor of residential uses.

*Objective:* Update Zoning Ordinance  
*Timeframe:* Incorporate in Phase 2 of zoning update (complete by end of 2024)  
*Responsibility:* Planning Department  
*Potential Funding Sources:* General Fund

 **Program 23: Increase Awareness of the Contra Costa County Neighborhood Preservation Program.** The Town shall improve citizen awareness of the Contra Costa County Neighborhood Preservation Loan program, which provides low-income homeowners with low-interest loans for home repairs, energy efficiency improvements, and accessibility improvements, by posting information on the Town's website and making pamphlets available at the Planning Department and the public library.

*Objective:* Enable 12 low-income Moraga households to access County home repair and modification resources to reduce displacement among underserved populations.  
*Timeframe:* Post information to the Town website and make pamphlets available by June 2023.  
*Responsibility:* Planning Department  
*Potential Funding Sources:* General Fund

 **Program 24: First-Time Home Buyers.** The Town shall provide information for first-time homebuyers on the Town website, including linking to resources for first-time home buyer counseling and first-time home buyer education as well as providing information on the Mortgage Credit Certificate program.



*Objective: Make information more readily available to first-time homebuyers to facilitate access to Moraga's high-resource neighborhoods*

*Timeframe: Update website by 2024*

*Responsibility: Planning Department*

*Potential Funding Sources: General Fund*



**Program 25: Wildfire Safety and Emergency Preparedness Planning.** Continue efforts with the Moraga Orinda Fire District (MOFD) and the Cities of Orinda and Lafayette to reduce wildfire hazards and maintain the capacity to safely evacuate Moraga residents in the event of an emergency. Parts of Moraga have been identified as “very high” or “high” fire hazard severity zones. MOFD review of proposed development in these areas is critical, as are ongoing efforts to reduce fire hazards through vegetation management, creation of defensible space, use of appropriate construction materials, and resident education. During the eight-year planning period, the Town will continue to work collaboratively with partner agencies to improve emergency preparedness, ensure the safe evacuation of households with special needs, and address issues related to evacuation capacity, emergency vehicle access, and post-disaster recovery. This includes addressing the housing needs of displaced persons and the special needs of those with impaired mobility.

*Objective: No loss of housing units or life due to wildfire*

*Timeframe: Apply for grant funding in 2023 to complete a quantified evacuation analysis, including the 2023-31 housing sites*

*Responsibility: Planning Department, Police Department, Fire District*

*Potential Funding Sources: Emergency preparedness grants*

 **Goal 4: Governmental Constraints**

*Ensure that the Town’s processes and requirements do not unduly constrain or delay the development of housing for households of all income levels.*

**Policies**

 **H4.1 Improve the Development Process.** The Town shall improve clarity and reduce ambiguities in the Zoning Ordinance, and streamline and simplify review procedures, particularly for small lots and infill projects that are served by existing infrastructure.

 **H4.2 CEQA Infill Exemptions.** The Town shall employ CEQA infill exemptions for qualified projects.

 **H.4.3 Maintain Consistency with State Law.** The Town shall ensure continued consistency with the permit streamlining act and other housing streamlining laws.

 **H.4.4 Address Undue Governmental Constraints.** The Town shall ensure that fees and regulations for new residential development are reasonable and do not unduly constrain the development of affordable, market-rate, or special-needs housing.

**Programs**

 **Program 26: Modification of the Planned Development (PD) Process.** Amend the Town’s Planned Development (PD) regulations to reduce the number of hearings and submittal cycles, and the associated cost and time delays to applicants. Projects may also apply for rezoning to PD in response to site constraints or to enable product types that might not be possible under the base zoning standards. While the intent of PDs is to encourage flexibility, the current process involves three application steps and hearings, each requiring Planning Commission approval and subject to appeal to Town Council. The Town is currently exploring ways to simplify the process and be consistent with the General Plan.

*Objective: Reduce the length of Planned Development process and amend to be consistent with the General Plan*

*Timeframe: By end of 2024*

*Responsibility: Planning Department*

*Potential Funding Sources: General Fund*



**Program 27: Amendments to Moraga’s Parking Regulations.** Reduce the parking requirements for studio and one-bedroom multi-family housing units outside the R-20 zone. The adopted R-20 parking standards should be used as a benchmark for new standards that can be applied town wide. The revisions should also include reduction of the guest parking requirements so they are comparable to those used in other communities. This program will be completed in two phases. The first phase includes adoption of the reduced standards. The second phase should look at opportunities for further reductions associated with transportation demand management (TDM) and shared parking programs.

