Town of Moraga
2023-2031 Housing Element

Adopted January 25, 2023

WITH 6/30/23 TRACKED CHANGES IN RESPONSE TO HCD FINDINGS

Note to Readers

This document was initially published on June 30, 2022. It was circulated for a period of 30 days, discussed at Planning Commission and Town Council hearings, and revised over a period of 10 business days. On August 12, 2022, the revised document was submitted to the State Department of Housing and Community Development (HCD) for review. State comments were received on November 10, 2022.

As required by State law, the Town considered the State's comments and revised the August Draft. A new Draft was published on December 26, 2022. On January 10, 2023, the Moraga Planning Commission recommended adoption of this Draft by the Town Council. On January 25, the Town Council voted unanimously to adopt the December 26 Draft and accompanying findings and transmit the Housing Element to HCD for a compliance determination.

On March 27, 2023, HCD notified the Town that the Housing Element required revisions before it would find the document substantially compliant with State law. The Town submitted the requested revisions on May 9, 2023. On June 14, 2023, HCD requested additional revisions. These were submitted on June 20, 2023. A final set of revisions was requested on June 29, 2023. All revisions are included in this document, which was published on June 30, 2023.

On July 10, 2023, supplemental revisions were made to Programs 26 and 30 in response to public comment received on July 7, 2023.

Town of Moraga

2023-2031 Housing Element

Adopted January 25, 2023

July 10, 2023 edition (Includes changes required for compliance determination)

Prepared for the Town of Moraga by:

BAE Urban Economics

Barry Miller Consulting

ACKNOWLEDGMENTS

Town Council

Renata Sos, Mayor
Teresa Onoda, Vice Mayor
Kerry Hillis, Councilmember
David Shapiro, Councilmember
Steve Woehleke, Councilmember
Sona Makker, Past Councilmember
Mike McCluer, Past Councilmember

Planning Commission

Ben Helber, Chair
Brenda Luster, Vice Chair
Marcus Bode
Ben Helber
Alexis Mapel
Nicholas Polsky
Graham Thiel
Kerry Hillis, Past Chair

Town Staff

Cynthia Battenberg, Past Town Manager
Scott Mitnick, Current Town Manager
Afshan Hamid, Planning Director
Karen Murphy, Assistant Town Attorney
Brian Horn, Senior Planner
Mio Mendez, Associate Planner
Suzie Mele, Senior Administrative Assistant

Consultants

Barry Miller, Project Manager (Barry Miller Consulting)
Stephanie Hagar, Project Manager (BAE)
Matt Kowta, Principal (BAE)
Ray Kennedy, Research Director (BAE)

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CHAPTER 1: INTRODUCTION

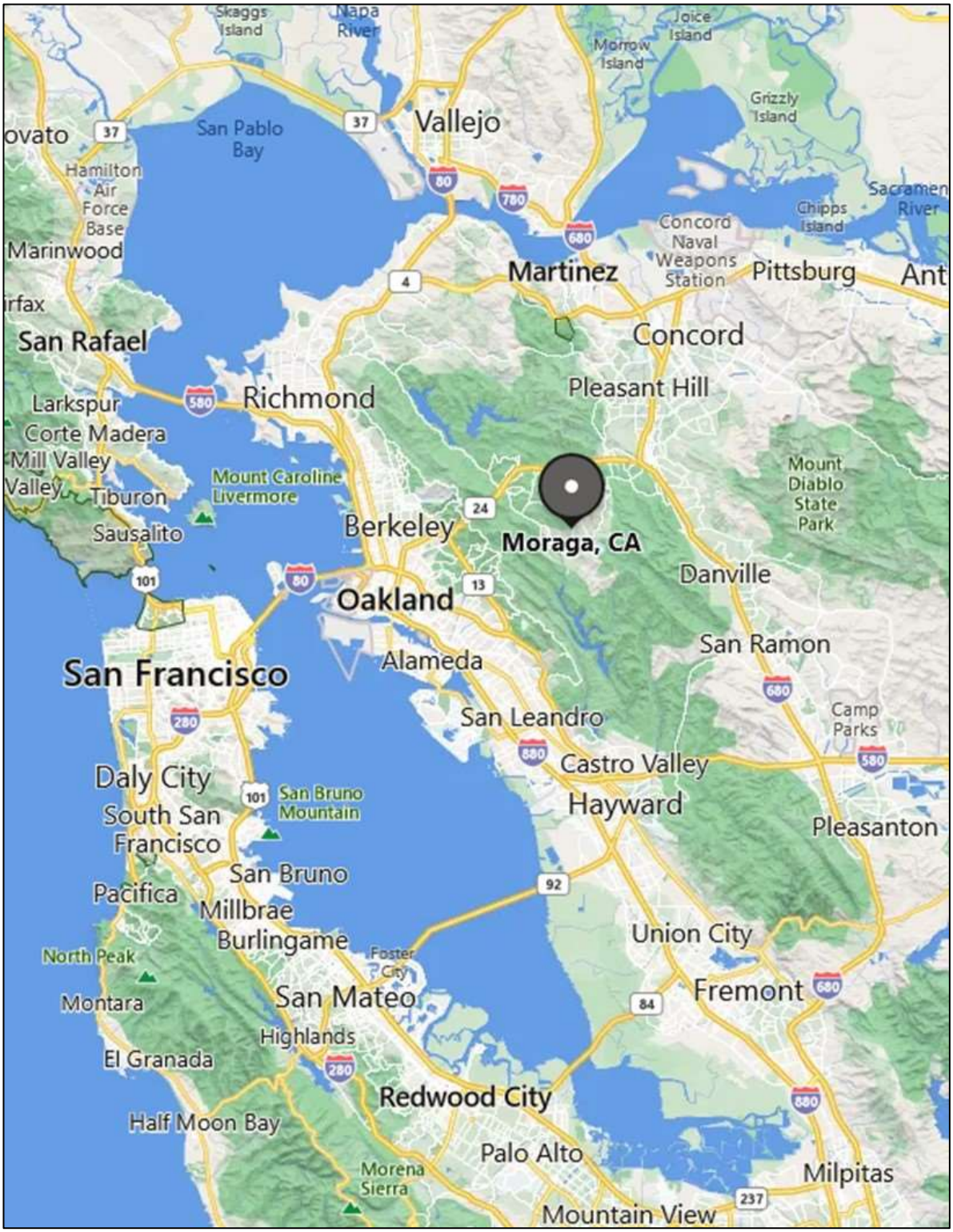
The Town of Moraga's Sixth Cycle Housing Element provides a policy framework and implementation plan for addressing housing needs in Moraga over the 2023 to 2031 Housing Element planning period. State law requires that all cities, towns, and counties in California have a compliant Housing Element as part of their General Plan, and that all cities, towns, and counties regularly update the Element. The purpose of the Housing Element is to provide a plan to meet the existing and projected housing needs of all segments of the population, including lower-income households and households and individuals with special housing needs.

To achieve this objective, the Housing Element must analyze housing needs, evaluate factors that could potentially constrain housing production, and identify sites for new residential development. Each city, town, and county in the State must submit their Housing Element to the California Department of Housing and Community Development (HCD) for review and certification to ensure that it meets the minimum requirements under State Housing Element law. Most jurisdictions, including Moraga, are required to update their Housing Element every eight years. Moraga's prior Housing Element Update covered the 2015-2023 period, while this Housing Element Update covers the 2023-2031 period.

1.1: Local Context

Moraga is located in Central Contra Costa County and is one of 33 cities and towns in California's East Bay region. The town is located approximately 13 miles east of Oakland, 22 miles east of San Francisco, and 8 miles southwest of Walnut Creek. The Town's land area is 9.5 square miles and its 2022 population was estimated at 17,100 residents. Figure 1-1 shows the Town's location relative to the Central and East Bay Areas. Figure 1-2 provides a closer view, including the Town limits, open space and road networks, and sphere of influence.

Prior to European settlement, current-day Moraga was part of the territorial home of the Saclan Indians, a branch of the East Bay Miwok tribes. The area became part of the Rancho Laguna De Los Palos Colorados Mexican land grant in 1835, with more than 13,000 acres given to Joaquin Moraga and his cousin Juan Bernal. Most of the Moraga Rancho was sold off, taken by speculators, or occupied by squatters in the first few decades after California statehood in 1850. In 1912, the Moraga Land Company began operating pear and walnut orchards in the valley and raising cattle on the hillsides. The Moraga townsite was established in 1913, the same year the Oakland-Antioch Railroad arrived in the Town. Other early milestones included the founding of Saint Mary's College in 1927 and the acquisition of much of the Rheem Valley by William Rheem in the 1930s.



Source: Bing Maps, 2022

Figure 1-1: Regional Location

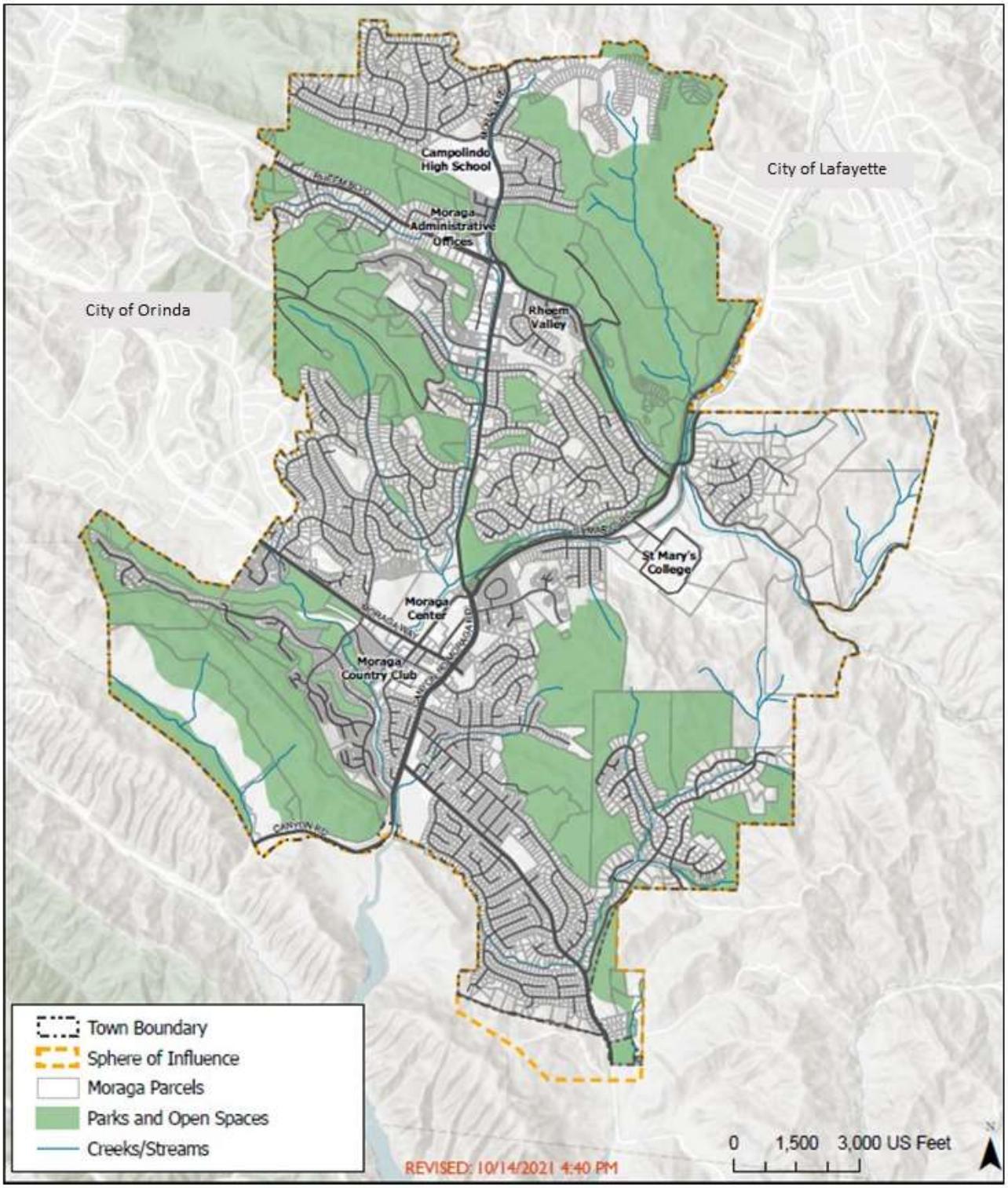


Figure 1-2: Town of Moraga

As recently as 1950, Moraga was almost entirely rural and agricultural. This changed when the Utah Construction and Mining Company purchased 3,000 acres and began subdividing the valley for residential development. In the 1960s, most of the undeveloped landholdings were sold to the Bruzzone family, who continued residential development in the area. More than 70 percent of Moraga's housing stock was built between 1960 and 1979, a time of rapid growth across much of Central Contra Costa County.

In 1974, Moraga incorporated as a town. Residents sought to slow down what many viewed as unsustainable levels of growth. The Town adopted its first General Plan in 1979 and its first zoning ordinance in 1980. In many cases, zoning designations previously used by Contra Costa County were replaced with lower density districts. This reflected both a desire to preserve the area's semi-rural character and a growing concern about the effects of growth on traffic, the environment, school capacity, and local services.

Early plans for Moraga responded to its unique physical constraints and strong public sentiment to preserve hillsides, ridgelines, and other open space. Moraga is one of the only communities in the East Bay that has no direct freeway access. There are two primary roads in and out of town, both which pass through other cities before reaching the regional transit and freeway network. The community is surrounded by grassy and forested hillsides, providing a beautiful natural setting but also increasing the risk of wildfire and other natural hazards. The Town is also largely residential, with a fiscal structure that makes it more challenging to provide the services and public facilities that many larger communities provide.

The net effect of these conditions is that Moraga has added very little housing in the last 20 years, despite continued strong demand. The 2020 Census indicates the town gained 172 housing units between 2000 and 2020, an increase of just 8 or 9 homes a year. By contrast, the town added 70 homes a year in the 1980s and 26 homes a year in the 1990s.

There has been limited multi-family construction in the town in the last 40 years. The lack of housing production has had several consequences, including longer commutes for those who work in Moraga or attend Saint Mary's College, insufficient housing choices for young adults who grew up in Moraga, and few options for older adults who wish to downsize. The lack of housing production has also contributed to soaring home prices, making it difficult if not impossible for many of those who work in Moraga to live here.

While Moraga has limited capacity for growth on its hillsides and open space areas, the Town does have opportunities for infill development in its two commercial districts. The larger of the two districts—Moraga Center—was the subject of a Specific Plan in 2010 and major rezoning initiative between 2010 and 2020. The smaller of the two districts—Rheem Center—has a number of vacant and underutilized sites and the capacity for some additional growth. Housing in these two areas can provide collateral benefits, including revitalizing Moraga's shopping centers and creating more walkable and dynamic neighborhoods. Moraga currently lacks a

distinctive "town center" or downtown. Both the Moraga and Rheem Centers present the opportunity not only for new housing, but for civic gathering places, restaurants, shops, and new amenities. A major focus of this Housing Element is on focusing housing development in these areas. This will enable the Town to preserve the qualities residents love about Moraga, while making the town stronger and more dynamic.

The Town is completing its Housing Element as part of a broader "Comprehensive Advanced Planning Initiative" designed to lay the foundation for long-range planning decisions for the next 20 years (see text box below).

The Moraga Comprehensive Advanced Planning Initiative

In 2021, the Moraga Town Council authorized a four year "Comprehensive Advanced Planning Initiative". The Initiative responded to several converging priorities, including the assignment of 1,118 new housing units to Moraga through the regional housing needs allocation (RHNA) process. While the Town had taken important steps toward planning for additional density in the Moraga Center area between 2000 and 2020, it did not have the capacity to meet this significantly increased target.

The Comprehensive Advanced Planning Initiative includes the following components:

- Preparation of the 2023-2031 Housing Element
- Rezoning of sites to meet the Town's housing assignment
- Development of objective development and design standards for multi-family and mixed-use zoning districts
- Updating the General Plan for internal consistency with the zoning changes, and to meet new State requirements for Safety and Circulation Elements
- Rezoning of the Bollinger Canyon Study Area
- A second phase General Plan Update that comprehensively updates the remaining elements
- Completion of a Program Environmental Impact Report (EIR) covering all of these components

As of June 2022, the Town had engaged more than 1,000 residents in the program and made substantial progress toward implementing key tasks. Work on the Initiative will continue through 2023 and 2024, positioning Moraga to meet its housing needs while addressing critical public safety and circulation issues and maintaining its quality of life.

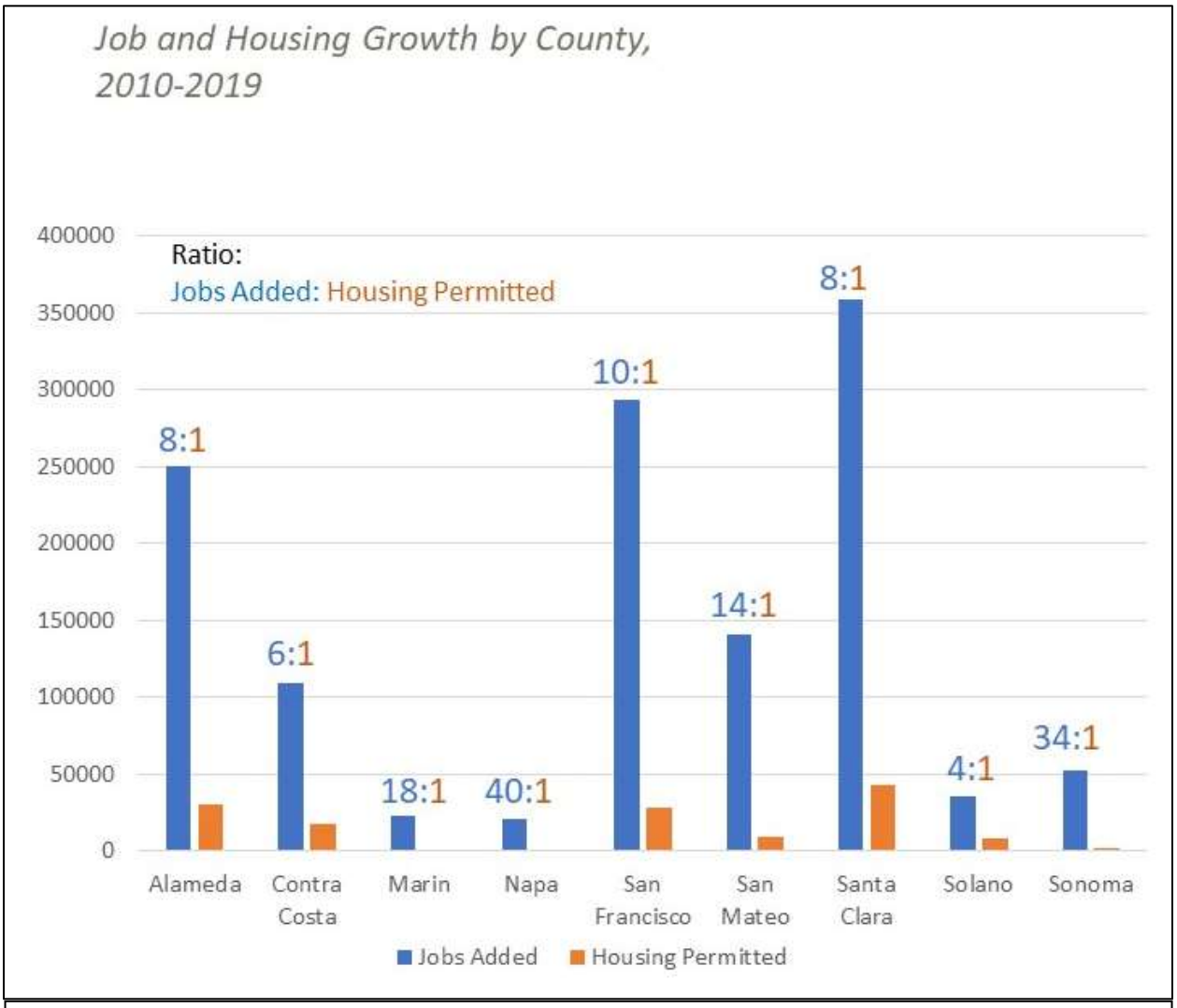
1.2: Regional Context

Moraga is not alone in the issues it faces related to rising housing costs and limited housing choices. The San Francisco Bay Area has the highest housing prices in the country and is facing a housing crisis. Job growth in the Bay Area outpaced housing growth by a nine-to-one margin between 2010 and 2020. During a single decade, the region added 1.3 million jobs but only produced 140,000 units of housing. As shown in Figure 1-3, Contra Costa County did somewhat better than the region as a whole but still produced much less housing than was needed to keep pace with demand. Between 2010 and 2020, the County added 109,000 jobs and 18,000 housing units. Much of the housing added was in East County, far from the jobs being created. A decade of slow housing production has led to higher prices, fewer choices, and longer commutes for tens of thousands of residents.

While much of the regional economic boom can be attributed to higher-paying sectors such as technology, many of the newly created jobs are middle and low wage positions. Moreover, growth in core industries like technology has triggered growth in other sectors such as services, hospitality, and the creative arts. These jobs do not pay the wages necessary to compete in today's housing market. Many households in the Bay Area are currently paying more than half of their incomes on housing costs.

Lack of supply has led to higher prices. In Moraga, the median home price increased from $850,000 in 2012 to over $1.8 million in 2021. Similar rates of increase have occurred across the Bay Area. Rents have also increased at a faster rate than income, creating financial challenges for low- and middle-income families, seniors, and persons with special needs. Some of these households have left the region entirely, while others have moved to lower cost homes in the Central Valley. These households face long commutes, making it harder to reduce regional greenhouse gas emissions. Other households have doubled up in apartments, leading to overcrowded conditions in many communities.

The situation has been exacerbated by rising land and construction costs and decreased availability of the tax credits needed to produce affordable housing. More recently, the COVID-19 pandemic has resulted in economic hardships for thousands of families, with many fearing eviction or displacement. The Bay Area and California are experiencing unprecedented levels of homelessness. In Contra Costa County alone, homelessness jumped by 35 percent between 2019 and 2022. A recent report by the Contra Costa County Health Department indicated that an hourly wage of $37.54 was required to afford the median priced apartment in the County.



Source: CA Regional Economic Analysis Project, 2021; State of California Dept of Finance, 2021

Figure 1-3: Ratio of Employment Growth to Housing Production by Bay Area County, 2010-2020

1.3: State Context

As the regional housing shortage has grown more acute, the State of California has stepped in with dozens of new bills to remove barriers to housing production. Much of the recent State legislation relates directly to the requirements for local housing elements. Housing elements have been mandated by the State since the 1960s, but they have never been subject to the level of scrutiny they are today. The State's authority over local housing matters has been expanded, and the consequences of having a non-compliant element are much more serious than they were eight years ago.

More than ever before, cities are being held accountable for decisions that affect local housing production. In 2017, the legislature adopted a sweeping set of new housing laws, including financial penalties for jurisdictions found to have non-compliant housing elements. New rules passed that year included SB 35, which created a streamlined path to development approval for projects meeting certain criteria. The 2017 legislative package also included new rules for housing element sites, limits on local control over accessory dwelling units, new reporting requirements for housing production, and a strengthening of the Housing Accountability Act. The State also authorized significant expenditures for planning, housing production, and affordable housing preservation.

In each year since 2017, the legislature has passed additional rules and regulations aimed at housing. Some of these rules effectively supersede local control over decisions about land use and housing. The housing bills also aim to level the playing field and create greater equity in how and where housing gets built. One of the most impactful pieces of legislation has been AB 686 (2018), which requires that every local government "affirmatively further fair housing" through its Housing Element. Preparation of the 2023-2031 Moraga Housing Element has occurred with this goal in mind, with special efforts to reach members of the community who have not historically participated in planning processes and programs designed to create more opportunities for lower income households in Moraga.

1.4: Regional Housing Needs Allocation

A key component of the Housing Element Update is identifying adequate sites to address the Town's "fair share" of the region's housing need over the next eight-year period. Each city or town's fair share is determined through a process referred to as the Regional Housing Needs Allocation (RHNA).

The RHNA process begins with an estimate of statewide housing need for the eight-year Housing Element projection period by HCD. HCD then distributes this need across the different regions of California. The regional housing need projections are broken down by income categories to account for needs among households at all income levels. For the purpose of determining the RHNA, households are categorized as very low-income, low-income, moderate-income, or above moderate income. The income limits defining each of these categories varies based on household size and the Areawide Median Income in each County or region. Income limits are updated annually by HCD.

Each regional council of governments is responsible for allocating the projected regional need to local jurisdictions within the region. Each jurisdiction is then responsible for updating its Housing Element to show how it will meet its assignment, with a particular focus on the assignment for low- and very low-income households. In the San Francisco Bay Area, the Association of Bay Area Governments (ABAG) is the regional council of governments responsible for determining the RHNA allocations. Working with a Steering Committee of 37 representatives, ABAG developed a formula for allocating units to all nine counties and 101 municipalities in the region, including Moraga.

The total 2023-2031 RHNA across all counties and municipalities in the Bay Area is 441,176 units. This represents a 234 percent increase from the allocation for 2015-2023. Changes in state law and methodology, coupled with years of sluggish housing production, led to significantly higher assignments in this RHNA cycle.

Moraga received just one-quarter of one percent (0.25%) of the regional allocation, or 1,118 units. This is roughly proportional to the town's share of the region's population. However, it is nearly five times the number of units that Moraga needed to plan for during the 2015-2023 period, which was 229 units.

Moraga's RHNA for the 2023-2031 planning period includes 318 units for very low-income households, 183 units for low-income households, 172 units for moderate-income households, and 445 units for above moderate-income households. This is shown in Table 1-1 below.

Table 1-1: Regional Housing Needs Allocation, 2023-2031 6th Cycle

Income Category	Town of Moraga Number	Town of Moraga %
Very Low Income (<50% of AMI)	318	28.4%
Low Income (50%-80% of AMI)	183	16.4%
Moderate Income (80%-120% of AMI)	172	15.4%
Above Moderate Income (>120% of AMI)	445	39.8%
Total	**1,118**	**100%**

Source: Association of Bay Area Governments.

1.5: Organization of the Housing Element

Following this introduction, the Housing Element includes the following major components:

Chapter 2: Effectiveness of the 5th Cycle Housing Element. An evaluation of the Town's 2015-2023 Housing Element, including an analysis of the Town's progress toward achieving its 2015-2023 RHNA objectives and an assessment of the Town's progress toward implementing the programs from the 2015-2023 Housing Element.

Chapter 3: Housing Needs Assessment. An analysis of demographic and socio-economic conditions, housing conditions, market trends, and other factors to evaluate current and future housing needs in Moraga, including housing needs among lower-income households and populations with special housing needs.

Chapter 4: Housing Sites and Resources Analysis. An evaluation of the sites that can accommodate the Town's RHNA, including an analysis of site suitability and availability. This also includes the State-mandated discussion of energy conservation programs.

Chapter 5: Constraints to Housing Conservation and Production. The constraints analysis addresses governmental constraints to housing development such as zoning, development fees, development standards, and development review processes, as well as non-governmental constraints, such as high land and construction costs and public opposition to housing construction.

Chapter 6: Housing Plan. A series of goals, policies, and programs to address the Town's housing needs as well as quantified objectives for housing development and preservation during the planning period.

Appendices: A series of appendices containing background details and technical analysis are included at the end of this document. These include:

A. Assessment of Fair Housing
B. Housing Opportunity Site Inventory
C. Resident Survey Report
D. Student Survey Report
E. Balancing Act Report

1.6: Consistency with the General Plan

State law requires that general plans are internally consistent documents. The Government Code (Sec 65583(c)(7)) further requires that when any element of the plan is amended, the jurisdiction must demonstrate that it is consistent, or identify the means by which consistency will be achieved. As such, amendments to the Moraga Housing Element require an evaluation of consistency with the land use, circulation, open space, and other elements of the Moraga General Plan. Policies in other elements must not conflict with those in the housing element, and the designations on the land use map must support the density assumptions and realistic capacity estimates in the housing element.

In Moraga's case, the existing General Plan was adopted in 2002. It has been amended several times since then, but not comprehensively updated. The Town is preparing the 2023-2031 Housing Element in the context of a larger "Comprehensive Advanced Planning Initiative" that includes a complete General Plan update, rezoning of key areas to increase housing capacity, development of objective design standards, and new zoning designations for the Bollinger Canyon Study Area. The Initiative also includes a program-level EIR for all of these actions.

The General Plan Update is being completed in two phases. The initial phase includes State-mandated amendments to the Circulation Element (SB 743) and Safety Element (AB 747 and SB 99), as well as consistency amendments related to the Housing Element. This work is being completed concurrently with the Housing Element and the consistency issues will be fully resolved upon Housing Element adoption. The second phase of the Plan Update will include updates of the remaining elements of the Plan, moving the time horizon forward and looking more comprehensively at land use, circulation, conservation, open space, noise, safety, community design, and growth management issues.

When this Element was initially drafted, the Town identified potential inconsistencies between the General Plan and proposed Housing Element. In particular, the density ranges in the existing Plan were not high enough to meet State requirements for Housing Opportunity Sites. Part of the Housing Element process has included increasing allowable densities from 20 to 24 units per acre and expressly allowing mixed use and multi-family housing in the Rheem Center area

(it is already allowed in the Moraga Center area). In addition, policies and programs in the 2002 General Plan were heavily focused in low-density single family housing, with only a few allowances for multi-family housing. Some of the policies were outdated and did not reflect current State laws on density bonuses, accessory dwelling units and recent housing mandates. These policies have been edited and replaced as needed.

Additional changes are anticipated during Phase II of the General Plan Update, which will be completed by the end of 2024. These changes could include development of new land use map categories, as well as new policies supporting mixed use and multi-family development.

Further analysis of the General Plan appears in Chapter 5 of this document.

1.7: Community Engagement

State law requires that each jurisdiction make a diligent effort to obtain input from all economic segments of the community when preparing a Housing Element, with a particular focus on lower income households and groups that have not historically been engaged. While Moraga has always been committed to transparent and robust public engagement, the State mandate requires that the Housing Element go a step further than traditional outreach programs. New strategies and initiatives were included in this process to engage renters, college students, non-English speakers, persons who work in Moraga but live elsewhere, and other groups that have not been involved before.

The Town's efforts yielded unprecedented levels of participation for a planning project. Over 1,200 residents provided direct input, representing diverse perspectives, income groups, age groups, and life experiences. Their feedback was used to identify key issues, and to develop the Town's goals, policies, and housing programs. Strategies in this document respond to the priorities expressed by the public.

A summary of major community engagement activities is provided below. Appendix C of the Housing Element provides a more detailed summary of the resident surveys, which included a general housing survey, a college student survey, and a mapping survey focused on housing opportunity sites. Additional community engagement will occur through the Plan adoption process, including adoption hearings once the Plan is revised and brought forward.

1.7.1: Engagement Strategy and Branding

A community engagement strategy was prepared at the start of project (September 2021). The strategy identified the outreach methods to be used in the Housing Element Update (workshops, study sessions, surveys, presentation to civic groups, etc.) and the different stakeholder groups to be contacted. This phase of the project included a branding campaign, with "Make Moraga Home" created as the Housing Element's tagline.

1.7.2: Project Website

A project website was created and officially launched on September 23, 2021. In October, the Town created a "shortcut" link with the URL "makemoragahome.org." The website included information about the Housing Element, the update process, upcoming meetings, draft documents, and links to background reports and other relevant information. The website was periodically updated to add new content. It included a "comments" link for the public to provide ideas or thoughts on housing issues, and a "sign up" link to notify residents of upcoming meetings. Additional pages were added to the website as the project continued, including background information on housing legislation, the environmental review process, and the Bollinger Canyon rezoning. Links to videos of community meetings on the Housing Element were posted after they occurred.

1.7.3: Media Outreach

In September 2021, the Town created a tri-fold Housing Element brochure and timeline, providing this information in both printed and digital formats and making it available to the public. The Town launched a media campaign that same month, with newspaper advertisements placed in Lamorinda Weekly on September 29 and again on November 5, 2021. Lamorinda Weekly is a free weekly paper printed and distributed to 26,600 households and businesses in Lafayette, Moraga, and Orinda. The Lamorinda Weekly ads allowed the Town to reach not just Moraga residents, but residents in nearby communities who might be interested in local housing issues. During the week of October 13, 2021, the Town included 7,000 mailers about the Housing Element in the Weekly, reaching every address in Moraga.

In addition to the media ads, the Town provided ongoing messaging on the project through the "Notify Me" function on its website (this notifies residents of upcoming events and meetings), "e-blasts" to persons on the Housing Element email distribution list, and ongoing messages on the community electronic message boards. In particular the electronic signboards on Moraga Road and Rheem Boulevard were used to encourage residents to attend the community workshops and participate in the Balancing Act on-line housing allocation program. Social media also was used, with announcements posted to the Town's Facebook page for all housing-related activities and events. Announcements were also posted to the Nextdoor platform, and press releases were provided to digital media outlets for distribution.

1.7.4: Community Workshops

The Town convened two rounds of community workshops, with three workshops in each round (six workshops in total). Opportunities for translation were advertised prior to each workshop.

The Round 1 workshops were held on October 20, October 28, and November 13, 2021. Because of COVID-19 pandemic health orders, these meetings were all virtual and were convened on Zoom. The first meeting occurred from 12-1:30 on a weekday, the second occurred from 6:30-8:00 PM on a weeknight, and the third occurred from 10-11:30 AM on a Saturday morning. The first two meetings were attended by approximately 30 people each, while the third meeting was

attended by about 10 people. The Round 1 workshops explained the requirements for the housing element, the factors behind the housing crisis, and the housing challenges and opportunities facing the Town. Residents were invited to share their ideas and concerns in "Town Hall" format, using the "raise hand" feature on Zoom. A Zoom "meeting" format was used, rather than a webinar, enabling the public to see each other, interact with other, and interact with staff.

The Round 2 workshops were held on March 25, 30, and 31, 2022. By this time, COVID protocols had changed so that two of the three meetings were held in person, and a third meeting was held on Zoom. The first meeting was formatted as a 2-hour walking tour. It drew almost 30 people and included a guided walk (including a "workbook" style map and narrative) through the Town's two commercial centers, showcasing proposed housing opportunity sites. Staff described the sites planned for rezoning, explained the proposed densities and housing possibilities, and responded to questions and comments.

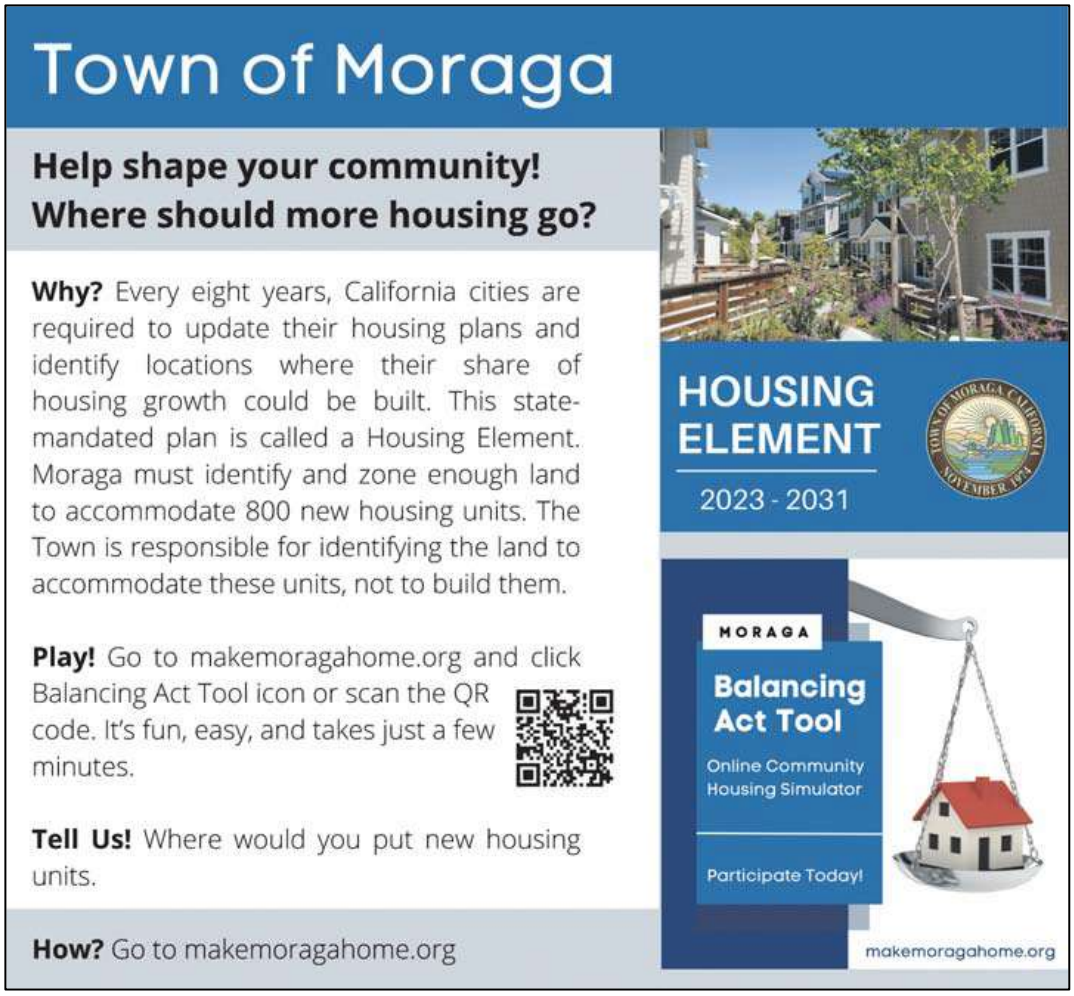
The second meeting was held in-person in the Town's Hacienda de las Flores community center. This was a weekday evening meeting. About 25 people attended. Following an initial presentation by staff, participants were divided into four breakout groups. Each group was tasked with allocating 800 theoretical multi-family units to different housing opportunity sites in the Town. Each group reported out to the full room at the end of the meeting.

The third meeting was held on Zoom at 12 Noon on a weekday, and six residents attended. Following the initial presentation, the attendees participated in the same exercise performed by the breakout groups at the live community meeting.

1.7.5: Pop-Ups

The Town hosted several pop-up events as part of the Housing Element. The first was at the Town's Pear and Wine Festival, a well-attended annual food, music, and wine fair that took place on September 25-26, 2021. Staff created a Housing Element "station" at the event, distributed the Housing Element "brochure", and conversed with Festival attendees about housing issues and the Housing Element.

In March 2022, the Town hosted a housing booth at the Moraga Plaza Farmers Market. For two consecutive weekends, Town staff was on hand to distribute brochures, display maps, and respond to questions about the Housing Element. One of the objectives of the booth was to encourage residents to respond to the resident survey and use the "Balancing Act" housing site app. The market pop-ups took place on March 13 and March 20, 2022.



Top: Electronic message board on Moraga Road encourages residents to take the housing survey. Bottom: Ad in Lamorinda Weekly encourages readers to try the "Balancing Act" housing site simulator.

Top Left: Facebook post announcing the March 25 walking tour

Top Right: A group of about 30 residents assembles for the walking tour

Left: Participants in a breakout group consider Housing Opportunity Sites

Bottom Left: A breakout group tries the "Balancing Act" app to distribute the Town's RHNA between 11 different areas.

1.7.6: Meetings of Town Officials

One of the most important methods of engagement was through periodic study sessions with the Moraga Town Council. Three of these study sessions were convened as joint meetings with the Planning Commission. Substantive public comment was received at every one of these meetings. A summary is provided below.

- October 6, 2021. The Town Council and Planning Commission convened a joint study session introducing the Housing Element, and discussing housing needs, issues, and potential housing sites.
- October 27, 2021. The Town Council was provided with an update on recent housing legislation by legal counsel, including an overview of recent bills and Housing Element requirements.
- November 17, 2021. The Town Council convened a study session on potential tools for creating affordable housing. Staff invited an affordable housing developer and an affordable housing advocacy group to the meeting, providing an opportunity for an interactive discussion on housing opportunities, obstacles, and needs.
- March 2, 2022. The Town Council and Planning Commission convened a study session on rezoning options for the Housing Opportunity Sites. Staff walked the Council/Commission through various options related to density, floor area ratio, heights, and zoning changes in specific subareas. Feedback from this meeting was used to develop the preliminary list of Housing Opportunity Sites.
- April 14, 2022. The Town Council Meeting convened a meeting to discuss staff's recommendations on Housing Opportunity Sites, and to receive public comment on proposed zoning changes. Feedback was provided and the list of sites was refined.
- May 4, 2022. The Town Council and Planning Commission convened a joint study session on housing implementation tools and the removal of governmental constraints. The specific focus was on inclusionary zoning, parking standards, the use of Floor Area Ratio (FAR) vs density, density bonuses, height standards, and potential Transfer of Development Rights programs.
- June 21 and 28, 2022. The Planning Commission convened two meetings to review the HCD Draft Housing Element. At the conclusion of the second meeting, the Commission voted to forward the Draft to the Moraga Town Council, with a recommendation to submit the document to HCD for initial review.
- July 11 and 13, 2022. The Moraga Town Council convened two meetings to review the HCD Draft Housing Element and consider the Planning Commission recommendation. At the conclusion of the meeting on July 13, the Council voted unanimously to submit the Draft.
- August 24, 2022. The Moraga Town Council convened a study session on inclusionary zoning and directed staff to draft an Affordable Housing Ordinance for adoption by the end of 2022.
- November 7 and 14, 2022. The Planning Commission convened two meetings to consider a Draft Affordable Housing Ordinance, including a resolution recommending Council approval. At the November 14 meeting, the Planning Commission also considered the HCD findings on the initial Draft Housing Element.

- November 16, 2022. The Town Council reviewed the HCD findings letter on the initial Draft Housing Element and provided feedback to staff on potential responses.
- December 7 and 14, 2022. The Moraga Town Council convened two meetings to consider a Draft Affordable Housing Ordinance. The Town Council adopted the Affordable Housing Ordinance and a local density bonus policy resolution at the December 14 meeting.

1.7.7: Bollinger Canyon Meetings

The Town updated its Housing Element concurrently with a program to rezone Bollinger Canyon. Bollinger Canyon is a 423-acre area in central-eastern Moraga with a General Plan and zoning designation of "Study." The Town is replacing "Study" with new General Plan and zoning designations. While these meetings did not explicitly relate to the Housing Element, they provided another opportunity to raise awareness about the Update, the legal requirements for the Housing Element, and issues associated with building housing in Moraga. The Bollinger rezone and Housing Element are also covered by the same program-level Environmental Impact Report.

Bollinger Canyon meetings included:

- A virtual neighborhood meeting on January 25, 2022, attended by about 40 people
- A Town Council meeting on February 9, 2022 to provide policy direction
- A Planning Commission study session on May 24, 2022 to consider draft new zoning text and General Plan language, including creation of a new Rural Residential designation
- A Town Council study session on May 25, 2022 to consider the same material presented to the Planning Commission.

1.7.8: CEQA-Related Meetings

Opportunities for comment on the Housing Element were provided through the CEQA process. This included a Notice of Preparation meeting for the EIR that was convened on February 17, 2022, as well the opportunity to provide comments on the NOP during the 30-day review period. Additional opportunities for comments will be provided once the Draft EIR is published in Fall 2022.

1.7.9: Outreach to Civic Groups and Organizations

The project team initially reached out to major civic groups and organizations in Moraga in Fall 2022. The purpose of this outreach was to inform these groups that the Housing Element was underway, explain the importance of the update, describe ways to participate, and offer the opportunity for a personalized presentation to each organization at one of its upcoming meetings. In response to this outreach, members of the team delivered presentations to the following groups:

- Kiwanis Club of Moraga Valley January 6, 2022
- Moraga Juniors Women's Club January 13, 2022
- Preserve Lamorinda Open Space January 26, 2022

- Moraga Rotary Club February 8, 2022
- Moraga School District PTA (Joaquin Moraga Elementary) March 30, 2022
- Chamber of Commerce
- Moraga Citizens Network (this was a "demo" of the Balancing Act program for members)
- Moraga Country Club HOA, April 27, 2022

The Housing Element was the "featured topic" of discussion at these meetings. Attendance varied from just a few people at one of the meetings to over 25 people at another. In each case, a presentation was provided, questions were answered, and participants were invited to share their thoughts, ideas, and concerns. This information helped shape the selection of housing sites, as well as policies and programs in the document.

1.7.10: Stakeholder Meetings

Direct outreach to individual stakeholders and organizations took place throughout the project. Special efforts were made to reach out to Saint Mary's College. The College is not only the Town's largest employer, it also has a large student population who face housing challenges in Moraga. Saint Mary's is a major landowner and has expressed interest in building housing in the town. Staff met with Saint Mary's staff to discuss the housing needs of students, faculty, and staff; as well issues related to development of on-campus housing and housing at its Rheem Center property. Similarly, staff met with the Moraga School District to discuss the housing needs of staff, housing opportunities on their properties, and issues associated with school enrollment and capacity in the Town.

The Town also reached out to non-profit housing advocacy groups and affordable housing developers. This included meetings with East Bay Housing Organization (EBHO) and local non-profit Eden Housing and participation in an affordable housing development forum hosted by the Contra Costa County Housing Collaborative. The Town will be providing additional outreach to housing advocacy organizations through the release of its draft Housing Element, with notices and an invitation to comment provided to these organizations.

Direct outreach to the owners of Housing Opportunity Sites, and to prospective developers, was an important part of the process. The Town had meetings with the primary landowners of the Moraga Shopping Center and Rheem Shopping Center, and contacted the owners of each Housing Opportunity Site. The Town also conducted one-on-one interviews with several developers, including a developer who had previously completed a project in Moraga, a developer who chose not to develop in Moraga, and a developer who is currently contemplating a project in Moraga. Their feedback was particularly helpful in the analysis of governmental constraints and proposed zoning revisions.

In October 2022, the Town convened a Developer Roundtable and invited local and regional developers to participate in a conversation about development opportunities and constraints in the town. Both for-profit and non-profit housing developers were represented. The public was

invited to this event, which was held in person at a local community center. The developer feedback was instrumental in shaping the Town's Affordable Housing Ordinance and identifying policies and programs to make residential projects more feasible in Moraga.

1.7.11: Housing Surveys

The Moraga 2023-2031 Housing Element Survey was launched on February 2, 2022 and remained open for a period of 12 weeks. The survey was translated into Spanish and Chinese and was widely advertised and promoted on multiple platforms. By the time the survey closed on April 30, 2022, 1,008 responses were received. This included 22 surveys completed in other languages and translated into English. The Town estimates that at least 10 percent of all households in Moraga completed the survey.[1]

Appendix C of the Housing Element provides a comprehensive assessment of the survey results, including key findings. The large volume of responses allows the responses to be sorted by tenure, so the specific needs and perspectives of renters can be highlighted. While all of the questions involved a numeric response, most also offered the opportunity for respondents to write in their own comments. Some of the most important findings of the survey are revealed through the open-ended written responses, which are summarized in Appendix C.

A second survey was launched for Saint Mary's faculty, staff, and students. This survey was released on April 1, 2022 and kept open for 30 days. There were 143 responses. Many of the questions were the same as the Town-wide survey, but a few were focused on the particular challenges faced by students seeking housing or living in Moraga.

1.7.12: Balancing Act

Moraga was one of 25 communities in the Bay Area selected by Association of Bay Area Governments (ABAG) to receive a license to operate the "Balancing Act" housing site selection tool. Balancing Act is a software application ("app") that can be run on desktops, laptops, tablets, and smartphones. The user is given the task of allocating a specified quantity of housing to sites or subareas in the jurisdiction. The app is formatted to provide information about the various sites, housing types and densities, and housing targets. The app shows a running total as the user approaches the State-mandated target and enables the user to modify the initial distribution until they have a "housing plan."

Balancing Act was launched by the Town on March 7, 2021 and was live for approximately eight weeks. During that time, the app was visited 838 times, and 102 maps were submitted by members of the public. The Town also convened two workshops and a walking tour to familiarize

[1] There are 5,602 households in Moraga and 845 of the survey respondents were Moraga residents. At one response per household, this would be 15 percent. The estimate of 10 percent assumes that some households had more than one respondent. Each survey originated from a unique IP address.

the public with the app and met with several civic groups to do Balancing Art tutorials. Responses are summarized in Appendix C.

1.7.13: Intergovernmental Coordination

The Town worked closely with other agencies in preparation of this Housing Element. Some of the program recommendations were developed collaboratively with nearby communities and special districts. The update process included a number of meetings with the Moraga Orinda Fire District, a meeting with the Moraga School District, and ongoing meetings with planning staff in Orinda, Lafayette, and Danville. Coordination with Orinda and Lafayette was especially important to address traffic and evacuation issues, given that primary access to Moraga is through these communities. The Town also participated as a member of the Contra Costa County Collaborative, a coalition of 19 cities plus the County that met monthly throughout the process. The Collaborative provided a forum for discussing common issues, data needs, HCD review expectations, and potential policy and program ideas.

1.7.14: Circulation of "Working Draft" Housing Element

Individual draft Housing Element chapters were posted to the Town's website for public review during June 2022. The full document, including appendices, was published on June 30, 2022. Consistent with State law, the Town provided a 30-day comment period on this Draft. It also convened three public hearings on the document during this time period, including one with the Planning Commission (July 5, 2022) and two with the Town Council (July 11 and July 13, 2022). Public comment was received and considered at each meeting, and edits were recommended by both the Planning Commission and Town Council. These edits have been incorporated in the August 2022 "HCD Draft".

A total of 10 written comments (including emails) were received on the Draft Goals, Policies, and Actions between June 21 when the goals, policies, and programs were published and June 30 when the full document was officially released. Another 32 written comments were received between June 30 and July 30, while the Working Draft was in circulation. As required by State law, the Town provided an additional 10 days to consider these comments. A revised draft (including a "tracked change" version) was published, including several changes made in response to comments.

An evaluation of the comments follows:

- 17 comments expressed concerns about the impacts of proposed rezoning on community character, safety, and traffic. Most of these comments were received concurrently with the Town Council hearings. They included specific objections to the document's assessment of the Town's scenic corridor regulations and its findings on General Plan policies, as well as opposition to SB 9.
- 12 comments expressed support for the Draft Element as well as the need for additional housing. Some of these comments encouraged the Town to consider higher densities. One of the letters was signed by 12 individuals.