*Objective:* *Reduced parking requirements for multi-family residential development*  
*Timeframe:* *Phase One: January 2023; Phase Two: by end of 2024*  
*Responsibility:* *Planning Department*  
*Potential Funding Sources:* *General Fund*



**Program 28: Development Review and Processing.** Continually seek to improve development review procedures to minimize the time required for review and project approval. Town staff will meet with developers, homeowners, and other applicants to identify ways to reduce developer costs, increase the feasibility of projects, and address potential barriers to housing construction. The Town will also review fees on an annual basis and ensure that they do not constrain housing development, accessory dwelling unit development, and home improvements.

*Objective:* *Reduce permit processing times relative to current levels*  
*Timeframe:* *Annually, starting in 2023*  
*Responsibility:* *Planning Department, Contra Costa County Building Department*  
*Potential Funding Sources:* *General Fund, Permit Fees*



**Program 29: Fee Waivers and Deferrals.** The Town may consider waivers or reductions of certain fees on qualifying affordable housing developments and ADUs to help offset development costs for affordable housing and facilitate the development of housing for underserved populations. To the extent financially feasible, the Town shall also consider fee deferrals for qualifying market-rate developments until issuance of a Certificate of Occupancy to facilitate the development of housing in Moraga.

*Objective:* *Reduce fees for residential development relative to current levels without placing a financial burden on the Town*  
*Timeframe:* *Establish eligibility criteria for reduced/ deferred fees by January 2024.*  
*Responsibility:* *Planning Department & Town Council*  
*Potential Funding Source:* *General Fund*



**Program 30: Streamlined Review Process.** The Town shall streamline the residential development review process by allowing by-right approvals for multifamily projects that meet objective standards and enabling the approval of minor home additions over the counter.

*Objective:* Reduce permit processing times relative to current levels  
*Timeframe:* By December 2023  
*Responsibility:* Planning Department  
*Potential Funding Source:* General Fund



**Program 31: Infrastructure Grants.** The Town will pursue grant funding for infrastructure that supports development in the Moraga Center and Rheem Center areas. Grant applications that facilitate the development of housing that is affordable to lower income households will be prioritized.

*Objective:* Submit at least one grant application during the first three years of the planning period.  
*Timeframe:* Annually evaluate notices of funding availability.  
*Responsibility:* Planning Department, Public Works Department  
*Potential Funding Sources:* General Fund, Grants



**Program 32: Amendments to the Scenic Corridor Regulations.** Amend the Town’s Scenic Corridors regulations (Chapter 8.132 of the Municipal Code) to allow for modified setbacks and possible waivers of upper story stepback requirements where certain conditions apply. The specific criteria for reduced setbacks would be consistent with State law and would include objective standards for allowing projects in the MCSP and Rheem areas to be closer to the roadways. Projects in scenic corridors should continue to support the General Plan objectives of creating focal points, providing a variety of housing types, and encouraging land use and transportation patterns that reduce automobile trips and greenhouse gas emissions.

*Objective:* No net loss from realistic site capacity estimates on Housing Opportunity Sites  
*Timeframe:* 2024  
*Responsibility:* Planning Department  
*Potential Funding Sources:* General Fund



**Program 33: Moraga Center Specific Plan Implementation Support.** Provide technical assistance and support to the primary landowners and other property owners in the Moraga Center Specific Plan (MSCP) area to facilitate the production of housing in this area. This includes the following components:

- a) Regular coordination meetings and opportunities to discuss the status of properties and development opportunities in the area.



- b) Adjusting lot lines and dividing parcels to correspond to the development areas shown in the MCSP, particularly in the orchard area west of Laguna Creek. This could potentially include expedited lot line adjustment and minor subdivision applications, and other measures that make development on these properties more viable.
- c) Work with property owners and developers to implement the circulation and road improvements shown in the MCSP, particularly the School Street extension, bridge across Laguna Creek, and north-south access through the orchard property.
- d) Work with property owners and developers to extend utilities to parts of the site without infrastructure, particularly in the area west of Laguna Creek. This should include coordination with EBMUD, the Moraga-Orinda Fire District, and other agencies with oversight for utility and service improvements in the area.
- e) Communication and coordination with prospective developers, including affordable housing developers, who may be interested in acquiring and developing sites within the area.
- f) Identification of grants and other forms of outside financial assistance that may be available to provide incentives for development, including funds for transportation and infrastructure improvements.