- 6 comments were from the primary landowner in the Moraga Center area. These related primarily to proposed zoning for the Bollinger Canyon Study Area, as well as zoning and development constraints in the Moraga Center area. Overall, these letters expressed that the Town should be more proactive in amending the MCSP development standards and removing zoning-related constraints.
- 2 comments urged the Town Council to incorporate a stronger focus on climate change and sustainability in the document.
- 4 comments were general inquiries about timing or comments on specific sites.
- 1 comment urged the Town to plan for substantially more (and denser) housing, and included a critique of the Town's housing sites.

1.7.15: Turning Community Input into Action

The Housing Element policies and programs directly reflect priorities expressed in the community engagement process. In particular, the high level of concern about wildfire hazards, traffic, and evacuation required housing policies and programs that acknowledge and respond to these issues. Housing Element programs include a community evacuation study, continued review of housing plans by the Fire District and a vigilant focus on emergency preparedness, access, and fire resistant construction.

The survey indicates the community is divided on its support for more housing. Some support it, others oppose it, while a third group is in the middle expressing reluctant or conditional support with many reservations. Among those supporting more housing, there is strong concurrence that the best opportunities are in the two commercial districts rather than in open space and hillside locations. This is clearly reflected through the actions proposed in this document, which emphasizes rezoning on relatively flat parcels with commercial or mixed use zoning to meet the Town's future housing needs.

Survey results were sorted so that the specific needs of renters could be highlighted. While Moraga's tenants share the same appreciation for the town's character and natural setting as its homeowners, they are generally more supportive of additional housing. Renters responding to the survey pointed to a lack of housing choices, an aging and in some cases deteriorating rental housing stock, and a severe shortage of affordable units. The Housing Element responds to these concerns with policies supporting rehabilitation of existing multi-family units and the development of additional affordable and market-rate units.

Policies and programs in this Element also respond to the recurring messages from the six community workshops. This includes a need for additional senior housing, provisions for homeowners who wish to age in place, and more housing opportunities for those who work in Moraga. There is unwavering support for maintaining Moraga's small-town character and ambiance. While adding more housing may seem incompatible with this goal, it is an essential part of keeping the town economically healthy and sustainable. The Housing Element focuses

on incremental change, strong design standards, and a continued commitment to maintaining the town's visual and aesthetic qualities. New housing can be added within this context and the town can be a stronger and healthier community for it.

The student survey indicated a shortage of affordable, quality housing for college students and young adults in Moraga, resulting in most of the student body living in other communities and commuting in. The survey indicated student support for building more housing in the Town, particularly affordable units suitable for groups of students. The survey also suggests a need for ongoing collaboration and coordination with Saint Mary's College to address student housing needs and support efforts by the College to develop housing both on-campus and off-campus. The Housing Element responds to these findings through policies and programs focused on partnerships with Saint Mary's College, and the designation of the college's 2.5-acre Rheem Center property as a housing opportunity site. By rezoning this site and allowing higher-density housing, the Town is addressing some of the issues raised. Increasing the supply of multi-family units in general is responsive to the issues raised by students.

The Balancing Act survey ("app") solicited input from residents on potential locations for additional multi-family housing. Prior to the roll-out of Balancing Act, the Town was relying heavily on the orchard west of Laguna Creek in Moraga Center for much of its higher-density needs. The survey indicated higher levels of support for housing on the flatter area at the north end of School Street and in the Rheem Center. The Town adjusted its rezoning plans accordingly. The Town also used feedback from Balancing Act and the related community workshops to distribute units more evenly between the Rheem and Moraga Center areas, and to evaluate housing in commercial areas where it is not permitted today. Ultimately the distribution of housing sites was heavily influenced by public opinion.

The stakeholder interviews—and in particular the developer interviews—have shaped the policy and program recommendations in the Housing Element. Programs recommend modified parking standards, adjustments to densities, and zoning changes that directly respond to the feedback received. This input was weighed and balanced against public concerns regarding density, traffic, and scale.

Lastly, the policies and programs reflect the collective guidance of the Planning Commission and Town Council. Collectively, these entities spent more than 20 hours discussing housing policy and rezoning options. Their meetings provided a forum for the public to weigh in, and for the Commission and Council themselves to offer their perspectives and provide direction on the best way to meet Moraga's housing needs. Ultimately, the policies and programs reflect a balancing of State laws and mandates, technical data, and locally established priorities.

CHAPTER 2: EFFECTIVENESS OF 5TH CYCLE HOUSING ELEMENT

The purpose of this section of the Housing Element is to review the key provisions of the Town's existing housing element and the progress made in implementing the Housing Element, and to evaluate the effectiveness of the Housing Element, to consider whether goals, programs, and policies should be retained, modified, eliminated, and/or replaced for the 6th Cycle.

2.1: 5th Cycle Housing Element Goals, Objectives, and Progress

The Town of Moraga adopted the existing (5th Cycle) Housing Element on January 28, 2015, which covers the time period of 2015 to 2023. Key goals of the 5th Cycle Housing Element included:

H1. 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.

H2. Provide a variety of housing types and affordability levels to help meet the Town's projected housing needs.

H3. Ensure the development, maintenance, and improvement of high-quality, safe, and livable housing and residential neighborhoods.

H4. Minimize governmental constraints on the development of housing for households of all income levels.

H5. A range of housing opportunities for residents with special needs, including seniors and the elderly, persons with disabilities, single female-headed households with children, large households, farmworkers, the homeless, and residents with extremely low incomes.

H6. Greater cultural diversity and the prevention of discrimination in housing based on age, race, ethnic background, household composition, or any other illegal or arbitrary criteria.

H7. Promote energy efficiency and water conservation in residential development and reduce greenhouse gas emissions.

In addition to the broad goals, per State housing element requirements, the Town also established quantified objectives. While all California jurisdictions must demonstrate in their housing element that they have sufficient land appropriately zoned to fully accommodate their assigned Regional Housing Need Allocation (RHNA), quantified objectives represent the

jurisdictions' estimate of how much new housing can be produced, how many existing housing units can be rehabilitated, and how many existing affordable housing units at risk of conversion to market rates could be conserved during the implementation period for the Housing Element. Although not required to do so, for new construction, the Town set its quantified objectives for new housing production to reflect its 5th Cycle RHNA. For its quantified rehabilitation objectives, the Town targeted rehabilitation of two units for very low-income households and three units for low-income households, based on expected participation of local households in the County of Contra Costa's Rehabilitation Program. As noted in the existing Housing Element, for the 5th Cycle, the Town did not have any affordable housing units that were at risk of conversion to market rates over the following ten years; thus, the Town did not establish quantified objectives for conservation of affordable housing units. Rather, the Town set an objective of increasing the number of Section 8 vouchers used in Moraga by five, including three for extremely low-income households and two for very low-income households.

Table 2-1: 5th Cycle Housing Element Quantified Objectives and Results

Income	New Construction		Rehabilitation		Section 8	
Category	Objective	Achieved (a)	Objective	Achieved (b)	Objective	Achieved (c)
Extremely Low	37	0	0	N/A	3	13
Very Low	38	0	2	N/A	2	
Low	44	0	3	N/A	0	0
Moderate	50	6	0	N/A	0	0
Above Moderate	60	123	0	N/A	0	0
Total	**229**	**129**	**5**	N/A	**5**	**13**

Notes:
(a) Achievements are as of the end of 2020 as reported in the Town's annual Housing Element progress report to the State Department of Housing and Community Development.
(b) Information on units that were rehabilitated through the Contra Costa County Neighborhood Preservation Loan Program are not available.
(c) According to data from the Contra Costa County Housing Authority, there are 15 Housing Choice Voucher participants living in Moraga, 13 of which transferred their vouchers to Moraga from other areas during the 5th Housing Element cycle. The Town's 5th Cycle Housing Element Update indicates that there were two voucher participants living in Moraga at the beginning of the 5th Cycle, indicating a net increase of 13 households. The Housing Authority has not issued any new vouchers since 2017. Information on the specific household income levels of Voucher participants was not available.

Source: Town of Moraga, 2021; Contra Costa Housing Authority, 2022; BAE, 2022.

Table 2-1 above, recaps the Town's 5th Cycle quantified objectives and also summarizes the Town's progress in meeting those objectives (as of the Town's 2020 annual progress report to the State Department of Housing and community Development). As shown in the table, the Town fell short of reaching its quantified objectives for new construction both on an overall units basis and within income-categories other than above moderate. The production of above moderate-income units more than doubled the quantified objective of 60 units; however, the only other unit production was six moderate-income units, well below the objective of 50, for an overall shortfall of 100 units (to date). With only six moderate-income units produced and no low-, very low-, or extremely low-income units produced, the Town had very limited success in encouraging development of below market rate housing units.

As of the writing of this Housing Element Update, there were no data available to identify the number of units that were rehabilitated in Moraga through the Contra Costa County Neighborhood Preservation Loan Program.

The figures in Table 1 indicate that Moraga exceeded its goal related to Section 8 Housing Choice Voucher participants. While the Town's goal was to increase the number of Voucher participants that live in Moraga by five households, there was an increase of 13 Voucher participants living in Moraga over the course of the 5th Cycle Housing Element planning period.

2.2: Progress Implementing 5th Cycle Housing Element Programs

Although the Town fell short of achieving its quantified objectives for other than production of new above moderate-income housing units, it was not for lack of effort in implementing the 5th Cycle Housing Element. The 5th Cycle Housing Element included 27 implementation programs, as summarized in Table 2-2. As shown in the table, the Town has fully or partially implemented all of the 5th Cycle programs. While some programs involving one-time actions have been completed, other programs are ongoing.

Key accomplishments include:

- Adopted conforming zoning designations for the Moraga Center Specific Plan (MCSP) the Mixed Retail/Residential District and the Mixed Office/Residential District (Program H4), both of which allow housing development at up to 20 dwelling units per acre.

- Establishment of a new Commercial Planned Development (PD-C) zoning district for commercial areas (Program H5) which enables property owners to apply for Planned Developments to propose mixed-use projects with residential uses above the ground floor, creating a new opportunity to expand the range of housing types available in Moraga, although it did not go as far as Program H5 envisioned, in that it does not ensure housing affordable to low- and very low-income households, seniors, and workforce households.

- Two rounds of updates to the Town's Accessory Dwelling Unit (ADU) ordinance to comply with changes in State law enacted in 2017 and in 2019 (Program H6), and tracking of existing and new ADUs within the Town (Program H8).

- Partnering with Saint Mary's College to update the College's Campus Master Plan, including strategies for addressing on-campus housing needs by planning for 180 additional beds (Program H9).

- To streamline the development review process, the Town consolidated the responsibilities of the former Design Review Board with the Planning Commission (Program H14).

- To prevent discrimination against groups of un-related individuals sharing living quarters, the Town amended its Zoning code to include households with more than five unrelated individuals living as a single housekeeping unit under the definition of "family" (Program H21).

- To encourage energy conservation and sustainability, in 2017 the Town established requirements that new residences in new subdivisions achieve a score of 90 or better on the "Build it Green" checklist and that photovoltaic panels be offered to new buyers as an option (Program H26).

- To encourage renewable energy use, in 2018 the Town joined MCE Community Choice Energy, a regional Community Choice Aggregation (CCA) program that allows local residents and businesses to utilize renewable energy provided by MCE (Program H27). As of December 2019, almost 90 percent of Moraga electrical utility accounts were enrolled in MCE.

Table 2-2: Summary of 5th Cycle Housing Element Programs and Implementation Status

Page 1 of 6

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H1-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).	Annual	The Town Council has reviewed and provided updates of the Annual Progress Report from 2012 to 2021 and submitted to HCD and OPR.
H2 - No-Net-Loss of Sites	The Town shall continue to zone sufficient sites to meet Moraga's regional share of housing need as established by the Association of Bay Area Governments Regional Housing Needs Allocation. Consistent with "no-net-loss" density provisions contained in Government Code Section 65863, the Town shall consider the potential impact on the Town's ability to meet its share of the regional housing need when reviewing proposals to downzone residential properties, reclassify residentially-designated property to other uses, or develop a residential site with fewer units than what is assumed for the site in the Housing Element sites inventory.	Ongoing	In 2020 the Town did not receive any proposals to downzone residential properties, reclassify residentially-designated property to other uses, or develop a residential site with fewer units than what is assumed for that site in the Housing Element sites inventory. The Town will continue to evaluate projects proposing to downzone residential properties, reclassify residentially-designated property to other uses, or develop a residential site with fewer units than what is assumed for the site in the Housing Element sites for consistency with Government Code Section 65863.
H3 - Vacant and Underutilized Land Inventory	The Town shall develop and maintain a publicly available inventory of vacant and underutilized parcels designated and zoned to allow residential development. The inventory should highlight sites that are appropriate for developments that meet local housing needs identified in this Housing Element.	Ongoing	The vacant land inventory was comprehensively updated as part of the Town's development impact fee study in 2015, and as part of the 2015-2023 Housing Element Update and is updated as necessary.
H4-Adopt Zoning for the Moraga Center Specific Plan	The Town shall adopt conforming zoning designations for all properties within the Moraga Center Specific Plan Area in order to implement the Plan.	2017 (Complete)	On November 10, 2020 the Town Council approved the Moraga Center Specific Plan Implementing Implementation (MCSP-IP) project, which included updated zoning designations, amendments to the zoning code and updated design guidelines to implement the Moraga Center Specific Plan that was adopted in 2010. The MCSP-IP is effective as of December 10, 2020.

Table 2-2: Summary of 5th Cycle Housing Element Programs and Implementation Status

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Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H5 - Develop Rheem Park Area Specific Plan	The Town shall undertake a coordinated specific plan process, area plan, or other more detailed planning, such as focused updates to the General Plan or Zoning to address planning issues in the Rheem Park area in accordance with the goals and policies of the General Plan. These planning efforts should reflect opportunities to develop a range of housing types and densities, and should consider the inclusion of requirements to ensure that housing is affordable to low- and very low-income residents and seniors, and that it provides workforce housing opportunities.	2018	The Rheem Shopping Center changed ownership in December 2015 and the new owner conducted a joint study session with the Planning Commission and Design Review Board to get feedback on a new design for the shopping center. A new Commercial Planned Development (PD-C) zoning district was adopted (MMC 8.50) which is intended to encourage the revitalization of Moraga's existing commercial centers zoned Community Commercial by providing flexibility in development standards and planning for appropriate uses in a coordinated manner. In 2020 a new Master Sign Program and facade improvements were approved by the Planning Commission for the existing shopping center. The Town continues to discuss potential future planning efforts for the Rheem Center with new Rheem Shopping Center property owner and other property owners within the Rheem Park Area.
H6 - Secondary Unit Ordinance	The Town shall develop and implement a program to encourage owners of secondary units constructed without appropriate permits to bring their buildings up to code and legalize units where appropriate and conforming to applicable building and zoning code requirements. Where necessary, the Town shall enforce code compliance issues in secondary units to ensure residents safety.	2015	The Town completed work on revising its Accessory Dwelling Unit (ADU) ordinance to be compliant with State laws that went into effect on January 1, 2017. The Ordinance was adopted by the Town Council on February 14, 2018. On December 7, 2020 the Planning Commission reviewed and recommended adoption to the Town Council an ordinance to bring the Town into compliance with State laws passed in 2019. The Town Council adopted the ordinance on March 24, 2021.
H7 - Secondary Unit Compliance	The Town shall develop and implement a program to encourage owners of secondary units constructed without appropriate permits to bring their buildings up to code and legalize units where appropriate and conforming to applicable building and zoning code requirements. Where necessary, the Town shall enforce code compliance issues in secondary units to ensure residents safety.	2017	No activity. The Town has received one complaint in 2019 of an illegally constructed ADU and has worked with the property owner to bring the ADU into compliance.

Table 2-2: Summary of 5th Cycle Housing Element Programs and Implementation Status

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Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H8 - Secondary Unit Database	The Town shall develop a database of existing secondary units within Moraga and the greater region to understand trends and issues in secondary unit development, maintenance, and habitation.	Annually	The Town has mapped records of ADUs developed within the Town prior to 2010 and has been tracking all new ADU applications filed under the updated ADU ordinance for reporting purposes.
H9 - Maintain and Establish New housing Partnerships	The Town shall work with Saint Mary's College, the Moraga School District, affordable housing developers, and other groups and organizations to define opportunities for collaboration and identify potential sites, financial resources, and regulatory mechanisms and incentives to facilitate the development of new units that can help meet the Town's 'fair share' housing requirements for all income ranges, including workforce housing and extremely low income.	Annually	The Town partnered with Saint Mary's College on an update to the Campus Master Plan which was completed in 2017. The plan includes strategies for addressing changing needs related to on-campus housing and includes plans for 180 additional beds, 12 as single occupancy units and 168 beds in apartments. No further activity occurred in 2020
H10 - 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) Petitioning the County Housing Authority for additional Section 8 subsidies if rental dwelling units can be located that are within Federal fair market rent guidelines. If necessary, collect documentation on rent levels and need to substantiate an increase in the number of Section 8 certificates or vouchers. (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 or other extremely low income to moderate income housing for which State or federal subsidies are available.	(a) 2017 - (b) ongoing - (c.), (d), (e.) Consider opportunities at least annually and as development is proposed	No activity in 2020. The Town will work with developers and others to process requests for fee waivers for affordable housing projects, and to encourage inclusion of affordable and workforce housing in projects.

Table 2-2: Summary of 5th Cycle Housing Element Programs and Implementation Status

Page 4 of 6

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H-10, continued	(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) Encouraging future development to consider a fair share affordable housing component for workforce housing, including housing for extremely low income households.		See previous page.
H16 - Publicize Senior Housing Resources	The Town shall provide information to the public on housing resources available to seniors, including local subsidized senior housing, senior housing providers, and fair housing assistance	Ongoing	The Town provides information on senior housing resources to the public on an as-needed basis.
H17 - Address Homeless Housing, Services and Referral	The Town shall provide referrals to private and public agencies that offer assistance and shelter to homeless individuals and families, and participate with designated inter-agency organizations to address homeless needs. 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.	Ongoing	The Town provides information on homeless assistance services on an as-needed basis.
H18 - Provide Accessible Housing Information and Referral	The Town shall provide information to developers, homeowners, and other interested parties on the needs and techniques for producing adaptable and accessible housing for people with disabilities, and referrals for people with disabilities who desire specially designed housing to meet their needs.	Ongoing	The Town provides information on accessible housing on an as-needed basis

Table 2-2: Summary of 5th Cycle Housing Element Programs and Implementation Status

Page 5 of 6

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H19 - Countywide Homeless Survey	The Town shall participate in comprehensive surveys of the county's homeless population.	Ongoing	The Town will support Contra Costa Health Services in its annual count of homeless residents on an as-needed basis. The Contra Costa County annual homeless count it typically done in January, but not occurring in 2020 due to Covid-19. In 2022 the homeless count within Moraga was 4.
H20 - Coordinate with the Regional Center of the East Bay	Work with the Regional Center of the East Bay to implement an outreach program informing residents of the housing and services available for persons with developmental disabilities. Make information available on the Town website.	Initiate contact in 2015	The Planning Department Housing Resources page includes a link to the Regional Center of the East Bay website.
H21 - Amend Definition of "Family"	The Town shall amend the definition of "family" in the Zoning Code to include households with more than five unrelated individuals living as a single housekeeping unit	2015	This amendment was adopted in 2017
H22 - Equal Housing Opportunities Coordinator	The Town shall 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. The Coordinator shall be responsible for addressing complaints, providing fair housing information to the public, and educating Town staff on fair housing laws and the organizations and programs that address fair housing issues	Ongoing	The Planning Director provides fair housing information to the public and Town staff on an as-needed basis
H23 - Equal Housing Information	The Town shall 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.	2015, Ongoing	The Town's housing resources webpage includes a link to Contra Costa County affordable/equal housing resources.

Table 2-2: Summary of 5th Cycle Housing Element Programs and Implementation Status

Page 6 of 6

Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
H24 - Provide Nondiscrimination Clauses	The Town shall require nondiscrimination clauses in rental agreements and deed restrictions for affordable housing.	Ongoing	No activity – no new affordable housing units were constructed in Moraga in 2020.
H25 - Efficiency and Conservation Information	The Town shall prepare and distribute handouts to the public and maintain up-to-date information on the Town's website on ways to improve energy efficiency in existing homes and in new construction, on programs available to assist homeowners and landlords in making energy efficiency retrofits, and on the Affordable Housing Weatherization Assistance Program available for energy efficiency improvements for lower-income households	2015, Ongoing	The Planning Departments Climate Action Plan webpage provides a link to Sustainable Contra Costa which provides actions that can reduce carbon impacts and save energy.
H26 - Solar Ready Homes Ordinance	The Town shall prepare and adopt an ordinance that requires new residential construction to be built to "Solar Ready Homes" and/or "Solar Oriented Development" design guidelines. The ordinance shall require new single family homes to include designated roof space adequate for solar photovoltaic or solar water heating systems and for permitting plans to indicate future piping and electrical layout to accommodate future solar installations. The Town shall work with solar vendors to obtain incentives for homeowners who install solar PV within three years of purchasing a "Solar Ready Home."	2017	For new residential subdivision developments, the Town requires that new residences meet 90 or more on "Build it Green" checklist and the photovoltaic panels be offered to new buyers as an option.
H27 - Participate in Energy Efficiency Programs	The Town shall continue to participate in efforts that encourage energy efficiency upgrades, such as the Home Upgrade program for single family homes and the Multifamily Building Enhancements program, both available through Energy Upgrade California.	Ongoing	In 2018 the Town Council adopted an ordinance for the Town to join MCE, a Community Choice Aggregation (CCA) Program, which is a locally owned energy provider that will allow residents and businesses the option to have renewable electricity provided by MCE, which includes different levels of renewable energy and 50% and 100%. • In early 2018 residential and commercial electric accounts were enrolled into MCE. At the end of December 2021, Moraga had 6,455 electric accounts, 5,784 of those, or 89.6%, were enrolled in MCE.

2.3: Effectiveness of 5th Cycle Housing Element

Considering the Town's goals and objectives, and the Town's progress in meeting its quantified objectives and in implementing its 5th Cycle Housing Element programs, the existing Housing Element has been reasonably effective; however, its effectiveness did not extend to the production of different types of housing and housing suitable for households of different income levels. The fact that the Town did not see production of any new housing units affordable to lower income households, despite having programs designed to help achieve his objective, suggests that the Town should revisit programs intended to support production of housing for lower-income households and consider modifications for the 6th Cycle that can be more effective. Accordingly, the Housing Plan for the 6th Cycle strengthens many of the programs from the 5th Cycle and includes numerous new programs to improve the Town's ability to meet its housing goals.

Moraga implemented several actions during the 5th Cycle to address housing needs among special needs populations. These actions included providing information on senior housing resources, services for homeless persons, and accessible housing to members of the public as needed. The Town also adopted density incentives for senior housing in the R-20 (high-density) zoning district. In addition, the Town partnered with Saint Mary's College on an update to the Campus Master Plan, which was completed in 2017 and includes strategies for addressing changing needs related to on-campus housing. In 2020, the Town adopted zoning changes in the MCSP that facilitate residential development through new incentives, streamlined processes, objective design standards, and "by right" approval opportunities. Two residential projects with a total of 62 units have occurred in the MCSP area since adoption of the Specific Plan. While these units do not specifically target special-needs households, these zoning changes have increased the feasibility of developing housing in Moraga that would serve special needs households.

The programs included in this Housing Element Update build on these actions to advance the City's efforts to address housing needs among special-needs households. Actions that will be undertaken during the 6th Housing Element Cycle include increasing development capacity on rezoned sites, reducing parking requirements for studios and one-bedroom units, and streamlining the development process, including approving multifamily development by right and establishing objective design standards. These actions will improve the feasibility of the constructing affordable housing in Moraga, including affordable housing that serves households with special needs. Many of the programs included in this Housing Element Update will facilitate development of multifamily housing, which will include accessibility features in accordance with ADA requirements. In addition, the Housing Element includes programs and actions that specifically target housing needs among special-needs households, including Programs 10, 11, 12, 13, 20, 21, 23, 37, 38, 39, and 41.

Table 2-3 lists the 5th Cycle programs and the righthand column includes considerations for how the existing Housing Element's programs have been continued, deleted, or modified for the 6th Cycle Housing Element. In addition, the findings from the housing needs assessment, assessment of fair housing, and constraints analyses sections of this Housing Element Update, as well as input from the public and local policymakers on the community's current housing challenges and needs, have informed the goals, policies, and programs in the Housing Plan section of this Housing Element Update.

Table 2-3: 5th Cycle Housing Element Effectiveness and Considerations

Page 1 of 5

Name of Program	Objective	Considerations for 6th Cycle
H1-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).	Continue as-is pursuant to HCD requirements.
H2 - No-Net-Loss of Sites	The Town shall continue to zone sufficient sites to meet Moraga's regional share of housing need as established by the Association of Bay Area Governments Regional Housing Needs Allocation. Consistent with "no-net-loss" density provisions contained in Government Code Section 65863, the Town shall consider the potential impact on the Town's ability to meet its share of the regional housing need when reviewing proposals to downzone residential properties, reclassify residentially-designated property to other uses, or develop a residential site with fewer units than what is assumed for the site in the Housing Element sites inventory.	Continue and modify to respond to recent State legislation and HCD guidance related to no net loss requirements (SB 166).
H3 - Vacant and Underutilized Land Inventory	The Town shall develop and maintain a publicly available inventory of vacant and underutilized parcels designated and zoned to allow residential development. The inventory should highlight sites that are appropriate for developments that meet local housing needs identified in this Housing Element.	Continue and modify.
H4-Adopt Zoning for the Moraga Center Specific Plan	The Town shall adopt conforming zoning designations for all properties within the Moraga Center Specific Plan Area in order to implement the Plan.	Delete – program completed.
H5 - Develop Rheem Park Area Specific Plan	The Town shall undertake a coordinated specific plan process, area plan, or other more detailed planning, such as focused updates to the General Plan or Zoning to address planning issues in the Rheem Park area in accordance with the goals and policies of the General Plan. These planning efforts should reflect opportunities to develop a range of housing types and densities, and should consider the inclusion of requirements to ensure that housing is affordable to low- and very low-income residents and seniors, and that it provides workforce housing opportunities.	Delete – program completed.
H6 - Secondary Unit Ordinance	The Town shall review and update the requirements for secondary unit approval process to encourage new units, potentially including but not limited to separation requirements, height/location limitations, and permit procedures, to facilitate the development of second units. The Town shall also consider fee waivers for deed restricted affordable second units.	Delete – program completed.

Table 2-3: 5th Cycle Housing Element Effectiveness and Considerations

Page 2 of 5

Name of Program	Objective	Considerations for 6th Cycle
H7 - Secondary Unit Compliance	The Town shall develop and implement a program to encourage owners of secondary units constructed without appropriate permits to bring their buildings up to code and legalize units where appropriate and conforming to applicable building and zoning code requirements. Where necessary, the Town shall enforce code compliance issues in secondary units to ensure residents safety.	Continue and modify.
H8 - Secondary Unit Database	The Town shall develop a database of existing secondary units within Moraga and the greater region to understand trends and issues in secondary unit development, maintenance, and habitation.	Continue and modify.
H9 - Maintain and Establish New housing Partnerships	The Town shall work with Saint Mary's College, the Moraga School District, affordable housing developers, and other groups and organizations to define opportunities for collaboration and identify potential sites, financial resources, and regulatory mechanisms and incentives to facilitate the development of new units that can help meet the Town's 'fair share' housing requirements for all income ranges, including workforce housing and extremely low income.	Continue and modify.
H10 - 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) Petitioning the County Housing Authority for additional Section 8 subsidies if rental dwelling units can be located that are within Federal fair market rent guidelines. If necessary, collect documentation on rent levels and need to substantiate an increase in the number of Section 8 certificates or vouchers. (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 or other extremely low income to moderate income housing for which State or federal subsidies are available. (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) Encouraging future development to consider a fair share affordable housing component for workforce housing, including housing for extremely low income households.	Continue and modify.

Table 2-3: 5th Cycle Housing Element Effectiveness and Considerations

Page 3 of 5

Name of Program	Objective	Considerations for 6th Cycle
H11 - Crime Prevention Guidelines	The Town shall develop planning and design guidelines for implementation of design ideas that can help prevent or reduce crime (e.g., through attention to sight-lines to front doors and windows and from front windows to the street).	Delete.
H12 - 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 inform students of this housing opportunity.	Continue as-is.
H13 – Increase Awareness of Housing Rehabilitation Program	The Town shall improve citizen awareness of the Contra Costa County Housing Authority's Housing Rehabilitation Program and Contra Costa County Neighborhood Preservation Loan program by making pamphlets available at the Planning Department and the public library, and conducting targeted outreach to lower income households, including extremely low-income households	Continue and modify.
H14 – Streamlined Review Process	The Town shall explore changes to the development review process to reduce the time needed for residential subdivision and project approval, while protecting the character of Moraga. Potential changes to the development review process to be considered might include allowing for more review at the staff level and/or developing a preliminary project review process that provides early feedback to developers on whether or not the project is consistent with Town standards and appropriate for the community.	Continue and modify.
H15 - Fee Deferrals	The Town may allow deferral of certain fees on qualifying affordable housing developments until issuance of a Certificate of Occupancy (COO) to help offset development costs for affordable housing.	Continue and modify.
H16 - Publicize Senior Housing Resources	The Town shall provide information to the public on housing resources available to seniors, including local subsidized senior housing, senior housing providers, and fair housing assistance	Continue and modify.
H17 - Address Homeless Housing, Services and Referral	The Town shall provide referrals to private and public agencies that offer assistance and shelter to homeless individuals and families, and participate with designated inter-agency organizations to address homeless needs. 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.	Continue as-is.

Table 2-3: 5th Cycle Housing Element Effectiveness and Considerations

Page 4 of 5

Name of Program	Objective	Considerations for 6th Cycle
H18 - Provide Accessible Housing Information and Referral	The Town shall provide information to developers, homeowners, and other interested parties on the needs and techniques for producing adaptable and accessible housing for people with disabilities, and referrals for people with disabilities who desire specially designed housing to meet their needs.	Delete. The town continues to provide information on an as-needed basis.
H19 - Countywide Homeless Survey	The Town shall participate in comprehensive surveys of the county's homeless population.	Continue as-is.
H20 - Coordinate with the Regional Center of the East Bay	Work with the Regional Center of the East Bay to implement an outreach program informing residents of the housing and services available for persons with developmental disabilities. Make information available on the Town website.	Continue and modify.
H21 - Amend Definition of "Family"	The Town shall amend the definition of "family" in the Zoning Code to include households with more than five unrelated individuals living as a single housekeeping unit	Delete – program completed.
H22 - Equal Housing Opportunities Coordinator	The Town shall 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. The Coordinator shall be responsible for addressing complaints, providing fair housing information to the public, and educating Town staff on fair housing laws and the organizations and programs that address fair housing issues	Delete and incorporate into a new program to affirmatively further fair housing.
H23 - Equal Housing Information	The Town shall 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.	Delete and incorporate into a new program to affirmatively further fair housing.
H24 - Provide Nondiscrimination Clauses	The Town shall require nondiscrimination clauses in rental agreements and deed restrictions for affordable housing.	Delete and incorporate into a new program to affirmatively further fair housing..
H25 - Efficiency and Conservation Information	The Town shall prepare and distribute handouts to the public and maintain up-to-date information on the Town's website on ways to improve energy efficiency in existing homes and in new construction, on programs available to assist homeowners and landlords in making energy efficiency retrofits, and on the Affordable Housing Weatherization Assistance Program available for energy efficiency improvements for lower-income households	Delete and replace with the programs that are included in the Town's Climate Action Plan.

Table 2-3: 5th Cycle Housing Element Effectiveness and Considerations

Page 5 of 5

Name of Program	Objective	Considerations for 6th Cycle
H26 - Solar Ready Homes Ordinance	The Town shall prepare and adopt an ordinance that requires new residential construction to be built to "Solar Ready Homes" and/or "Solar Oriented Development" design guidelines. The ordinance shall require new single family homes to include designated roof space adequate for solar photovoltaic or solar water heating systems and for permitting plans to indicate future piping and electrical layout to accommodate future solar installations. The Town shall work with solar vendors to obtain incentives for homeowners who install solar PV within three years of purchasing a "Solar Ready Home."	Delete – program completed.
H27 - Participate in Energy Efficiency Programs	The Town shall continue to participate in efforts that encourage energy efficiency upgrades, such as the Home Upgrade program for single family homes and the Multifamily Building Enhancements program, both available through Energy Upgrade California.	Delete – program completed.

CHAPTER 3: HOUSING NEEDS ASSESSMENT

The purpose of the Housing Needs Assessment is to evaluate local demographics, housing conditions, and market dynamics in order to better understand local housing needs. This analysis is expressly required by State Government Code Section 65583(a) and the findings of the Needs Assessment provide a foundation for policies and action programs which ensure that the Housing Element responds to local—as well as regional—housing needs.

The San Francisco Bay Area (Bay Area) continues to see growth in both population and jobs, which means more housing of various types and sizes is needed to ensure that current and prospective residents across all income levels, ages, and abilities have a place to call home. While people have continued to be drawn to the region over the past 30 years, housing production has stalled, contributing to the housing shortage that communities are experiencing today. In many communities in the region, this has resulted in existing residents being priced out, increased traffic congestion caused by longer commutes, and fewer people across incomes being able to purchase homes or meet surging rents.

3.1: Summary of Key Facts

- **Population.** Generally, the population of the Bay Area continues to grow because of natural growth and because the strong economy draws new residents to the region. The population of Moraga increased by only 2.9 percent from 2000 to 2020, which is well below the growth rate of the Bay Area.

- **Age.** In 2019, Moraga's youth population (under the age of 18) was 3,769 and senior population (65 and older) was 3,734. These age groups represent 21.5 percent and 21.3 percent, respectively, of Moraga's population.

- **Race/Ethnicity.** In 2020, 61.9 percent of Moraga's population was White Non-Hispanic, while only 1.2 percent was Black Non-Hispanic, 18.9 percent was Asian, and 9.8 percent was Latinx. People of color in Moraga comprise a proportion below the overall proportion in the Bay Area as a whole.

- **Employment.** Moraga residents most commonly work in Financial & Professional Services or the Health & Educational Services industry. From January 2010 to October 2021, the unemployment rate for Moraga residents decreased by 4.3 percentage points. Between 2010 and 2019, the number of jobs located in the jurisdiction increased by 508 (13.9 percent). Additionally, the jobs to households ratio in Moraga has increased from 0.67 in 2002 to 0.79 jobs per household in 2018.

- **Number of Homes.** The number of new homes built in the Bay Area has not kept pace with the demand, resulting in longer commutes, increasing prices, and exacerbating issues of displacement and homelessness. The number of homes in Moraga increased 1.9 percent from 2010 to 2021, which is below the growth rate for Contra Costa County and below the growth rate of the region's housing stock during this time period.

- **Home Prices.** A diversity of homes at all income levels creates opportunities for all Moraga residents to live and thrive in the community.

  - **Ownership.** The largest proportion of homes in Moraga had a value in the range of $1 to $1.5 million in 2019. Home prices increased by more than 100 percent from 2010 to 2020.

  - **Rental Prices.** The median contract rent for a rental unit in Moraga was $2,001 in 2019. Rental prices increased by 19.7 percent from 2009 to 2019. To rent a typical apartment without cost burden, a household would need to have an income of $80,040 per year, assuming the contract rent includes utilities.

- **Housing Type.** It is important to have a variety of housing types to meet the needs of a community today and in the future. In 2021, 66.5 percent of homes in Moraga were single-family detached units, 14.9 percent were single-family attached (townhomes), 5.2 percent were in small multifamily buildings (2-4 units), and 13.4 percent were in medium or large multifamily buildings (5+ units). Between 2010 and 2021, the number of single-family units increased more than multifamily units. Generally, Moraga has a higher share of detached single-family homes relative to all homes than other jurisdictions in the region.

- **Cost Burden.** The U.S. Department of Housing and Urban Development considers housing to be affordable if the household spends less than 30% of its income on housing costs. A household is considered "cost-burdened" if it spends more than 30 percent of its monthly income on housing costs, while those who spend more than 50 percent of their income on housing costs are considered "severely cost-burdened." In Moraga, 19 percent of households spend 30 percent to 50 percent of their income on housing, while 13 percent of households are severely cost burdened and use the majority of their income for housing.

- **Displacement/Gentrification.** According to research from The University of California, Berkeley, no households in Moraga live in neighborhoods that are susceptible to or experiencing displacement, and none live in areas at risk of or undergoing gentrification. However, 87.1 percent of households in Moraga live in

neighborhoods where low-income households are effectively excluded due to prohibitive housing costs. There are various ways to address displacement including ensuring new housing at all income levels is built.

- **Neighborhood Resources.** All residents in Moraga live in neighborhoods identified as "Highest Resource" or "High Resource" areas by State-commissioned research; none live in areas identified by this research as "Low Resource" or "High Segregation and Poverty" areas. These neighborhood designations are based on a range of indicators covering areas such as education, poverty, proximity to jobs and economic opportunities, low pollution levels, and other factors.

- **Special Housing Needs.** Some population groups may have special housing needs that require specific program responses, and these groups may experience barriers to accessing stable housing due to their specific housing circumstances. In Moraga, 8.8 percent of residents report a disability of at least one kind and may require accessible housing. Additionally, 8.3 percent of Moraga households are larger households with five or more people, who likely need larger housing units with three bedrooms or more; 6.8 percent of households are female-headed families, which are often at greater risk of housing insecurity.

3.2: Note on Data

Many of the tables in this report are sourced from published data from the Census Bureau's American Community Survey[2] or the U.S. Department of Housing and Urban Development's Comprehensive Housing Affordability Strategy (CHAS) data[3], both of which rely on samples and as such, are subject to sampling variability. This means that data represent estimates, and that other estimates could be possible if another set of respondents had been reached. This analysis uses the five-year release to get a larger data pool to minimize this "margin of error" but particularly for smaller communities such as Moraga, the data will be based on fewer responses, and the information should be interpreted accordingly.

3.3: Looking to the Future: Regional Housing Needs

3.3.1: Regional Housing Needs Determination

The *Plan Bay Area 2050 Final Blueprint*[4] forecasts that the nine-county Bay Area will add 1.4 million new households between 2015 and 2050. For the eight-year time frame covered by this

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[2] Census data from the American Community Survey and many other Census programs can be found at https://data.census.gov/cedsci/

[3] CHAS data can be found at https://www.huduser.gov/portal/datasets/cp.html.

[4] Plan Bay Area 2050 is a long-range plan charting the course for the future of the nine-county San Francisco Bay Area. It covers four key issues: the economy, the environment, housing, and transportation. The Final Blueprint can

Housing Element Update, the Department of Housing and Community Development (HCD) has identified the region's housing need as 441,176 additional units. The total number of housing units assigned by HCD is separated into four income categories that cover housing types for all income levels, from subsidized housing units affordable to very low-income households to market rate housing.[5] This calculation, known as the Regional Housing Needs Determination (RHND), is based on population projections produced by the California Department of Finance as well as adjustments that consider the region's current housing need. The adjustments result from recent legislation requiring HCD to apply additional factors to the baseline growth projection from California Department of Finance, in order for the state's regions to get closer to healthy housing markets. To this end, adjustments focus on the region's vacancy rate, level of overcrowding and the share of cost burdened households.[6] These new laws governing the methodology for how HCD calculates the RHND resulted in a significantly higher number of housing units for which the Bay Area must plan compared to previous RHNA cycles.

3.3.2: Regional Housing Needs Allocation

A starting point for the Housing Element Update process for every California jurisdiction is the Regional Housing Needs Allocation or RHNA. For the Bay Area, the share of the RHND is assigned to each jurisdiction by the Association of Bay Area Governments (ABAG). State Housing Element Law requires ABAG to develop a methodology that calculates the number of housing units assigned to each city and county and distributes each jurisdiction's housing unit allocation among four affordability levels. The RHND increased by 135%, from 187,990 in the last cycle to 441,776 in this RHNA cycle. For more information on the RHNA process this cycle, see ABAG's website: https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation. Most jurisdictions in the Bay Area received a significantly larger RHNA this cycle compared to the last cycle.

On December 16, 2021, ABAG adopted the *Final Regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031*. This is the final step in ABAG's RHNA process. For the Town of Moraga, the RHNA to be planned for this cycle is 1,118 units, a substantial increase from the last cycle's allocation of 229 total units. The allocation for Moraga is broken down by income category as follows in Table 3-1.

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be found at https://www.planbayarea.org/2050-plan/plan-bay-area-2050-blueprint/plan-bay-area-2050-final-blueprint-documents.

[5] HCD divides the RHND into the following four income categories: Very Low-income - 0-50% of Area Median Income; Low-income - 50-80% of Area Median Income; Moderate-income - 80-120% of Area Median Income; and Above Moderate-income - 120% or more of Area Median Income.

[6] For more information on HCD's RHND calculation for the Bay Area, see https://abag.ca.gov/sites/default/files/documents/2021-12/Final_RHNA_Allocation_Report_2023-2031-approved_0.pdf.

Table 3-1: Final Regional Housing Needs Allocation (RHNA)

Income Category	Town of Moraga		Contra Costa County		Bay Area	
	Number	%	Number	%	Number	%
Very Low Income (<50% of AMI)	318	28.4%	13,346	27.2%	114,442	25.9%
Low Income (50%-80% of AMI)	183	16.4%	7,685	15.7%	65,892	14.9%
Moderate Income (80%-120% of AMI)	172	15.4%	7,807	15.9%	72,712	16.5%
Above Moderate Income (>120% of AMI)	445	39.8%	20,205	41.2%	188,130	42.6%
Total	**1,118**	**100%**	**49,043**	**100%**	**441,176**	**100%**

Source: Association of Bay Area Governments; HCD.

The Town of Moraga has limited ability to control economic pressures driven by regional housing supply and demand dynamics. However, ensuring that the Town adequately plans to accommodate its RHNA, including sites that can accommodate housing for lower-income households, is a key local responsibility established by the State of California. State law requires that the Town provide opportunities for development of housing that is suitable for households at all income levels and does not contribute to regional economic pressures by constraining the local supply of land available to meet housing demand.

3.4: Population, Employment, and Household Characteristics

3.4.1: Population

The Bay Area is the fifth-largest metropolitan area in the nation and has seen a steady increase in population since 1990. Many cities in the region have experienced significant growth in jobs and population. While these trends have led to a corresponding increase in demand for housing across the region, the regional production of housing has largely not kept pace with job and population growth. Based on recent Census data, in Moraga, population growth has been much slower. Between 2000 and 2020, Moraga's population increased by only 2.9 percent; in contrast, Contra Costa County's overall population has increased by 21.2 percent, indicating robust growth elsewhere in the county. Overall, the county population has increased faster than the region, which has seen growth of 14.2 percent over the same decade.

Table 3-2: Population Trends, 2000-2020

Population	2000	2020	% Change 2000-2020
Moraga	16,290	16,756	2.9%
Contra Costa County	948,816	1,149,853	21.2%
ABAG Region	6,784,348	7,748,930	14.2%

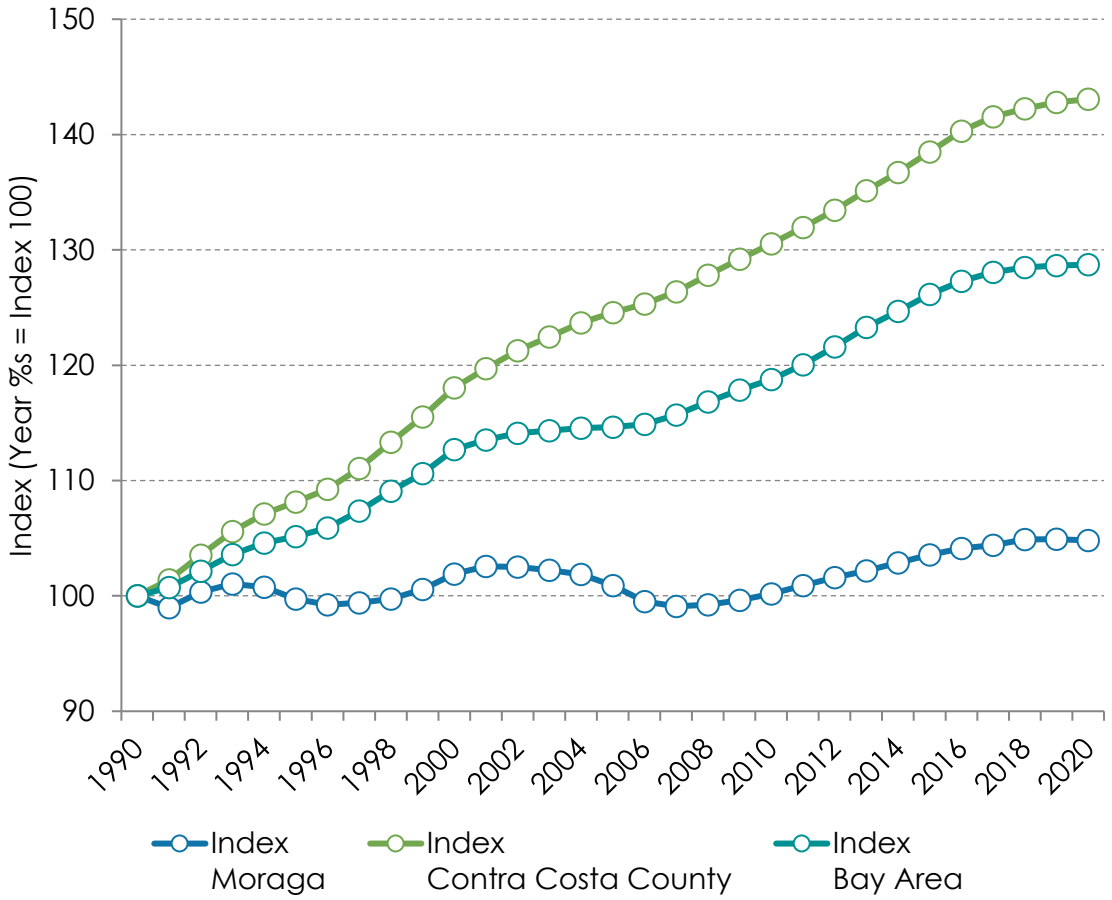
Note:
The nine-county ABAG Region includes Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

Sources: California Department of Finance, E-4 and E-5 Series; BAE, 2021.

In 2020, the population of Moraga was estimated to be 16,756 (see Table 3-2). The population of Moraga is only 1.5 percent of Contra Costa County. From 1990 to 2000, Moraga's population increased by only 1.9 percent; from 2000 to 2010 the population actually showed a very slight decline, and between 2010 and 2020, it recovered to grow by 4.6 percent. Data from the recently released 2020 Census shows that Moraga's actual 2020 population was 16,870, which is roughly the same as the Department of Finance estimate.

To compare the rate of growth across various geographic scales, Figure 3-1 shows population for the jurisdiction, county, and region indexed to the population in the year 1990. This means that the data points represent the population growth (i.e., percent change) in each of these geographies relative to their populations in 1990. As shown Moraga has exhibited much slower growth than the county or the Bay Area.

Figure 3-1: Population Growth Trends



Notes:
Universe: Total population.
The data shown on the graph represents population for the jurisdiction, county, and region indexed to the population in the year 1990. The data points represent the relative population growth in each of these geographies relative to their populations in 1990.

Source: California Department of Finance, E-4 and E-5 series.

3.4.2: Household Trends

As illustrated by Table 3-3, as Moraga's population grew slowly between 2000 and 2020, the number of households was almost unchanged over the same period, leading to a slight increase in household size over the two decades. In contrast, the county showed strong growth in the number of households, growing at a faster rate than the ABAG Region; however, the population growth in the two geographies was slower than growth in the number of households, leading to an increase in average household size. As with population, the faster growth in the number of households countywide as compared to the change in Moraga alone indicates strong growth elsewhere in the county.

Table 3-3: Household Trends, 2000-2020

Households	2000	2020	% Change 2000-2020
Moraga	5,662	5,651	-0.2%
Contra Costa County	344,129	396,173	15.1%
ABAG Region	2,466,020	2,752,510	11.6%
Average Household Size	**2000**	**2020**	
Moraga	2.59	2.66	
Contra Costa County	2.72	2.88	
ABAG Region	2.69	2.76	

Note:
The nine-county ABAG Region includes Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

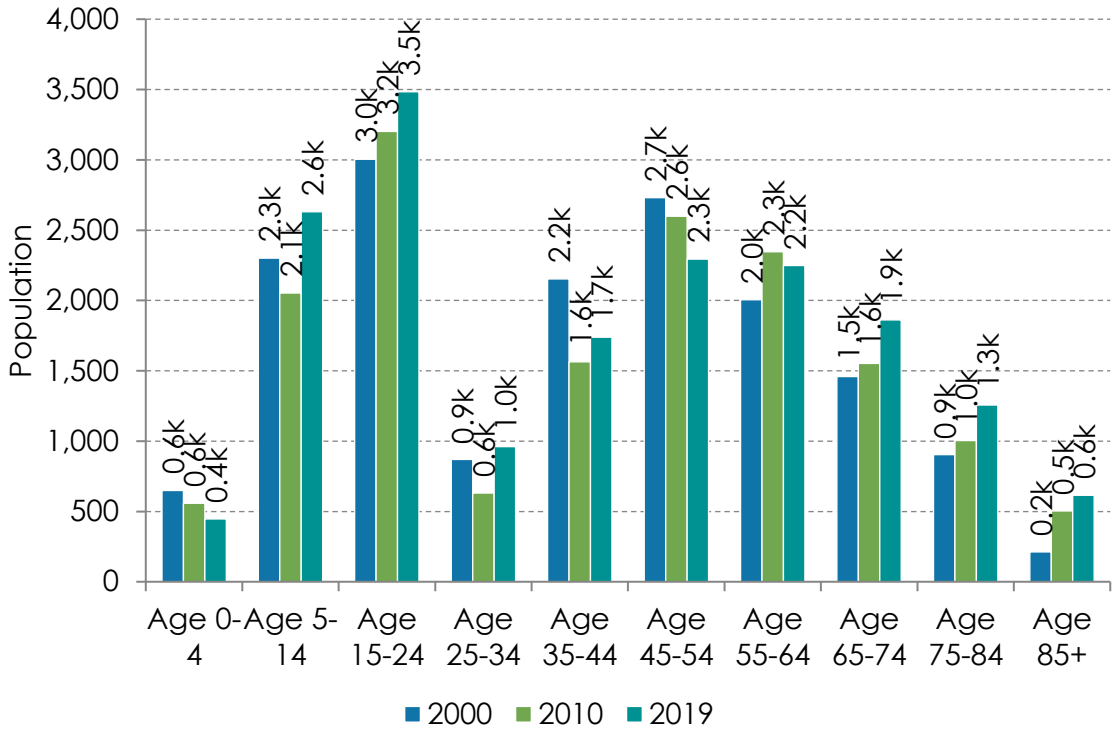
Sources: California Department of Finance, E-8 and E-5 Series; BAE, 2021.