*Objective:* Increased development feasibility on all sites in the MCSP area  
*Timeframe:* Initiate in 2023, continue through planning period  
*Responsibility:* Planning Department, Town Manager  
*Potential Funding Sources:* General Fund, PDA grants (for feasibility studies, etc.), infrastructure grants, private



**Program 34: Building Code Review.** Coordinate with the Contra Costa Conservation & Development Department to review the Moraga Building Code, as adopted in the Municipal Code. The Town will ensure that Moraga’s local codes comply with and support the uniform codes adopted every three years by the California Building Standards Commission.

*Objective:* Update the Building Code every three years, or as otherwise needed to comply with State updates  
*Responsibility:* Planning Department, Contra Costa County Building Department  
*Timeframe:* Annually  
*Potential Funding Sources:* General Fund



**Program 35: Water and Sewer Service Providers.** As required by Government Code §65589.7, immediately following adoption of the 2023-2031 Housing Element, the Town will provide notice to all public agencies or private entities that provide water or sewer services to Moraga that the Element has been adopted, including a link to the document. The Town will also adopt a policy statement that grants priority for sewer hook-ups to development that includes lower income units.

*Objective:* Priority access to water and sewer service for affordable units  
*Timeframe:* Immediately after Housing Element adoption  
*Responsibility:* Planning Department  
*Potential Funding Source:* General Fund

### **Goal 5: Special Housing Needs**

 Ensure that a range of housing opportunities are readily available for residents with special needs, including seniors and the elderly, persons with disabilities, single female-headed households with children, large households, farmworkers, persons experiencing homelessness, and residents with extremely low incomes.

#### **Policies**

 **H5.1 Affordable Housing for Special Needs Groups.** The Town shall support the provision of affordable housing for persons with special needs, including seniors and the elderly, persons with disabilities, including developmental disabilities, single female-headed households with children, large households, farmworkers, and unhoused populations.

 **H5.2 Support Aging in Place.** The Town shall assist older adults in adapting their residences to facilitate aging in place.

 **H5.3 Senior Housing Developments.** The Town shall encourage the development of senior housing and assisted living facilities. Senior housing developments should address the following considerations: easy access to needed services, such as proximity and access to shopping, medical services, public transit, and community facilities; smaller unit sizes for seniors looking to downsize; multi-generational housing needs; reduced off-street parking requirements consistent with project needs; limited or fixed income constraints of many seniors; and design that addresses mobility constraints of seniors.

 **H5.4 Housing for People with Disabilities.** The Town shall encourage housing that is adaptable and accessible and responds to the needs of people with disabilities.

 **H5.5 Promote Universal Design.** The Town shall encourage new construction and renovations to follow the principles of universal design to help ensure that residential buildings are usable by people of all ability levels. The Town shall encourage consideration of such techniques in both new and rehabilitated housing.

 **H5.6 Reasonable Accommodation.** The Town shall provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures to ensure equal access to housing and to provide a process for individuals with disabilities to make

requests for reasonable accommodation in regard to relief from the various land use, zoning, or building laws, rules, policies, practices and/or procedures of the Town.

 **H5.7 Emergency Shelters by Right.** The Town shall continue to allow emergency shelters by right in the Institutional District.

 **H5.8 Transitional and Supportive Housing.** The Town shall treat supportive and transitional housing as a residential land use subject to the same standards and procedures as other residential uses of the same type in the same zone.

 **H5.9 Extremely Low-Income Housing Needs.** The Town supports and shall consider the siting, production, rehabilitation, and preservation of housing for extremely low-income households.

### Programs

 **Program 36: Allowances for Special Housing Types.** Amend the Moraga Municipal Code to define and include provisions for the following specific housing types, as required by State law:

- (a) Residential care facilities with six or fewer persons (subject to the same requirements as supportive and transitional housing, which are already listed as permitted uses in residential zones)
- (b) Employee and farmworker housing (subject to the same requirements as supportive and transitional housing)
- (c) Low-barrier navigation centers (AB 101 requires this use to be permitted by right in mixed use zoning districts if it meets certain standards)

In addition, the Town should evaluate the addition of objective standards for co-housing and other non-traditional housing types that are more affordable to lower income households.