3.4.3: Age

The distribution of age groups in an area shapes what types of housing the community may need in the near future. An increase in the older population may mean there is a developing need for more senior housing options, while higher numbers of children and young families can point to the need for more family housing options and related services. There has also been a move by many seniors to age-in-place or downsize to stay within their communities, which can mean more multifamily and accessible units are also needed.

In Moraga, the median age in 2000 was 42.0; by 2019, this had increased slightly to 43.2. The population of school-age children increased while the preschool-age population decreased; the population from ages 35 to 54 decreased, and the population 55 and older increased. The elderly showed the greatest percentage increase, indicating the baby boom generation is aging in place in Moraga (see Figure 3-2).

Figure 3-2: Population by Age, 2000-2019



Universe: Total population

Source: U.S. Census Bureau, Census 2000 SF1, Table P12; U.S. Census Bureau, Census 2010 SF1, Table P12; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001.

3.4.4: Race and Ethnicity

Understanding the racial makeup of a locale and region is important for designing and implementing effective housing policies and programs. These patterns are shaped by both historic and current market factors and government actions, such as exclusionary zoning, discriminatory lending practices and displacement that has occurred over time and continues to impact communities of color today. Since 2000, the number and percentage of residents in Moraga identifying as non-Hispanic White has decreased by 18 percent, with that group population standing at 10,440 (see Figure 3-3 and Table 3-4). By the same token the percentage of residents of all other races and ethnicities has increased. In absolute terms, the Asian/Pacific Islander non-Hispanic population increased the most; the White Non-Hispanic population was the only major category that showed a decrease.

Table 3-4: Moraga Population by Race, 2000-2020

Number

Year	American Indian or Alaska Native, Non-Hispanic	Asian / API, Non-Hispanic	Black or African American, Non-Hispanic	White, Non-Hispanic	Other Race or Multiple Races, Non-Hispanic	Hispanic or Latinx
2000	10	2,024	161	12,760	560	775
2010	16	2,395	258	11,509	715	1,123
2020	13	3,182	197	10,440	1,386	1,652

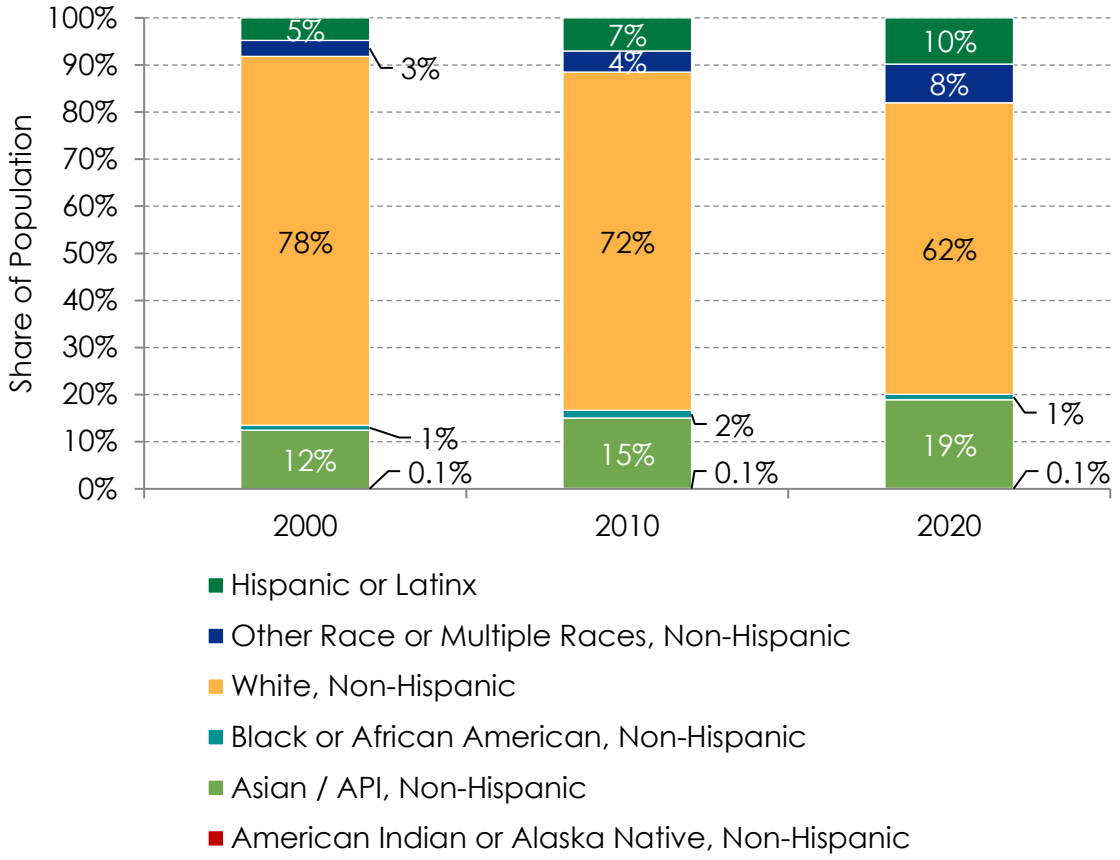
Percent of Total

Year	American Indian or Alaska Native, Non-Hispanic	Asian / API, Non-Hispanic	Black or African American, Non-Hispanic	White, Non-Hispanic	Other Race or Multiple Races, Non-Hispanic	Hispanic or Latinx
2000	0.1%	12.4%	1.0%	78.3%	3.4%	4.8%
2010	0.1%	15.0%	1.6%	71.9%	4.5%	7.0%
2020	0.1%	18.9%	1.2%	61.9%	8.2%	9.8%

Notes:
The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Sources: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, Census 2010, Table P5; U.S. Census Bureau, Census 2020, Redistricting Data (PL 94-171) Table P2, Census 2020.

Figure 3-3: Moraga Population by Race, 2000-2020



Universe: Total population

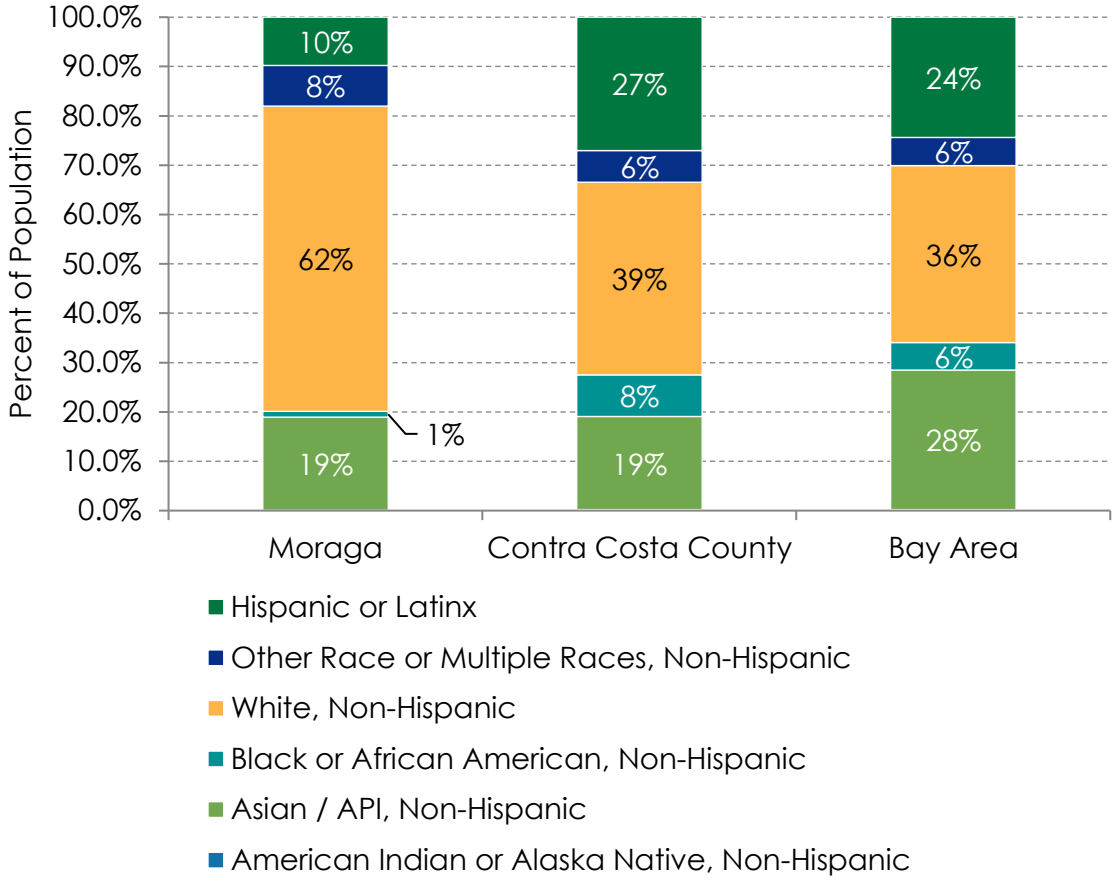
Notes:
The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Sources: U.S. Census Bureau, Census 2000, Table P004; U.S. Census Bureau, Census 2010, Table P5; U.S. Census Bureau, Census 2020, Redistricting Data (PL 94-171) Table P2, Census 2020.

While its population has become more diverse in recent years even though growth has been limited, Moraga is still less diverse than the county overall or the Bay Area region. Sixty-two percent of Moraga's population is White Non-Hispanic, in comparison to only 39 percent for the county and 36 percent for the region (see Figure 3-4). This indicates that other areas of the county contain a higher proportion of the county's minority population than Moraga. The largest minority group in Moraga and the Bay Area is the Asian/Pacific Islander non-Hispanic group, while the largest in Contra Costa County is the Hispanic/Latinx group. Moraga is slightly more diverse than the neighboring cities of Orinda and Lafayette. According to the Housing Elements produced for those cities, White Non-Hispanic residents account for 72 percent of the population in Orinda and 75 percent of the population in Lafayette. Moraga's slightly larger non-White population may be due in part to the presence of St. Mary's College in Moraga. Data on the St.

Mary's website indicates that 40 percent of undergraduates at the college are White Non-Hispanic, indicating that the St. Mary's student body is more diverse than the population of Moraga overall.

Figure 3-4: Population by Race, Moraga, Contra Costa County, and the Bay Area, 2020



Universe: Total population

Notes:
The Census Bureau defines Hispanic/Latinx ethnicity separate from racial categories. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity.

Sources: U.S. Census Bureau, Census 2020, Redistricting Data (PL 94-171) Table P2, Census 2020.

Examining the senior and youth population by race adds an additional layer of understanding, as families and seniors of color are sometimes more likely to experience challenges finding affordable housing. In Moraga, people of color make up 15 percent of older adults and 29 percent of youth under 18 (see Table 3-5). This includes persons of Hispanic origin, who make up only three percent of seniors and seven percent of youth under 18. As persons of Hispanic origin make up eight percent of the total population, this indicates this group is

underrepresented amount the elderly. The Hispanic youth population proportion is similar to the overall proportion. This is an indicator that the proportion of the population that is Hispanic/Latinx in Moraga may remain relatively stable.

Table 3-5: Senior and Youth Population by Race and Hispanic Origin

	Age 0-17		Age 65+		Total Population	
Race Category	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
American Indian or Alaska Native (Hispanic and Non-Hispanic)	-	0%	-	0%	30	0%
Asian / API (Hispanic and Non-Hispanic)	629	17%	529	14%	3,029	17%
Black or African American (Hispanic and Non-Hispanic)	-	0%	15	0%	121	1%
Other Race or Multiple Races (Hispanic and Non-Hispanic)	454	12%	34	1%	1,332	8%
White (Hispanic and Non-Hispanic)	2,686	71%	3,156	85%	13,027	74%
Total	**3,769**	**100%**	**3,734**	**100%**	**17,539**	**100%**
Hispanic, Any Race	246	7%	119	3%	1,352	8%
Non-Hispanic, Any Race	3,523	93%	3,615	97%	16,187	92%

Notes:
In the sources for this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. The overlapping category of Hispanic/ non-Hispanic groups is shown separately to avoid double counting.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B01001(A-I).

3.4.5: Employment Trends

Following is a discussion of employment trends and their relationship to community housing needs.

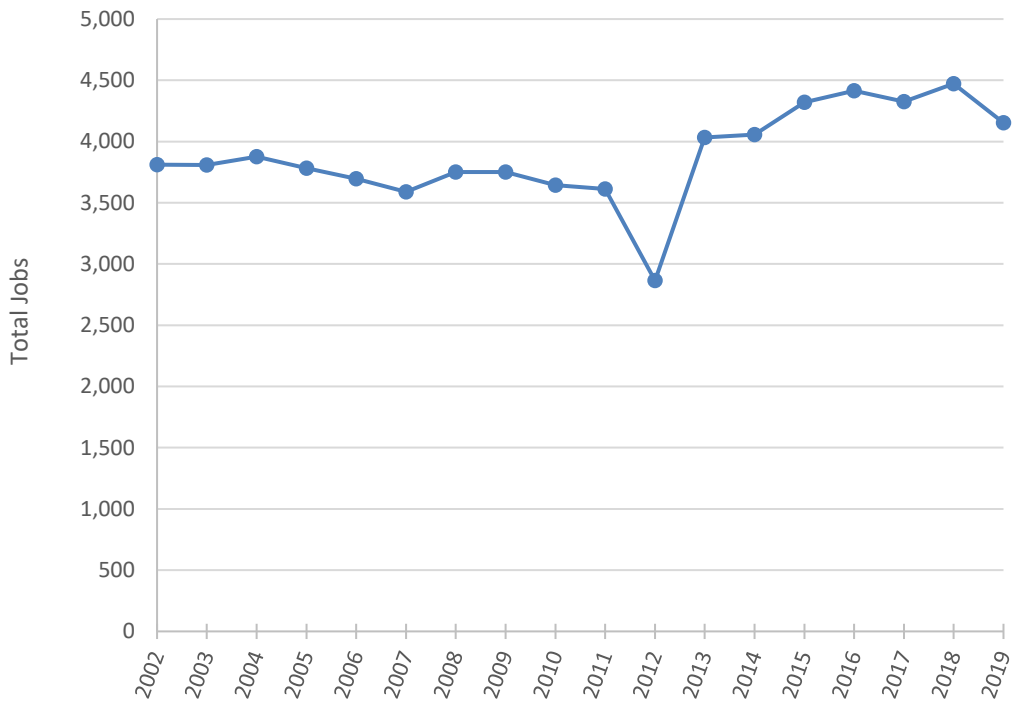
Balance of Jobs and Workers

A city houses employed residents who either work in the community where they live or work elsewhere in the region. Conversely, a city or town may have job sites that employ residents from the same city or town, but employ workers commuting from outside of it. Smaller cities or towns typically will have more employed residents than jobs there and export workers, while larger jurisdictions tend to have a surplus of jobs and import workers. To some extent the regional transportation system is set up for this flow of workers to the region's core job centers. At the same time, as the housing affordability crisis has illustrated, local imbalances may be severe, where local jobs and worker populations are out of sync at a sub-regional scale.

One measure of this is the relationship between workers and jobs. A jurisdiction with a surplus of workers "exports" workers to other parts of the region, while a jurisdiction with a surplus of

jobs must conversely "import" them. Between 2002 and 2019, the number of jobs in Moraga has only grown by nine percent, albeit slightly outpacing population growth (see Figure 3-5).

Figure 3-5: Jobs in Town of Moraga, 2002-2019



Universe: Jobs from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment

Notes: The data are tabulated by place of work, regardless of where a worker lives. The source data are provided at the Census Block level. These are crosswalked to jurisdictions and summarized.

Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files, 2002-2019.

Based on American Community Survey data from 2015 to 2019, there are 7,419 employed residents, and 5,754 persons working[7] in Moraga. The ratio of jobs to residents working anywhere is 0.78; Moraga is thus a net exporter of workers.

Figure 3-6 shows the balance when comparing jobs to workers, broken down by different wage groups, offering additional insight into local dynamics. A community may offer employment for relatively low-income workers but have relatively few housing options for those workers or,

[7] Employed residents in a jurisdiction is counted by place of residence (they may work elsewhere) while jobs in a jurisdiction are counted by place of work (they may live elsewhere). The job totals may differ from those reported in Figure 3-5 as the source for the time series is from administrative data, while the cross-sectional data is from the American Community Survey.

conversely, it may house residents who are low wage workers but offer few local employment opportunities for them. Such relationships may cast extra light on potentially pent-up demand for housing in particular price categories. A surplus of jobs relative to residents in a given wage category suggests the need to import those workers, while conversely, surpluses of workers in a wage group relative to jobs means the community will export those workers to other jurisdictions. Such flows are not inherently bad, though over time, sub-regional imbalances may appear. The greatest imbalance in Moraga is for workers with high earnings; Moraga has far fewer jobs for workers earning $75,000 or more than it has residents with earnings in that range.

Figure 3-6: Workers by Earnings, by Place of Work and Place of Residence for Town of Moraga, 2018

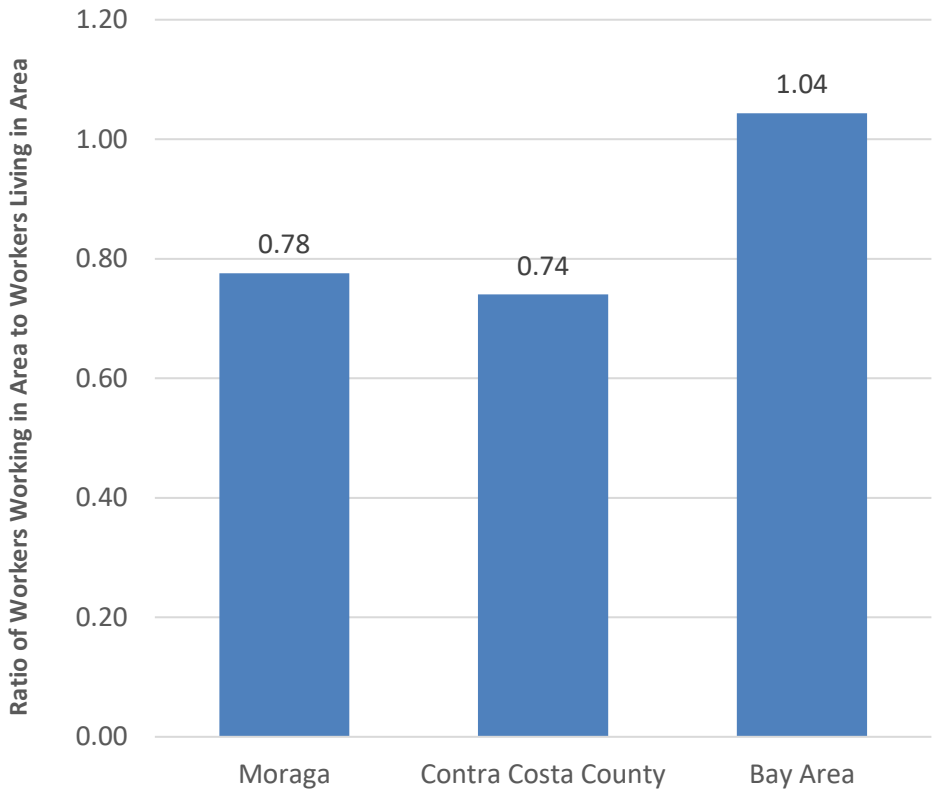
Universe: Workers 16 years and over with earnings

Source: U.S. Census Bureau, American Community Survey 5-Year Data 2015-2019, B08119, B08519

Figure 3-7 shows the balance of resident workers to the workers employed there for Moraga, Contra Costa County, and the Bay Area region, expressed as a ratio. A value of 1 means that a city has the same number of jobs in a wage group as it has resident workers - in principle, a balance. Values above 1 indicate a jurisdiction will need to import workers for jobs in a given wage group. For the Bay Area region, this ratio for all income levels is 1.04 workers working in the region for each worker living in the region, implying a modest import of workers from outside

the region. For Moraga, this ratio is 0.78 and for Contra Costa County overall the ratio is 0.74, indicating that Moraga and the county are net exporters of workers to other parts of the Bay Area and beyond, and house more workers than they provide jobs for.

Figure 3-7: Ratio of Workers Employed in an Area to Working Residents



Universe: Workers 16 years and older
Notes:
Data are for workers, not for jobs. A worker may hold more than one job.

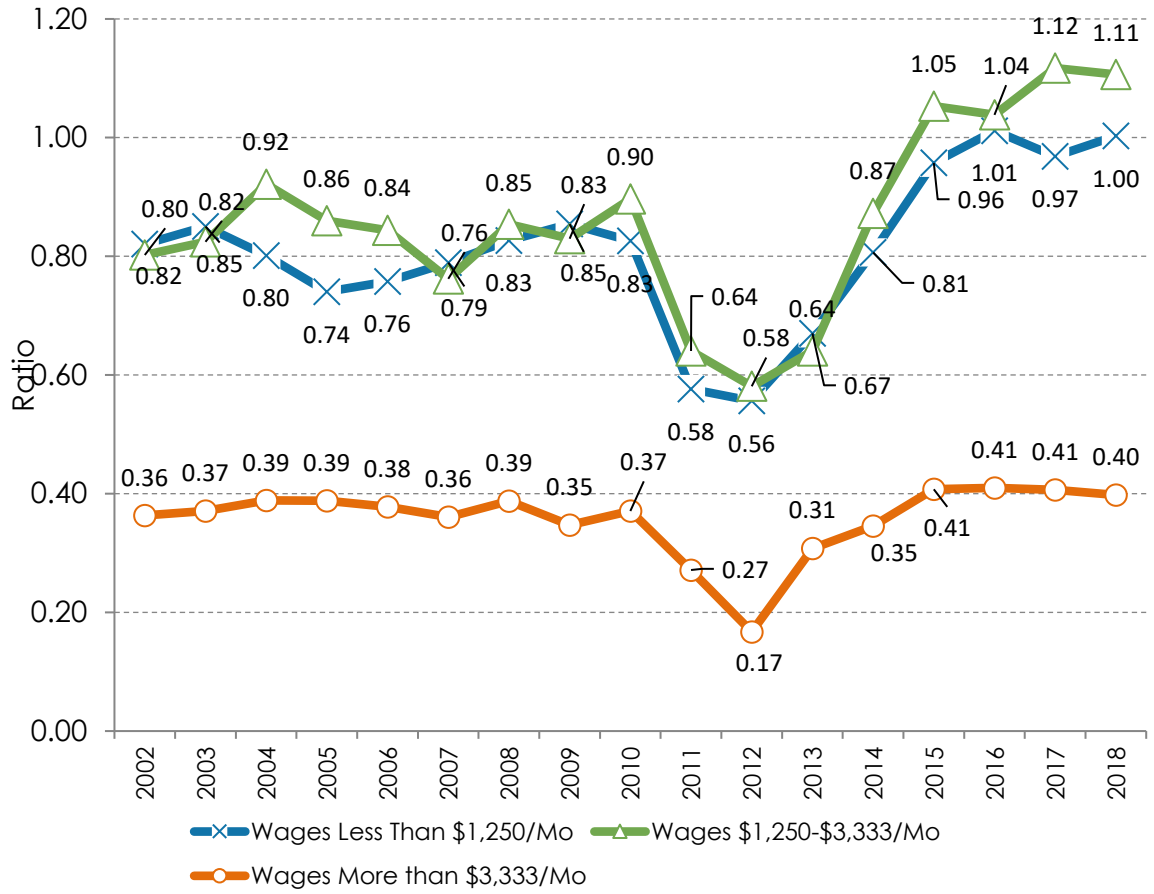
U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Tables B08128 and B08604.

Figure 3-8 shows these ratios for Moraga broken out by different wage levels for years from 2002 through 2018. As shown, prior to 2015 each of the wage groups showed more workers living in the area than jobs in that wage category.[8] Beginning in 2015 and 2016, the two lower wage categories began to show more jobs or close to more jobs than local workers in those categories, while the ratio remained relatively unchanged for the highest wage category. This indicates in-commuting by lower wage workers and out-commuting by higher wage workers. In other words, there is an imbalance between the types of jobs found in Moraga and the types of

[8] The source data for this table varies from the previous table. The source table is top-coded at $75,000, precluding more fine grained analysis at the higher end of the wage spectrum.

workers living there. It also indicates a lack of local affordable housing for lower-wage workers., such as retail and restaurant workers.

Figure 3-8: Jobs-Worker Ratios, By Wage Group



Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment

Notes: The ratio compares job counts by wage group from two tabulations of LEHD data: Counts by place of work relative to counts by place of residence. See text for details.

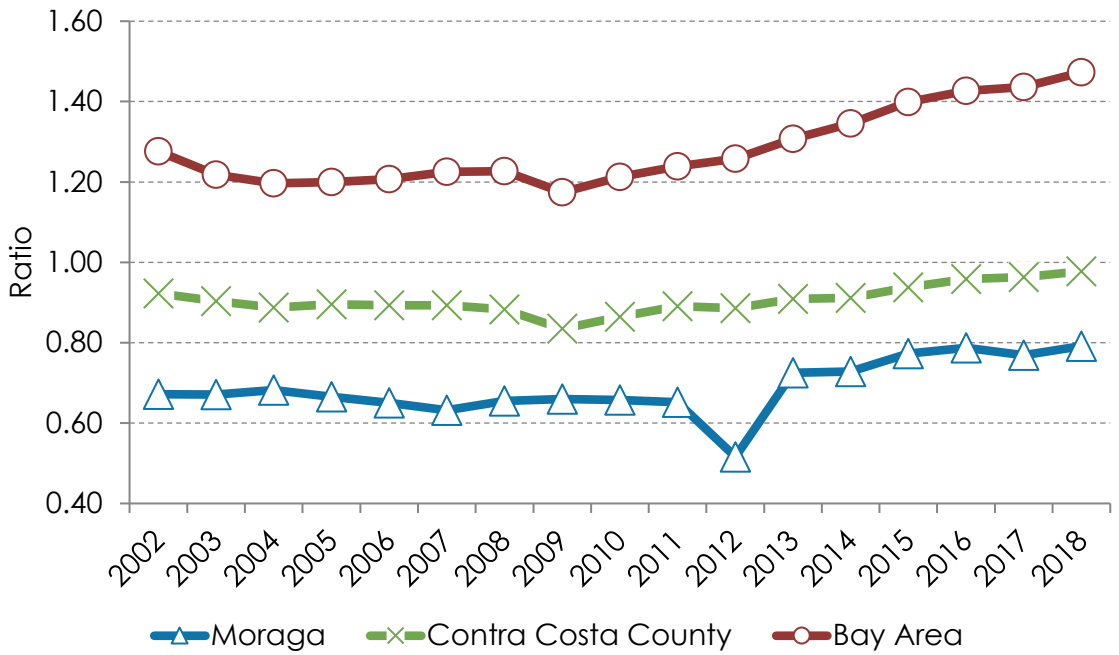
Source: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs); Residence Area Characteristics (RAC) files (Employed Residents), 2010-2018

Imbalances between employed residents and jobs may directly influence the housing demand in a community. New jobs may draw new residents, and when there is high demand for housing relative to supply, many workers may be unable to afford to live where they work, particularly where job growth has been in relatively lower wage jobs. This dynamic not only means many workers will need to prepare for long commutes and time spent on the road, but in the aggregate, it contributes to traffic congestion and time lost for all road users.

If there are less jobs than employed residents, it means a locale is relatively jobs-poor, typically also with a low jobs to households ratio. Bringing housing into the measure, the jobs-household

ratio in Moraga has increased slightly from 0.67 in 2002 to 0.79 jobs per household in 2018 (see Figure 3-9). As with the jobs to working residents ratios, the jobs to households ratio for Moraga is below that for the county and well below the regional ratio.

Figure 3-9: Jobs-Household Ratio



Universe: Jobs in a jurisdiction from unemployment insurance-covered employment (private, state and local government) plus United States Office of Personnel Management-sourced Federal employment; households in a jurisdiction

Notes: The data is tabulated by place of work, regardless of where a worker lives. The source data are provided at the Census Block level. These are crosswalked to jurisdictions and summarized. The ratio compares place of work wage and salary jobs with households, or occupied housing units. A similar measure is the ratio of jobs to housing units. However, this jobs-household ratio serves to compare the number of jobs in a jurisdiction to the number of housing units that are actually occupied. The difference between a jurisdiction's jobs-housing ratio and jobs-household ratio will be most pronounced in jurisdictions with high vacancy rates, a high rate of units used for seasonal use, or a high rate of units used as short-term rentals.

Sources: U.S. Census Bureau, Longitudinal Employer-Household Dynamics, Workplace Area Characteristics (WAC) files (Jobs), 2002-2018; California Department of Finance, E-8 and E-5 (Households)

Sectoral Composition of Resident Employment

In terms of sectoral composition, the largest major industry sector in which Moraga residents work is Finance and Professional Services, which is also the largest sector for the county and the Bay Area (see Table 3-6). Moraga shows relatively high proportions of workers in health and educational services, due in part to the presence of Saint Mary's College. Moraga is notably lower in the proportion of residents working in the Construction sector and the Manufacturing, Wholesale, and Transportation sector. This confirms the town population's orientation toward higher-wage jobs.

Table 3-6: Resident Employment by Industry

Industry	Town of Moraga		Contra Costa County		Bay Area	
	Number	Percent	Number	Percent	Number	Percent
Agriculture & Natural Resources	39	0.5%	3,720	0.7%	30,159	0.7%
Construction	216	2.8%	39,996	7.2%	226,029	5.6%
Financial & Professional Services	2,364	30.9%	138,321	24.7%	1,039,526	25.8%
Health & Educational Services	2,069	27.1%	124,265	22.2%	820,281	20.4%
Information	176	2.3%	14,048	2.5%	160,226	4.0%
Manufacturing, Wholesale & Transportation	675	8.8%	79,885	14.3%	670,251	16.7%
Retail	789	10.3%	56,651	10.1%	373,083	9.3%
Arts, Entertainmnt, Recreation, Accomm & Food Services	723	9.5%	50,725	9.1%	375,062	9.3%
Other	590	7.7%	51,755	9.3%	329,480	8.2%
Total	**7,641**	**100.0%**	**559,366**	**100.0%**	**4,024,097**	**100.0%**

Universe: Civilian employed population age 16 years and over

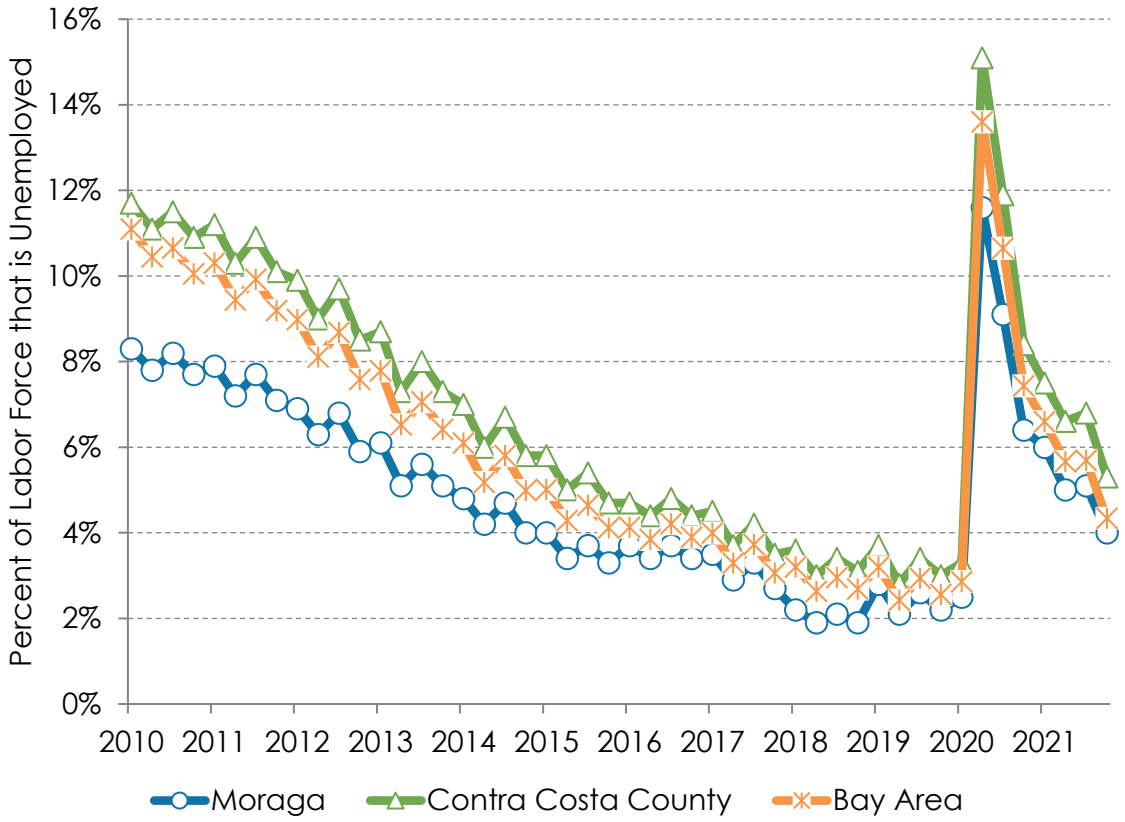
Notes: The data displayed shows the industries in which jurisdiction residents work, regardless of the location where those residents are employed (whether within the jurisdiction or not).

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table S2403.

Unemployment

As shown in Figure 3-10, unemployment trends in Moraga mirror those for the county overall and the Bay Area region, declining gradually from the end of the Great Recession through the beginning of 2018. All three geographies showed a dramatic upward spike in unemployment due to impacts related to the COVID-19 pandemic, with a general improvement and recovery beginning in the later months of 2020.

Figure 3-10: Unemployment Rate



Universe: Civilian noninstitutional population ages 16 and older

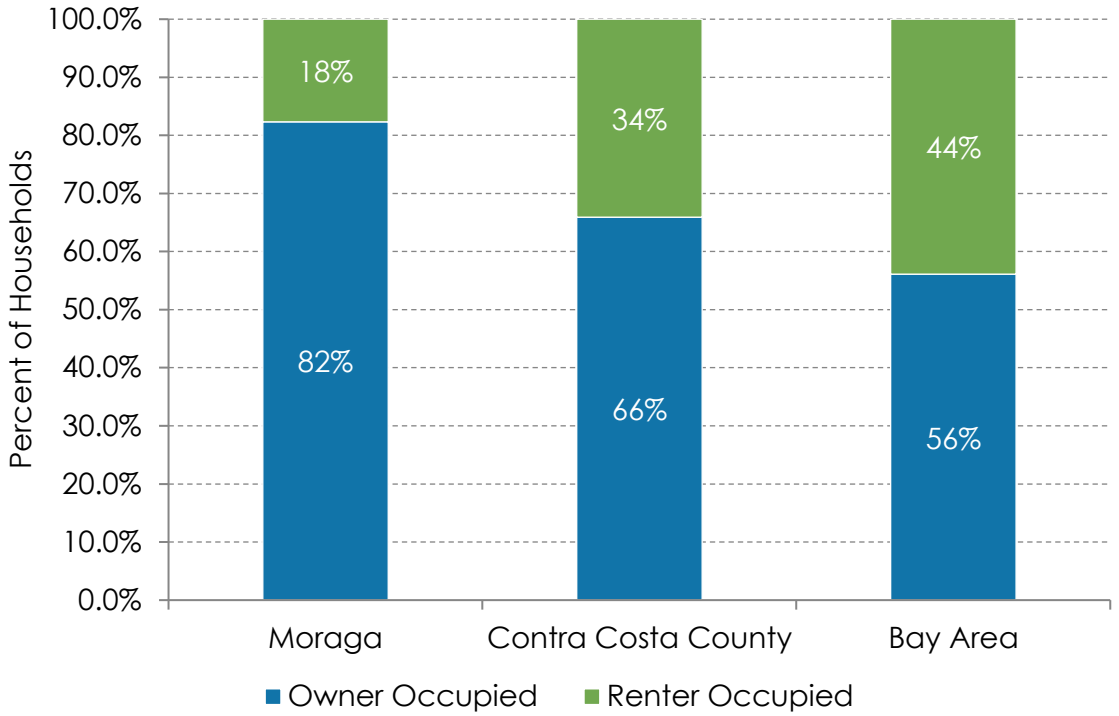
Notes: Unemployment rates for the jurisdiction level is derived from larger-geography estimates. This method assumes that the rates of change in employment and unemployment are exactly the same in each sub-county area as at the county level. If this assumption is not true for a specific sub-county area, then the estimates for that area may not be representative of the current economic conditions. Since this assumption is untested, caution should be employed when using these data. Only not seasonally- adjusted labor force (unemployment rates) data are developed for cities and CDPs.

Source: California Employment Development Department, Local Area Unemployment Statistics (LAUS), Sub-county areas monthly updates, 2010-2021.

3.4.6: Current Tenure Patterns

The number of residents who own their homes compared to those who rent their homes can help identify the level of housing insecurity – ability for individuals to stay in their homes – in a locale and region. Generally, renters may be displaced more quickly if prices increase. In Moraga, there are approximately 5,900 housing units, and over 80 percent are owner-occupied (see Figure 3-11). In contrast, only 66 percent of households in Contra Costa County are owners, and only 56 percent of Bay Area households own their homes.

Figure 3-11: Housing Tenure



Geography	Owner Occupied	Renter Occupied	Total
Moraga	4,832	1,035	5,867
Contra Costa County	260,244	134,525	394,769
Bay Area	1,531,955	1,199,479	2,731,434

Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003.

3.4.7: Tenure Trends

Moraga has retained a high rate of homeownership exceeding 80 percent over the last two decades, as the number of rental and owner units has only increased slightly. The continued lack of affordable rental housing options is likely a factor in the high ratio of jobs to residents and households for lower-wage workers employed in the town.

Table 3-7: Housing Unit Trends, 2000-2019

	2000		2010		2019	
Tenure	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
Owner Occupied	4,764	84%	4,673	84%	4,832	82%
Renter Occupied	898	16%	897	16%	1,035	18%
Totals	**5,662**	**100%**	**5,570**	**100%**	**5,867**	**100%**

Universe: Occupied housing units.

Source: U.S. Census Bureau, Census 2000 SF1, Table H04; U.S. Census Bureau, Census 2010 SF1, Table H04; U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003

3.4.8: Tenure by Race and Ethnicity

Homeownership rates often vary considerably across race/ethnicity in the Bay Area and throughout the country. These disparities not only reflect differences in income and wealth but also stem from historic federal, state, and local policies that limited access to homeownership for communities of color while facilitating homebuying for White residents. While many of these policies, such as redlining, have been formally terminated, the impacts of race-based policy are still evident across Bay Area communities.[9] In Moraga, over 80 percent of White and Asian/Pacific Islander households owned their homes, as shown in Table 3-8. Because of the small number and limited sample size, all other race/ethnic groups are combined in the table. The homeownership rate for this combined group was much lower, at only 56 percent; the differences in these rates may result in part from historic patterns of housing and economic discrimination but are based on a very limited sample size with a higher margin of error than for the White and Asian/Pacific Islander population. In Moraga, the lower rate of homeownership among some racial minority groups may also be attributable in part to the St. Mary's college student population, as these students are more racially and ethnically diverse than Moraga's population overall and college students tend to rent rather than own their homes. It is worth noting that based on Census sample data, the rate of home ownership reported for Hispanic/Latinx residents in Moraga is actually higher than for White residents.

[9] See, for example, Rothstein, R. (2017). The color of law: a forgotten history of how our government segregated America. New York, NY & London, UK: Liveright Publishing.

Table 3-8: Housing Tenure by Race of Householder

Racial / Ethnic Group	Owner Occupied	% Across	Renter Occupied	% Across	Total
White	3,895	84%	765	16%	4,660
Asian / API	807	83%	169	17%	976
Other Race or Multiple Races	130	56%	101	44%	231
Total	**4,832**		**1,035**		**5,867**
Hispanic or Latinx	177	87%	27	13%	204

Universe: Occupied housing units

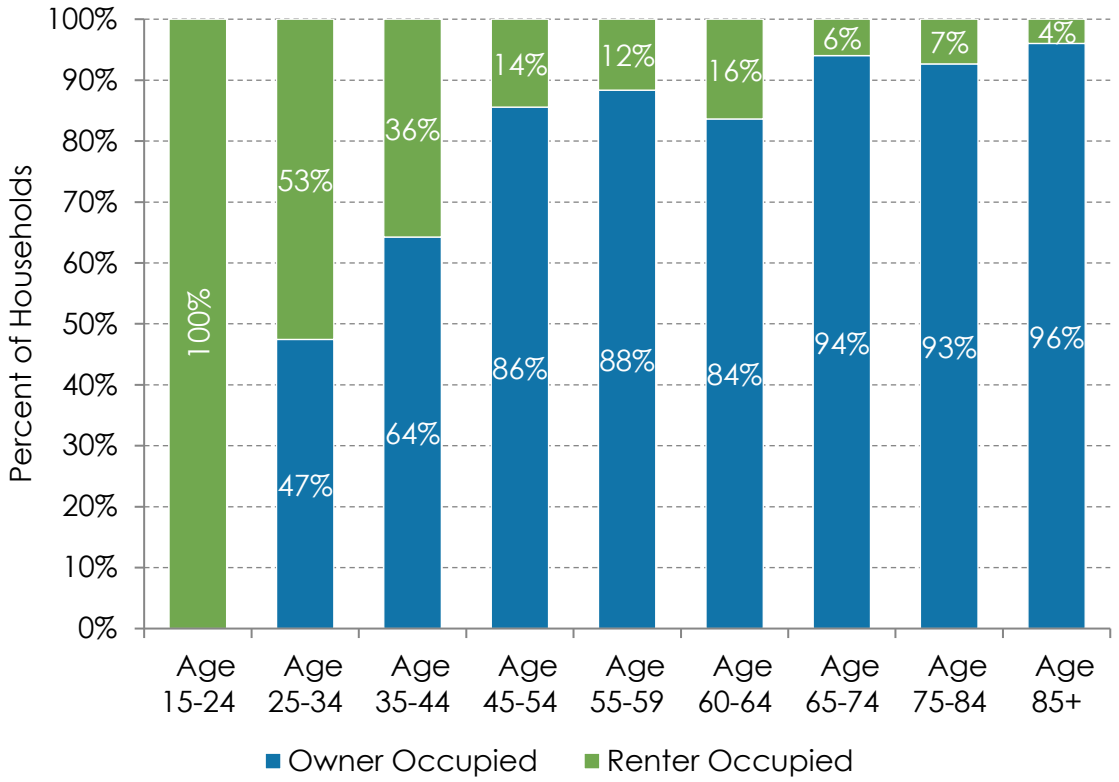
Notes: For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. Hispanic/Latinx ethnicity is counted separately from race, and thus should not be summed with race data presented. The racial/ethnic groups reported in this table are not all mutually exclusive. The number of American Indian or Alaska Native and Black or African American households was extremely small and not a statistically reliable sample, so they have been combined into the Other Race or Multiple Races category.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25003(A-I).

3.4.9: Tenure by Age

The age of residents can also indicate the housing challenges a community is experiencing. Typically, younger households tend to rent and may struggle to buy a first home in the Bay Area due to high housing costs. At the same time, senior homeowners seeking to downsize may have limited options in an expensive housing market and may remain as “empty nesters” in a larger house suitable for a family with children, thus contributing to a shortage of housing suitable for families. and indicating a potential need for additional senior housing. Moraga follows this pattern, with ownership correlating strongly with the age of the householder. As shown in Figure 3-12, in Moraga, 53 percent of householders between the ages of 25 and 34 are renters, while only six percent of householders over 65 rent their homes. In addition to demonstrating a potential need for housing for seniors wishing to downsize, the high proportion of young renters may indicate a need for more affordable ownership housing for young families.

Figure 3-12: Housing Tenure by Age of Householder

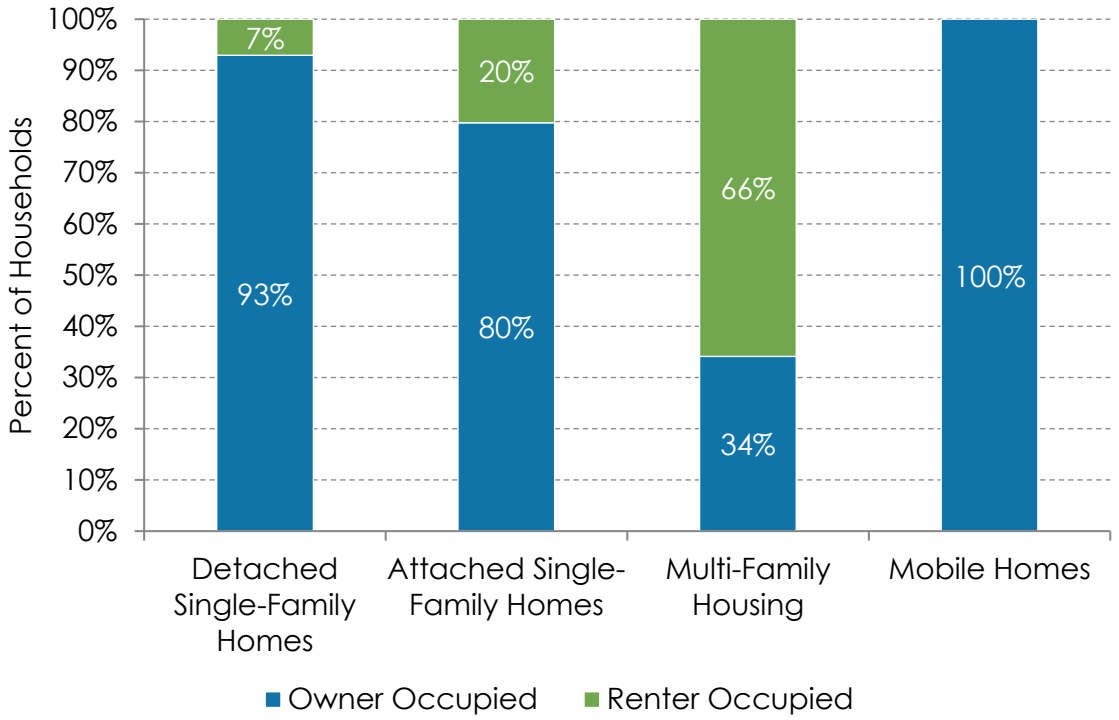


Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25007.

In most locales, homeownership rates for households in single-family homes are substantially higher than the rates for households in multifamily housing. This is the case in Moraga, where 93 percent of households in detached single-family homes are homeowners, while only 34 percent of households in multifamily housing are homeowners (see Figure 3-13). It is important to note that over 70 percent of the overall housing inventory in Moraga is detached single-family homes, thus limiting the affordable options available to renters and a need for a greater variety of housing. The Housing Plan chapter of this Housing Element Update includes several programs to increase the variety of housing in Moraga, including many actions that will facilitate the production of multifamily housing.

Figure 3-13: Housing Tenure by Housing Type for Moraga



Universe: Occupied housing units

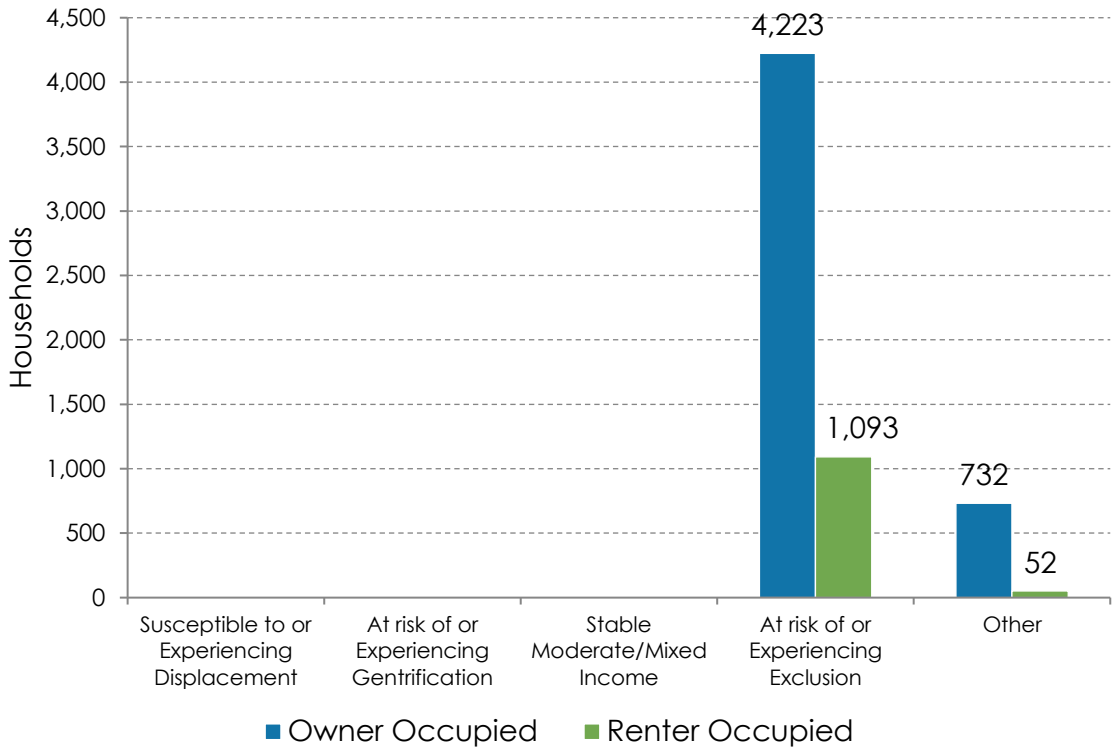
Notes: Other includes boats, RVs, Vans, and Other.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25032.

3.5: Displacement

Because of increasing housing prices, displacement is a major concern in the Bay Area. Displacement has the most severe impacts on low- and moderate-income residents. When individuals or families are forced to leave their homes and communities, they also lose their support network. The University of California, Berkeley has mapped all neighborhoods in the Bay Area, identifying their risk for gentrification. Their analysis finds that in Moraga, none of the town's households live in neighborhoods that are susceptible to or experiencing displacement, or in neighborhoods at risk of or undergoing gentrification (shown in Figure 3-14). This is likely due to the already-high housing costs in the town, as the town has a limited housing stock subject to potential gentrification. Equally important, however, some neighborhoods in the Bay Area do not have housing appropriate for a broad section of the workforce. UC Berkeley estimates that 87.1% of households in Moraga live in neighborhoods where low-income households are likely to be excluded due to prohibitively high housing costs.