*Objective:* Create housing opportunities for persons with special needs  
*Timeframe:* 2023  
*Responsibility:* Planning Department  
*Potential Funding Sources:* General Fund

 **Program 37: Publicize Senior Housing Resources.** The Town shall provide web-based information to the public on housing resources available to seniors, including local subsidized senior housing, senior housing providers, and fair housing assistance

*Objective: Provide Information*  
*Timeframe: Ongoing*  
*Responsibility: Planning Department*  
*Potential Funding Sources: General Fund*

 **Program 38: Address Homeless Housing, Services and Referral.** The Town shall provide referrals to private and public agencies that offer assistance and shelter to unhoused individuals and families, and participate with designated inter-agency organizations to address homeless needs. The Town shall make pamphlets available at the Planning Department and the public library with information on temporary housing resources, assistance, and facilities for extremely low-income households and persons or families faced with the prospect of homelessness.

*Objective: Provide information and referrals*  
*Timeframe: Ongoing*  
*Responsibility: Planning Department*  
*Potential Funding Sources: General Fund*

 **Program 39: Countywide Homeless Survey.** The Town shall participate in comprehensive surveys of the county's homeless population.

*Objective: Obtain a count of the unhoused population in the County and in Moraga to inform local and regional policy decisions.*  
*Timeframe: Biennial*  
*Responsibility: Planning Department*  
*Potential Funding Source: General Fund*

 **Program 40: Housing and services for persons with developmental disabilities.** Coordinate with the Regional Center of the East Bay to inform residents of the housing and services available for persons with developmental disabilities. The Town shall continue to make information about the Regional Center available on the Town website. The Town will also meet with disability service providers, including the Regional Center , to identify additional opportunities for the Town to support service providers in serving residents with disabilities.

*Objective: Connect residents with developmental disabilities and their families to resources*  
*Timeframe: Meet with service providers at least three times during the planning period.*  
*Responsibility: Planning Department*  
*Potential Funding Source: General Fund*

## Goal 6: Fair Housing

-  *Promote equal housing opportunities for all residents regardless of age, race, ethnicity, religion, sex, gender identity and expression, sexual orientation, marital or familial status, disability, ancestry, national origin, or color.*

### Policies

-  **H6.1 Equal Opportunity Housing.** The Town shall ensure that all persons and families have equal opportunity to obtain housing in Moraga, unconstrained by arbitrary or illegal patterns of discrimination, and shall prohibit discrimination in the sale or rental of housing.
-  **H6.2 Equal Housing Coordinator.** The Town shall ensure fair housing issues are addressed and illegal or arbitrary housing criteria are minimized.
-  **H6.3 Fair Housing Referrals.** The Town shall maintain information to educate Town staff about fair housing programs and organizations to ensure staff that receives fair housing complaints can direct such persons to the appropriate agencies and services.
-  **H6.4 Fair Housing Information.** The Town shall maintain and provide information to the public regarding equal housing opportunity laws, and organizations that provide fair housing programs and services.

### Program

 **Program 41: Affirmatively Further Fair Housing.** The Town will take meaningful actions to combat discrimination, overcome patterns of segregation, address disparities in housing needs and access to opportunity, and foster an inclusive community. As a high-resource community, many of the actions that the Town can take to affirmatively further fair housing are those that increase affordable and special-needs housing in Moraga, thereby improving access to Moraga's high-resource community to for underserved populations. The Town's actions that will cumulatively contribute to affirmatively further fair housing include:

- General Plan and Zoning Ordinance Updates that will increase the Town's capacity to accommodate residential development, particularly multifamily development (see Programs 1, 2, 3, 4, and 5)
- Programs to reduce or remove constraints to residential development, including removing constraints to the development of affordable and special-needs housing (see Programs 11, 25, 26, 28, 29, 30, 32, and 36)
- Programs to work with developers and other stakeholders to facilitate residential development, particularly multifamily housing, affordable housing, and special needs housing (see Program 10, 12, 33, 37, and 41)



- d) Adoption of an inclusionary housing ordinance (see Program 14) and implementation of the State Density Bonus (see Program 9)
- e) Programs to promote the production of ADUs (see Program 15) and SB 9 projects (see Program 18)
- f) Programs to reduce displacement (see Programs 19 and 23)
- g) Continue to designate the Planning Director as the Town's Equal Opportunity Coordinator with responsibility to refer complaints to a district office of the California Department of Fair Employment and Housing, address complaints, provide fair housing information to the public, and educate Town staff on fair housing laws and the organizations and programs that address fair housing issues.
- h) Prepare and distribute to the public information and pamphlets on equal housing opportunity at Town Administration offices, library, on the Town's website, and at various community facilities and public locations throughout the town.
- i) Require nondiscrimination clauses in rental agreements and deed restrictions for affordable housing.
- j) Consider an agreement with a fair housing provider to provide fair housing services, first-time home buyer counseling, and tenant/landlord services.
- k) Identify resources for an annual fair housing training for Town staff to better enable staff to advise residents, property managers, and developers on fair housing rights and responsibilities and to ensure that the Town's housing policies align with fair housing best practices.