Figure 3-14: Households by Displacement Risk and Tenure



Universe: Households

Notes: Displacement data is available at the census tract level. ABAG Staff aggregated tracts up to jurisdiction level using census 2010 population weights, assigning a tract to jurisdiction in proportion to block level population weights. Total household count may differ slightly from counts in other tables sourced from jurisdiction level sources. Categories are combined as follows for simplicity: At risk of or Experiencing Exclusion: At Risk of Becoming Exclusive; Becoming Exclusive; Stable/Advanced Exclusive At risk of or Experiencing Gentrification: At Risk of Gentrification; Early/Ongoing Gentrification; Advanced Gentrification; Stable Moderate/Mixed Income: Stable Moderate/Mixed Income Susceptible to or Experiencing Displacement: Low- Income/Susceptible to Displacement; Ongoing Displacement Other: High Student Population; Unavailable or Unreliable

Sources: Urban Displacement Project for classification, American Community Survey 5-Year Data (2015-2019), Table B25003 for Tenure.

3.6: Extremely Low-Income Housing Needs

Due to their limited financial resources, extremely low-income households (those with incomes below 30 percent of the area median income) face particular challenges in securing suitable, affordable housing.

3.6.1: Household Income

Despite the economic and job growth experienced throughout the region since 1990, the income gap has continued to widen. California is one of the most economically unequal states in the

nation, and the Bay Area has the highest income inequality between high- and low-income households in the state.[10]

The current (2021) area median income in Contra Costa County is $125,600 per year.[11] For extremely low-income households, this translates to an income of $41,100 or less for a four-person household or $28,800 or less for a one-person household. Households with extremely low-income have a variety of housing situations and needs. For example, most families and individuals receiving public assistance such as supplemental security insurance (SSI) or disability insurance are considered extremely low-income households. Many households with multiple wage earners – including food service workers, full-time students, teachers, farm workers and healthcare professionals – can fall into lower AMI categories due to relatively low and stagnant wages in many industries. The following table shows examples of occupations with wages where the worker households could potentially qualify as extremely low-income households.

Table 3-9: Examples of Low Wage Occupations

Occupation Title	Median Hourly Wage
Hotel and Resort Clerk	$14.45
Child Care Workers	$13.83
Housekeepers	$14.94
Manicurists and Pedicurists	$13.34
Hosts and Hostesses	$12.91
Education, Training and Library Workers	$28.47
Agricultural Graders and Sorters	$12.77
Waiters and Waitresses	$13.16
Food Preparation and Serving Related Workers	$13.47

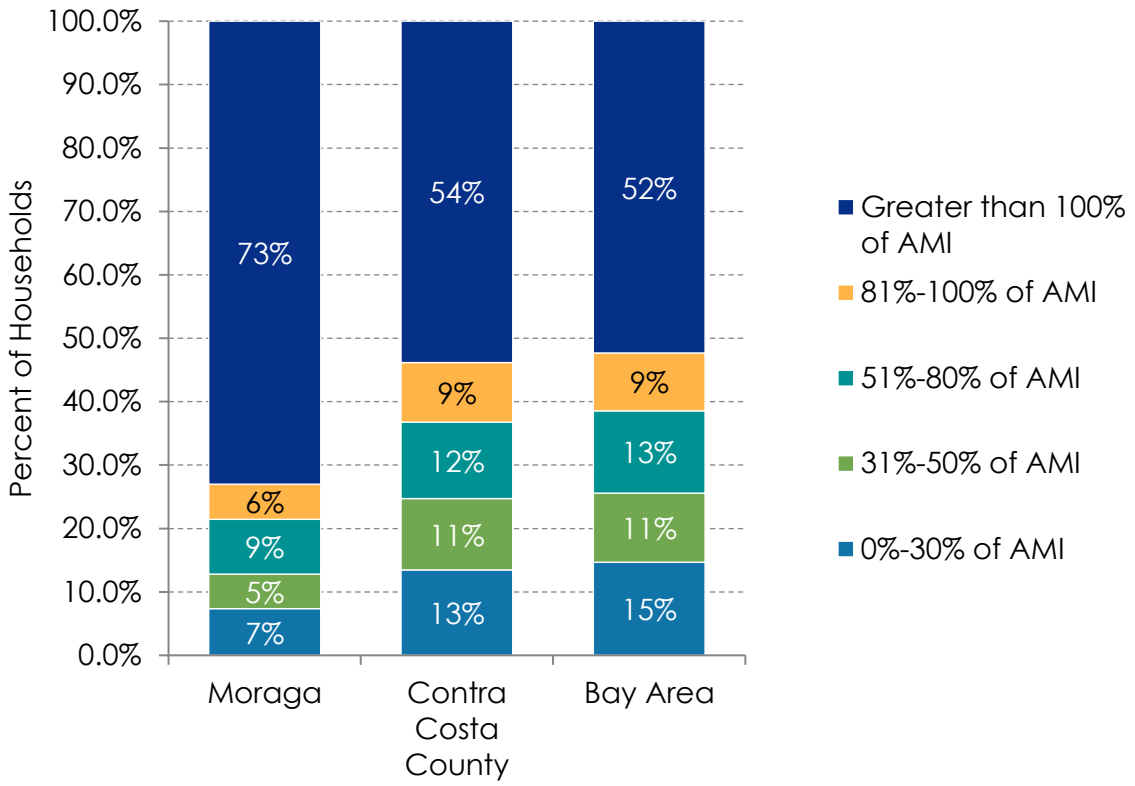
Source: Employment Development Department, 2020-2022 Occupational Employment Projections for California.

In Moraga, only seven percent of households fall in the extremely low-income category (see Figure 3-15). This is lower than the proportion for Contra Costa County overall, and below the 15 percent for the entire Bay Area. Seventy-three percent of Moraga households have incomes more than 100 percent of the Area Median Income (AMI)[12], compared to only 52 percent

[10] Bohn, S.et al. 2020. Income Inequality and Economic Opportunity in California. Public Policy Institute of California.
[11] Based on HCD Income Limits for 2021.
[12] Income groups are based on HUD calculations for Area Median Income (AMI). HUD calculates the AMI for different metropolitan areas, and the nine county Bay Area includes the following metropolitan areas: Napa Metro Area (Napa County), Oakland-Fremont Metro Area (Alameda and Contra Costa Counties), San Francisco Metro Area (Marin, San Francisco, and San Mateo Counties), San Jose-Sunnyvale-Santa Clara Metro Area (Santa Clara County), Santa Rosa Metro Area (Sonoma County), and Vallejo-Fairfield Metro Area (Solano County). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located. Households making between 80 and 120 percent of the AMI are moderate-income, those making 50 to 80 percent are low-income, those making 30 to 50 percent are very low-income, and those with income less than 30 percent are extremely low-income. This is then adjusted for household size.

regionally. However, even though Moraga is an affluent community, the town has a number of extremely low-income households, many of whom are likely to have a need for more affordable housing. The following discussion provides additional information profiling those households.

Figure 3-15: Households by Household Income Level



Universe: Occupied housing units

Sources: U.S. Department of Housing and Urban Development, 2013-2017 Comprehensive Housing Affordability Strategy (CHAS) data; BAE, 2020.

3.6.2: Household Income Distribution by Race

Housing the extremely low-income population can be especially challenging. Table 3-10 below provides a breakdown of extremely low-income households by race and ethnicity. The race/ethnic category with the highest share of extremely low-income households in Moraga is the Asian/Pacific Islander group - 11.6 percent compared to 7.4 percent of all households. Among White, Non-Hispanic households, the rate was 6.9 percent. Almost no households in any other category were in the extremely low-income group. It should be noted that the number of households in these other categories is relatively limited and subject to statistical error as the data source uses a weighted sample of limited size.

Table 3-10: Extremely Low-Income Households by Race and Ethnicity, Town of Moraga

Race/Ethnicity	Total Households	Households below 30% HAMFI	Share below 30% HAMFI
American Indian or Alaska Native, Non-Hispanic	0	0	na
Asian / API, Non-Hispanic	1,034	120	11.6%
Black or African American, Non-Hispanic	53	0	0.0%
White, Non-Hispanic	4,245	295	6.9%
Other Race or Multiple Races, Non-Hispanic	85	0	0.0%
Hispanic or Latinx	263	4	1.5%
Total	**5,680**	**419**	**7.4%**

Universe: Occupied housing units

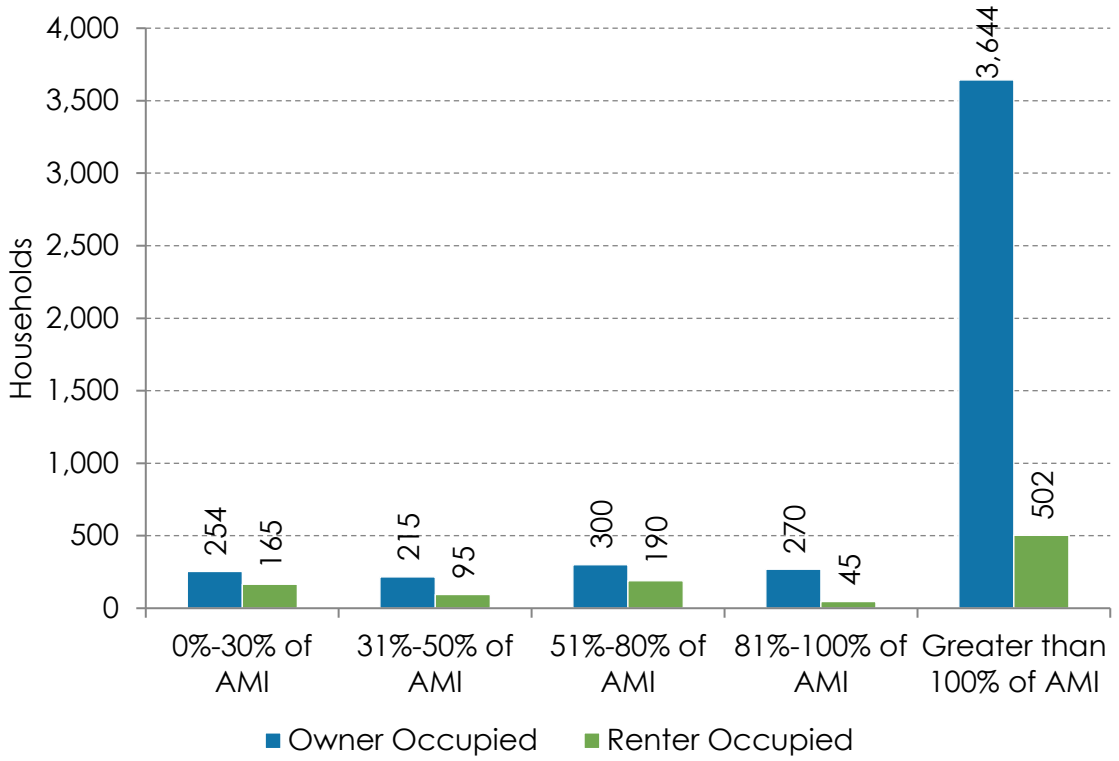
Note: Numbers may not match other tables due to independent rounding. HAMFI refers to HUD Area Median Family Income.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

3.6.3: Household Income Distribution by Tenure

Throughout the region, there are disparities between the incomes of homeowners and renters. Typically, the number of low-income renters greatly exceeds the amount of housing available that is affordable for these households. While the majority of both renters and owners in Moraga have incomes above the median level, renters are distributed somewhat more evenly across the income spectrum when compared to owners in Moraga; over three-fourths of owner households are in the Greater than 100 percent of AMI group, while just half of renters fall in this income category (see Figure 3-16). While there are more owner households than renters in all the lower income groups, this is due in large part to ownership housing accounting for over 80 percent of the area's housing stock. It is also attributable to the large number of senior homeowners in Moraga, as many of these households are considered lower income using state income limits. Retired homeowners with limited incomes may have limited resources and thus be less likely to invest in the maintenance of their homes.

Figure 3-16: Household Income Level by Tenure



Universe: Occupied housing units

Notes: Income groups are based on HUD calculations for Area Median Income (AMI). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

3.6.4: Poverty Status by Race

People of color are more likely to experience poverty and financial instability as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to White residents.[13] These economic disparities also leave communities of color at higher risk for housing insecurity, displacement, or homelessness. In Moraga, Asian/Pacific Islanders (both Hispanic and non-Hispanic) and Hispanic persons residents experience the highest rates of poverty. Other groups have relatively low poverty rates, or in some cases, show no persons in poverty (see Table 3-11). As noted above, these groups represent a very small portion of the Moraga population.

[13] Moore, E., Montojo, N. and Mauri, N., 2019. Roots, Race & Place: A History of Racially Exclusionary Housing the San Francisco Bay Area. Haas Institute.

Table 3-11: Poverty Status by Race

Racial / Ethnic Group	% of Group Population
Asian / API (Hispanic and Non-Hispanic)	7.2%
White (Hispanic and Non-Hispanic)	3.8%
Black or African American (Hispanic and Non-Hispanic)	3.0%
American Indian or Alaska Native (Hispanic and Non-Hispanic)	0.0%
Other Race or Multiple Races (Hispanic and Non-Hispanic)	0.0%
Hispanic or Latinx	6.8%
White, Non-Hispanic	3.5%

Universe: Population for whom poverty status is determined

Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income. For this table, the Census Bureau does not disaggregate racial groups by Hispanic/Latinx ethnicity. However, data for the white racial group is also reported for white householders who are not Hispanic/Latinx. Since residents who identify as white and Hispanic/Latinx may have very different experiences within the housing market and the economy from those who identify as white and non-Hispanic/Latinx, data for multiple white sub-groups are reported here. The racial/ethnic groups reported in this table are not all mutually exclusive. Therefore, the data should not be summed as the sum exceeds the population for whom poverty status is determined for this jurisdiction. However, all groups labelled "Hispanic and Non-Hispanic" are mutually exclusive, and the sum of the data for these groups is equivalent to the population for whom poverty status is determined.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17001(A-I)

3.6.5: Projected Need for Housing for Extremely Low Income Households

Local jurisdictions are required to provide an estimate for their projected extremely low-income households in their Housing Elements. HCD's official Housing Element guidance notes that jurisdictions can use their RHNA for very low-income households (those with incomes of zero to 50 percent AMI) to calculate their projected need to house extremely low-income households. HCD provides three methodologies for estimating this need: 1) allocate the percent of very low-income need to extremely low-income households based on the ABAG region's proportion; 2) allocate the percent of very low-income need to extremely low-income households based on the current proportion for Moraga; 3) assume that 50 percent of Moraga's very low-income RHNA is for extremely low-income households. The analysis here is based on the third option. Based on this method, 159 units of the projected housing need would be for extremely low-income households.

As discussed below (see Figure 3-27 in the section on overpayment and overcrowding), extremely low-income (ELI) households are likely to face housing affordability issues. Over three-fourths of Moraga's extremely low-income households spend the majority of their income on housing and an additional four percent spend between 30 percent and 50 percent.

Many extremely low-income households seek rental housing and likely face overpayment, overcrowding or substandard housing conditions unless they are able to secure subsidized

housing that rents at below market rates. Some extremely low-income household residents may have mental or other disabilities and have special housing needs. In Moraga, a portion of the extremely low-income population is likely comprised of St. Mary's students. ELI households in Moraga may require specific housing solutions including:

- Deeper income targeting for project-based subsidies
- Housing with supportive services
- Single-room occupancy and/or shared housing, as well as co-housing
- Rent subsidies (housing vouchers) provided to households

The housing types just mentioned are very limited within Moraga. This likely contributes to the high proportion of local extremely low-income households that have excessive housing cost burdens. Additionally, a substantial number of extremely low-income households may consist of seniors who are "aging in place" but living on fixed incomes in owner-occupied homes. These households can benefit from shared housing, accessory dwelling units, and other programs that reduce their cost burden.

The Housing Plan chapter of this Housing Element Update includes programs to facilitate access to affordable housing subsidies (including funding for affordable housing development and housing vouchers), support shared housing programs and the production of co-housing developments, promote rooms for rent, allow services by right on the ground floor of residential uses, as well as several programs to support the production of affordable housing, which could include units with deep income targeting for extremely low-income households.

3.7: Housing Stock Characteristics

The supply of housing units and their physical characteristics have a considerable influence on local housing affordability. The following sub-sections discuss Moraga's housing stock and related housing issues.

3.7.1: Housing Unit Trends

Moraga has seen very limited growth in its housing stock over the last decade. Based on California Department of Finance estimates, as of January 2021, Moraga held 5,864 housing units, or 1.4 percent of the Contra Costa County total (see Table 3-12). This represents an increase of only 110 housing units since 2010, less than one percent of the county's growth increment of over 20,000 units. This could suggest that there are barriers to the construction of residential units in Moraga. The Housing Plan portion of this Housing Element Update includes several programs to facilitate residential construction and address constraints to development.

Table 3-12: Housing Unit Trends, 2010-2021

Date	Moraga	Contra Costa County
4/1/2010	5,754	400,263
1/1/2011	5,756	401,389
1/1/2012	5,758	402,720
1/1/2013	5,760	404,007
1/1/2014	5,763	405,723
1/1/2015	5,763	407,556
1/1/2016	5,765	409,678
1/1/2017	5,770	412,093
1/1/2018	5,800	413,818
1/1/2019	5,809	415,957
1/1/2020	5,828	418,415
1/1/2021	5,864	420,751
Change, 2010-2021	110	20,488
Percent Change, 2010-2021	1.9%	5.1%

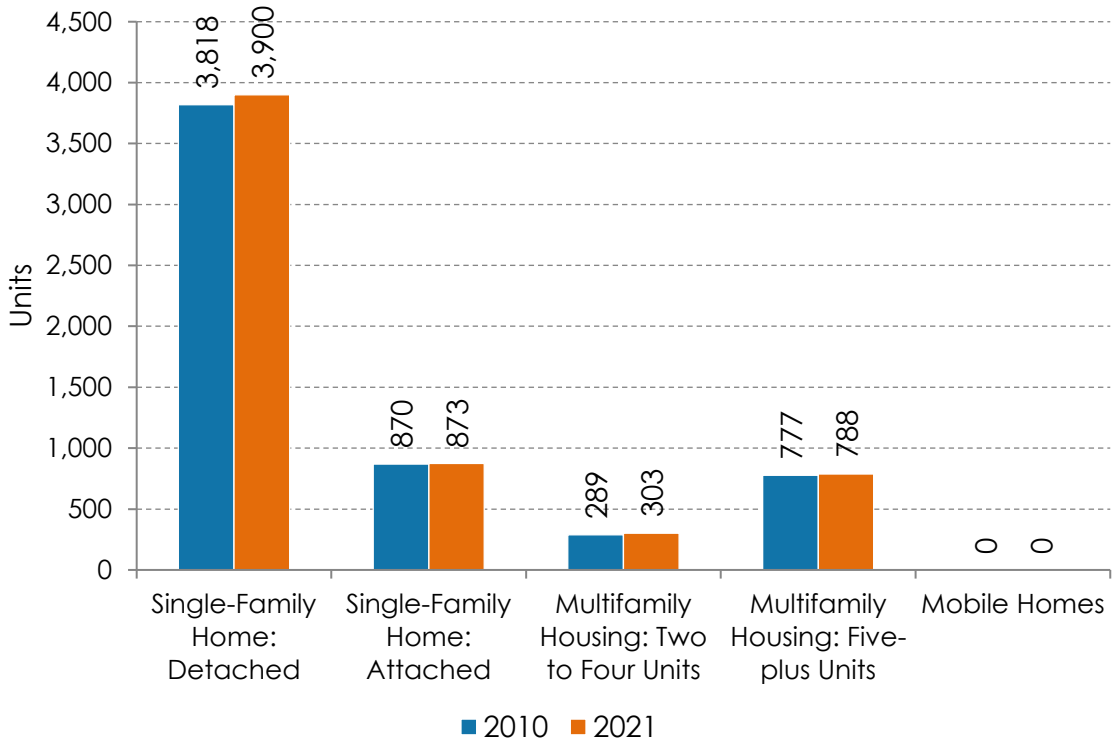
Sources: California Department of Finance 2021 E-5 Report; BAE.

3.7.2: Housing Types, Year Built, Vacancy, and Permits

In recent years, most housing produced in the region and across the state consisted of single-family homes and larger multi-unit buildings. However, some households are increasingly interested in "missing middle housing" – including duplexes, triplexes, townhomes, cottage clusters and accessory dwelling units (ADUs). These housing types may open up more options across incomes and tenure, from young households seeking homeownership options to seniors looking to downsize and age-in-place.

The housing stock of Moraga is largely single-family detached homes; this unit type makes up approximately two-thirds of the total in 2021 (see Figure 3-17). Of the remainder, 14.9 percent are single-family attached homes (townhomes), 5.2 percent units are in multifamily structures with two to four units, and 13.4 percent are in multifamily structures with five or more units. Comparison with 2010 data shows that these proportions are relatively unchanged, since few units have been added relative to the base year; however, the proportion of new units that are single-family detached homes is greater than the historical proportion. As a result, Moraga continues to have a limited supply of unit types affordable for middle- and lower-income households.

Figure 3-17: Housing Type Trends, 2010-2021



Universe: Housing units

Source: California Department of Finance, E-5 series.

Housing production has not kept up with housing demand for several decades in the Bay Area, as the total number of units built and available has not yet come close to meeting the demand from population and job growth experienced throughout the region. This is true in Moraga as well. In Moraga, the largest proportion of the housing stock by far was built between 1960 and 1979, with 4,251 units (over 70 percent of the total) constructed during this period (see Figure 3-18). Less than one percent of the total units have been built since 2010.[14]

Between 2015 and 2019, the Town issued permits for construction of 115 housing units in Moraga; over 98 percent were for above moderate-income housing, with the small remainder for moderate-income housing. No permits were issued for low- or very low-income housing (see Table 13).

[14] Note that this estimate is based on a sample, and other sources (e.g., DOF, building permits) indicate that more units that this have been added to the housing stock in Moraga since 2010, but the total number is still small relative to the total number of housing units in the town.

Table 3-13: Housing Permits Issued, 2015-2019

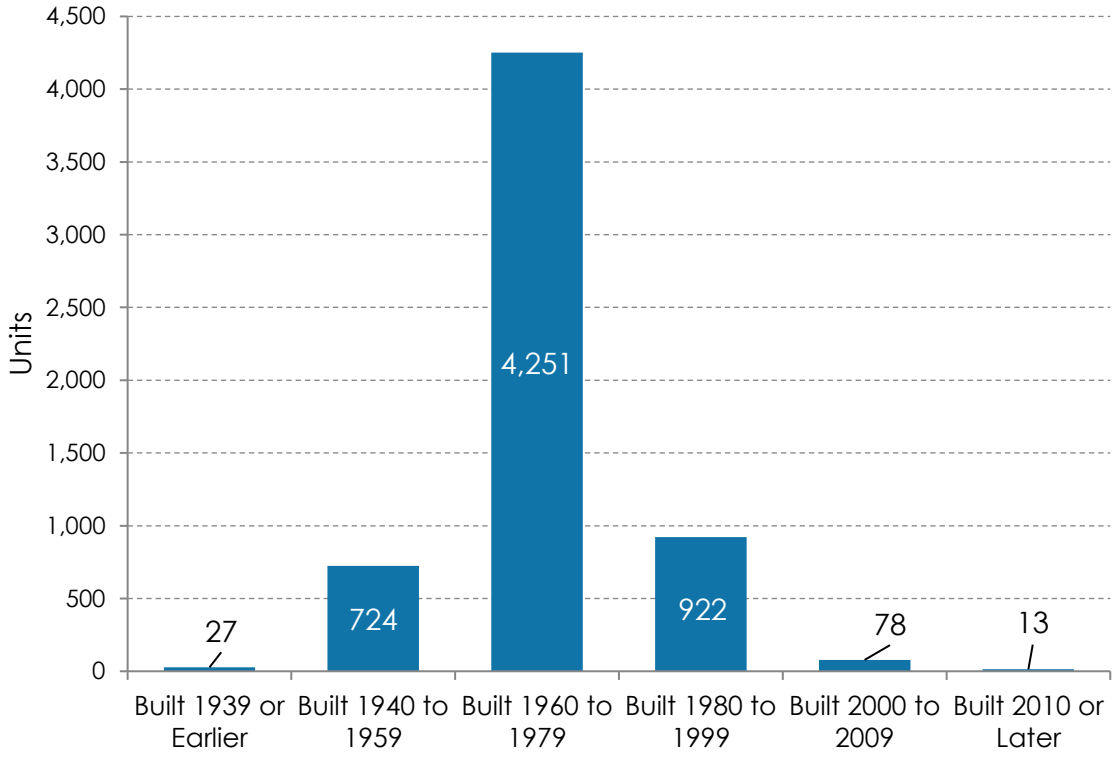
Income Group	Permits Issued	
	Number	Percent
Above Moderate Income	113	98.3%
Moderate Income	2	1.7%
Very Low Income	-	0.0%
Low Income	-	0.0%
Total	**115**	**100%**

Universe: Housing permits issued between 2015 and 2019

Notes: Percentage may not add to total due to independent rounding. HCD uses the following definitions for the four income categories: Very Low Income: units affordable to households making less than 50% of the Area Median Income for the county in which the jurisdiction is located. Low Income: units affordable to households making between 50% and 80% of the Area Median Income for the county in which the jurisdiction is located. Moderate Income: units affordable to households making between 80% and 120% of the Area Median Income for the county in which the jurisdiction is located. Above Moderate Income: units affordable to households making above 120% of the Area Median Income for the county in which the jurisdiction is located.