*Objective:* a through f: refer to relevant programs  
 Respond to 100% of complaints received  
 Include nondiscrimination clauses in 100% of rental agreements and deed restrictions on for affordable housing"

*Timeframe:* a through f: refer to relevant programs  
 g through i: ongoing  
 j and k: identify costs and potential resources by December 2023

*Responsibility:* a through f: refer to relevant programs  
 g through k: Planning Department

*Potential Funding Sources:* a through f: refer to relevant programs  
 General Fund

## Goal 7: Efficiency and Conservation

 Promote energy efficiency and water conservation in existing and new residential development and in support of the Town’s goal to reduce greenhouse gas emissions.

### Policies

 **H7.1 Environmental Sustainability.** The Town shall promote cost effective sustainability, energy efficiency, water conservation, and waste reduction in new construction and renovations to existing homes.

 **H7.3 Energy Efficiency in New Construction.** The Town shall require all newly built single family and multifamily dwellings be constructed to achieve Energy Star certification criteria as prescribed by the California Advanced Homes Program and California Multifamily New Homes, respectively.

### Program

 **Program 42: Climate Action Plan.** To the extent financially feasible, the Town will continue to implement the residential sustainability initiatives in its Climate Action Plan, including measures to improve energy efficiency and reduce utility costs in residential buildings. These include:

- a) Working with the Contra Costa County Department of Conservation and Development to continue implementing CALGreen building and energy efficiency requirements for new construction.
- b) Lobbying MCE for increased funding for programs to assist lower income households with energy conservation and efficiency upgrades.
- c) Promoting water-efficient landscaping to reduce home water costs and meet water conservation goals.
- d) Supporting residential waste diversion, recycling, organic waste recycling; and construction and demolition debris recycling measures.
- e) Supporting increased use of renewable energy systems such as solar panels to reduce monthly energy bills.
- f) Consider adopting an ordinance that requires energy efficiency retrofits for homes at point of sale.

<i>Objective:</i>	<i>Implementation of the CAP</i>
<i>Timeframe:</i>	<i>See Climate Action Plan</i>
<i>Responsibility:</i>	<i>Varies, per Climate Action Plan</i>
<i>Potential Funding Sources:</i>	<i>General Fund, grants, private</i>



## Quantified Objectives

State Housing Element Law requires that each jurisdiction establish quantified objectives for Housing Element planning period. Quantified objectives differ from the Regional Housing Needs Allocation (RHNA) because they include not only targets for production of new housing units by household income level, but also include targets for rehabilitation of housing units and targets for conservation of housing units. In addition, local jurisdictions set their quantified objectives based on their realistic assessment of what can be achieved during the Housing Element planning period. Thus, the quantified objectives for housing production may differ from the local jurisdiction's RHNA for new housing units for the same planning period based on market conditions, financial resources, and other factors. Table 6-1 below shows the Town of Moraga's quantified objectives for the 2023-2031 Housing Element planning period, based on the following:

- **New Construction:** The objective for new construction is based on Moraga's RHNA allocations for the 2023-2031 Housing Element Period. Although the RHNA does not include allocations for extremely low-income households, Housing Element Law requires that jurisdictions estimate the need for housing units affordable to extremely low-income households. The quantified objectives assume that half of the very low-income housing needs consist of housing to serve extremely low-income households.
- **Rehabilitation:** The rehabilitation objective is based on Program 23, which has a goal of enabling 12 lower-income households to access County home repair and modification resources to during the Housing Element planning period. The income levels shown are based on an equal distribution of rehabilitated units among extremely low-income, very low-income, and low-income households.
- **Conservation:** There are no existing deed-restricted affordable housing units in Moraga that are at risk of converting to market rates, and therefore Table 6-1 does not include a quantified objective for conservation of deed-restricted units.