Source: California Department of Housing and Community Development (HCD), 5th Cycle Annual Progress Report Permit Summary (2020).

Figure 3-18: Housing Units by Year Structure Built



Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25034.

As shown in Table 3-14, vacant units make up only two percent of the overall housing stock in Moraga, a lower percentage than for the county as a whole or for the Bay Area region. This reflects the high local proportion of ownership housing which turns over less often than rental housing, as well as a constrained local housing market.

Table 3-14: Occupancy Status

	Occupied Housing Units		Vacant Housing Units		Total Housing Units	
Geography	Number	Percent Across	Number	Percent Across	Number	Percent Across
Moraga	5,867	98%	148	2%	6,015	100%
Contra Costa County	394,769	95%	18,950	5%	413,719	100%
Bay Area	2,731,434	94%	172,660	6%	2,904,094	100%

Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25002.

This constrained market is evidenced by both the low rental vacancy rate of 2.0 percent and the low ownership vacancy rate of 1.1 percent (as of the 2015-2019 period). Of the vacant units in Moraga, the most common type of vacancy is the "other vacant" category (see Figure 3-19). The Census Bureau classifies units as "other vacant" if they are vacant due to foreclosure, personal/family reasons, legal proceedings, repairs/renovations, abandonment, preparation for being rented or sold, or vacant for an extended absence for reasons such as a work assignment, military duty, or incarceration. [15]

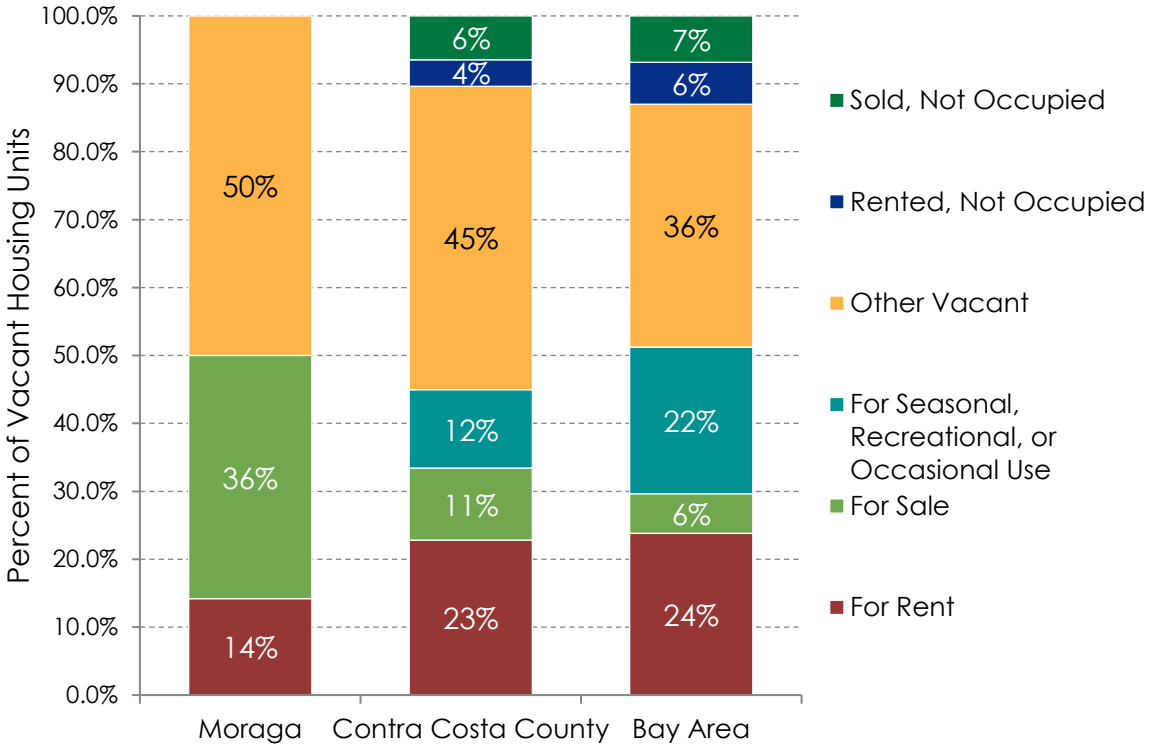
Throughout the Bay Area, vacancies make up 6.3 percent of the total housing units, with homes listed for rent, units used for recreational or occasional use, and units not otherwise classified (other vacant) making up the majority of vacancies. The Census Bureau classifies a unit as vacant if no one is occupying it when Census interviewers are conducting the American Community Survey or Decennial Census, or if it is currently occupied by a household whose usual place of residence was elsewhere.[16] Vacant units classified as "for recreational or occasional use" are those that are held for short-term periods of use throughout the year. Accordingly, vacation rentals and short-term rentals like AirBnB are likely to fall in this category. In a region with a thriving economy and housing market like the Bay Area, units being renovated/repaired and prepared for rental or sale may represent a large portion of the "other vacant" category.

[15] For more information, see pages 3 through 6 of this list of definitions prepared by the Census Bureau: https://www.census.gov/housing/hvs/definitions.pdf.

[16] There are slight differences in how the Census and the American Community Survey (ACS) enumerate units that may be temporarily occupied. The decennial Census counts the unit as occupied based on a usual place of residence definition, while the ACS counts the unit as occupied if it has been used as a place of residence continuously for two ore more months.

Additionally, the need for seismic retrofitting in older housing stock could also influence the proportion of "other vacant" units in some jurisdictions.[17]

Figure 3-19: Vacant Units by Type



Universe: Vacant housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25004.

3.7.3: Assisted Housing Developments At-Risk of Conversion

While there is an immense need to produce new affordable housing units, ensuring that the existing affordable housing stock remains affordable is equally important. Additionally, it is typically faster and less expensive to preserve currently affordable units that are at risk of converting to market-rate than it is to build new affordable housing.

The data in the table below come from the California Housing Partnership's Preservation Database, the state's most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing. However, this database does not include all deed-restricted affordable units in the state, so there may be

[17] See Dow, P. (2018). Unpacking the Growth in San Francisco's Vacant Housing Stock: Client Report for the San Francisco Planning Department. University of California, Berkeley.

at-risk assisted units in a jurisdiction that are not captured in this data table. There are no assisted units in Moraga in the Preservation Database, and thus no units at risk of conversion.[18]

Table 3-15: Assisted Units at Risk of Conversion

Geography	Low Risk	Moderate Risk	High Risk	Very High Risk	Total Assisted Units in Database
Moraga	-	-	-	-	-
Contra Costa County	13,403	211	270	-	13,884
Bay Area	110,177	3,375	1,854	1,053	116,459

Universe: HUD, Low-Income Housing Tax Credit (LIHTC), USDA, and CalHFA projects. Subsidized or assisted developments that do not have one of the aforementioned financing sources may not be included.

Notes: While California Housing Partnership's Preservation Database is the state's most comprehensive source of information on subsidized affordable housing at risk of losing its affordable status and converting to market-rate housing, this database does not include all deed-restricted affordable units in the state. Consequently, there may be at-risk assisted units in a jurisdiction that are not captured in this data table.

Source: California Housing Partnership, Preservation Database (2020).

3.7.4: Substandard Housing

Government Code 65583(a)(2) requires that the Housing Element include an estimate of the number of units in need of major rehabilitation and replacement. To develop this estimate, the Town completed a windshield survey of two representative neighborhoods—one with predominantly single-family homes and the other with multi-family homes.

Figure 3-20 shows the median year of construction of housing units in Moraga by Census Tract block group. To generate a conservative estimate, the Town surveyed a neighborhood in the block group with the oldest housing stock, which is Tract 3512-3. The median year of construction in this block group is 1957, meaning the average home is 65 years old. A windshield survey of 164 homes in the neighborhood (located east of Campolindo HS) was conducted. Factors observed included roof condition, foundation issues, broken windows, and siding. The survey identified one home in fair condition, and 163 homes in good or excellent condition. There were no dilapidated units or buildings in poor condition observed.

[18] California Housing Partnership uses the following categories for assisted housing developments in its database:
Very-High Risk: affordable homes that are at-risk of converting to market rate within the next year that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
Moderate Risk: affordable homes that are at-risk of converting to market rate in the next 5-10 years that do not have a known overlapping subsidy that would extend affordability and are not owned by a large/stable non-profit, mission-driven developer.
Low Risk: affordable homes that are at-risk of converting to market rate in 10+ years and/or are owned by a large/stable non-profit, mission-driven developer.

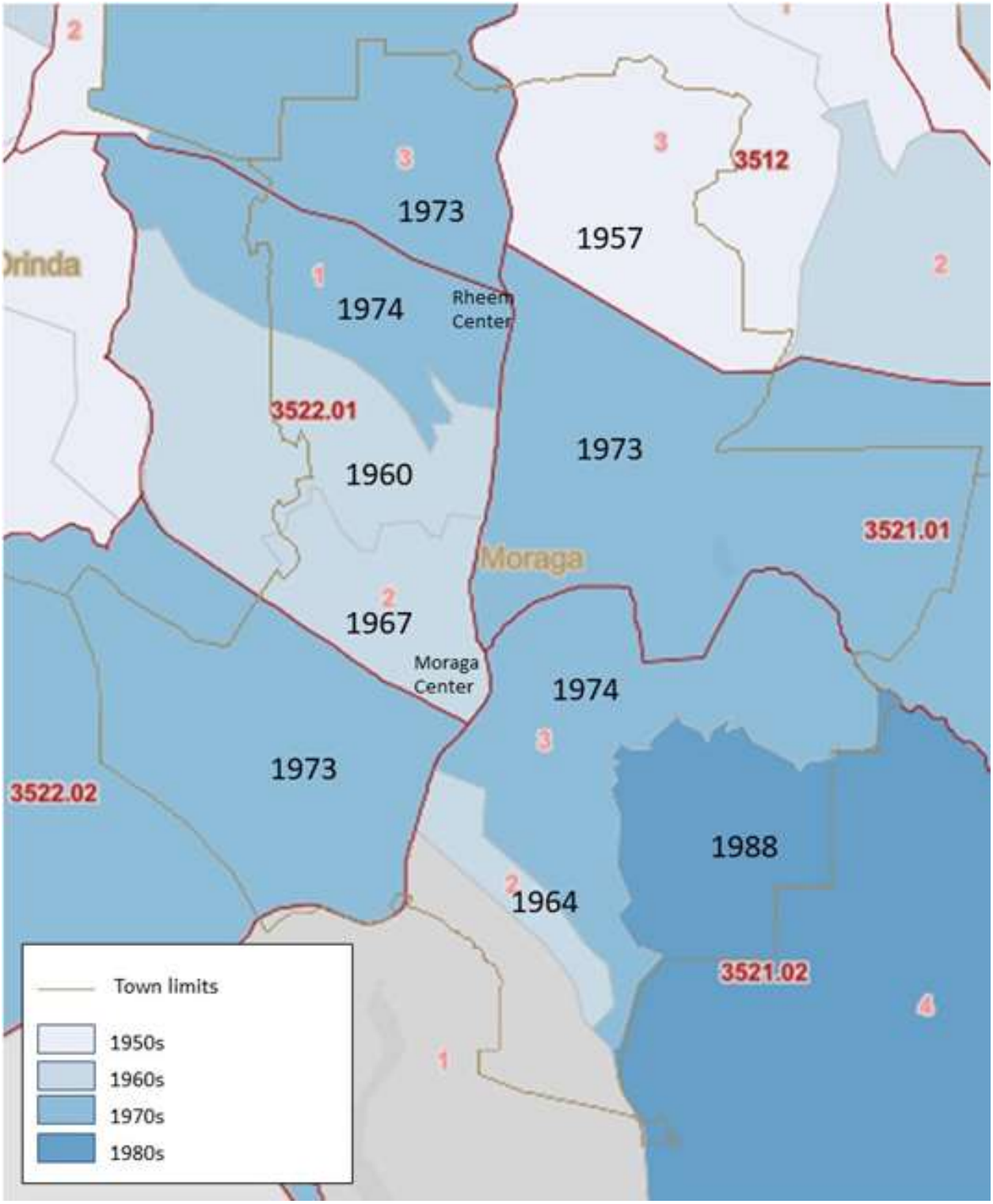


Figure 3-20: Median Year House Built in Moraga, by Census Block Group

The other area surveyed was Donald Drive/Ascot Drive, which includes approximately 500 multi-family and single family attached (townhome) units on approximately 40 parcels. Again, this was a quick "windshield" survey and not a detailed structure by structure assessment. All buildings except one were identified as being in good or excellent condition. One building (a four-plex) was identified as being in fair condition; this same property was identified as having a code enforcement issue reported to the County Building Department.

Extrapolating the results of these two surveys to the town as a whole would suggest that 99 percent of the town's housing stock is in good or excellent condition. Approximately 0.6 to 0.8 percent of the housing stock is estimated to be in fair condition—which is equivalent to 40 units townwide. While the number of units in need of "replacement" is zero, the number in need of rehabilitation is estimated at 40 for Housing Element purposes.

Housing costs in the Bay Area region are among the highest in the country, which could result in households, particularly renters, needing to live in substandard conditions in order to afford housing. Generally, there is limited published data on the extent of substandard housing issues in a community. However, the Census Bureau data included in the table below shows no units in Moraga are substandard by the criteria available from the American Community Survey; no renters or owners reported lacking a kitchen or lacking complete plumbing.[19] Note that these two data points do not cover many traits of substandard housing, including the need for rehabilitation or replacement.

The Contra Costa County Building Department reports that they receive some complaints about building conditions, but do not identify substandard conditions as a major issue in Moraga. As part of the Housing Plan that is included in this Housing Element Update, the Town will work to connect lower-income residents with the County's Neighborhood Preservation program, which provides low-income homeowners with low-interest loans for home repairs, energy efficiency improvements, and accessibility improvements.

Table 3-16: Substandard Housing Issues

Building Amenity	Owner	Renter
Kitchen	0.0%	0.0%
Plumbing	0.0%	0.0%

Universe: Occupied housing units

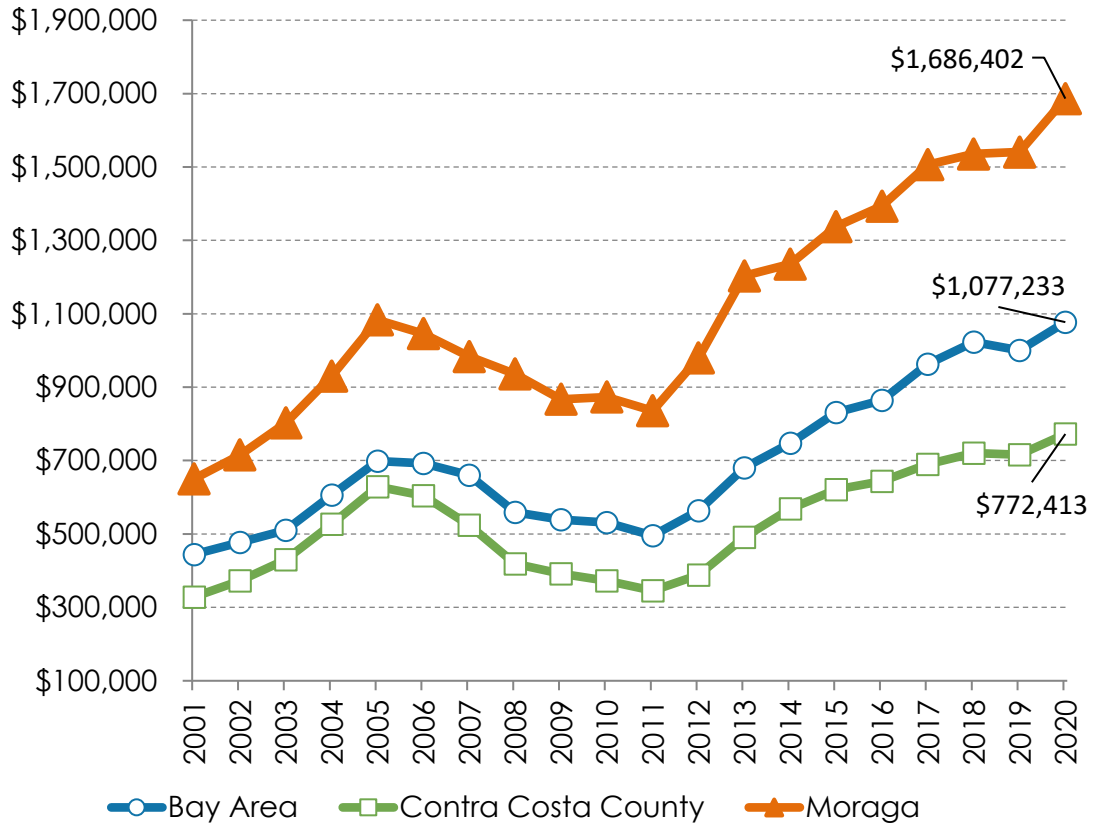
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25053, Table B25043, Table B25049

[19] Complete plumbing facilities are defined as hot and cold piped water, a bath- tub or shower, and a flush toilet.

3.7.5: Home Prices and Rent Levels

Home prices reflect a complex mix of supply and demand factors, including an area's demographic profile, labor market, prevailing wages, and job outlook, coupled with land and construction costs. In the Bay Area, the costs of housing have long been among the highest in the nation. Home values in Moraga are well above the Bay Area average (see Figure 3-21). The region's home values have generally increased steadily since 2001, aside from a decrease during the Great Recession. The rise in home prices has been especially steep since 2012, with the median home value in the Bay Area nearly doubling during this time. Since 2001, the typical home value has increased 159 percent in Moraga. As of December 2020, the typical home value in Moraga was estimated at $1,686,402 per data from Zillow. By comparison, the typical home value is $772,413 in Contra Costa County and $1,077,230 in the Bay Area. Moraga has not seen a decrease in home values since 2011.

Figure 3-21: Home Value Index (ZHVI)



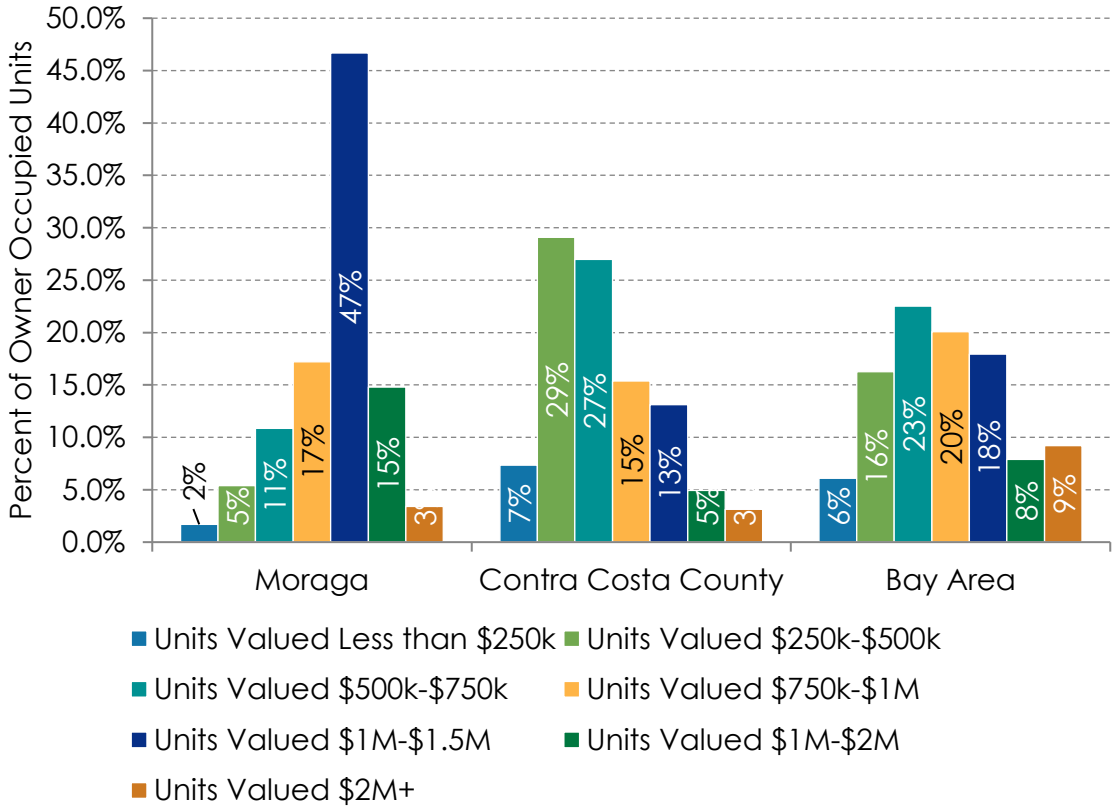
Universe: Owner-occupied housing units

Notes: Zillow describes the ZHVI as a smoothed, seasonally adjusted measure of the typical home value and market changes across a given region and housing type. The ZHVI reflects the typical value for homes in the 35th to 65th percentile range. The ZHVI includes all owner-occupied housing units, including both single-family homes and condominiums. More information on the ZHVI is available from Zillow. The regional estimate is a household-weighted average of county-level ZHVI files, where household counts are yearly estimates from DOF's E-5 series. For unincorporated areas, the value is a population weighted average of unincorporated communities in the county matched to census-designated population counts.

Source: Zillow, Zillow Home Value Index (ZHVI).

Based on somewhat older American Community Survey data from 2015-2019 (inflation-adjusted to 2019 values), nearly half of Moraga's homes were valued at between $1 million and $1.5 million[20] (see Figure 3-22). In contrast, for Contra Costa County overall the largest share of units (29 percent) was valued between $250,000 and $500,000. The limited number of lower-value homes in Moraga indicates a lack of units affordable to middle and lower-income households interested in home ownership in the town.

Figure 3-22: Home Values of Owner-Occupied Units in Moraga



Universe: Owner-occupied units

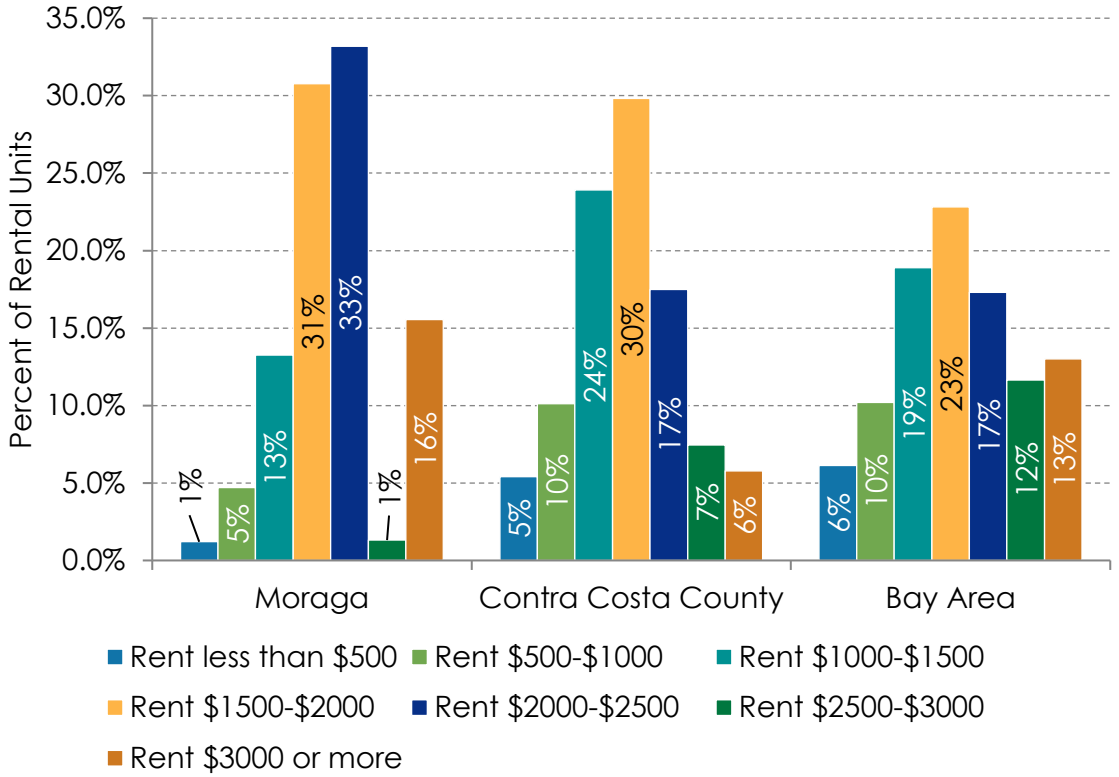
Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25075.

Similar to home values, rents have also increased dramatically across the Bay Area in recent years. Residents finding themselves priced out, evicted, or displaced may have had to choose between commuting long distances to their jobs and schools or moving out of the region, and sometimes, out of the state.

[20] Note that the values from the American Community Survey are based on residents estimating the current value of their home rather than actual sales data.

In Moraga, the largest proportion of rental units (33 percent) rented in the $2,000 to $2,500 monthly rent category, followed by 31 percent of units renting in the $1,500 to $2,000 category (see Figure 3-23). Looking beyond Moraga, the largest share of rental units in the county overall and the Bay Area are in the $1,500 to $2,000 category. The relatively higher rents in Moraga reflect its desirability as a place to live as well as the larger size of the units and the limited number of rental units available.

Figure 3-23: Monthly Contract Rents for Renter-Occupied Units

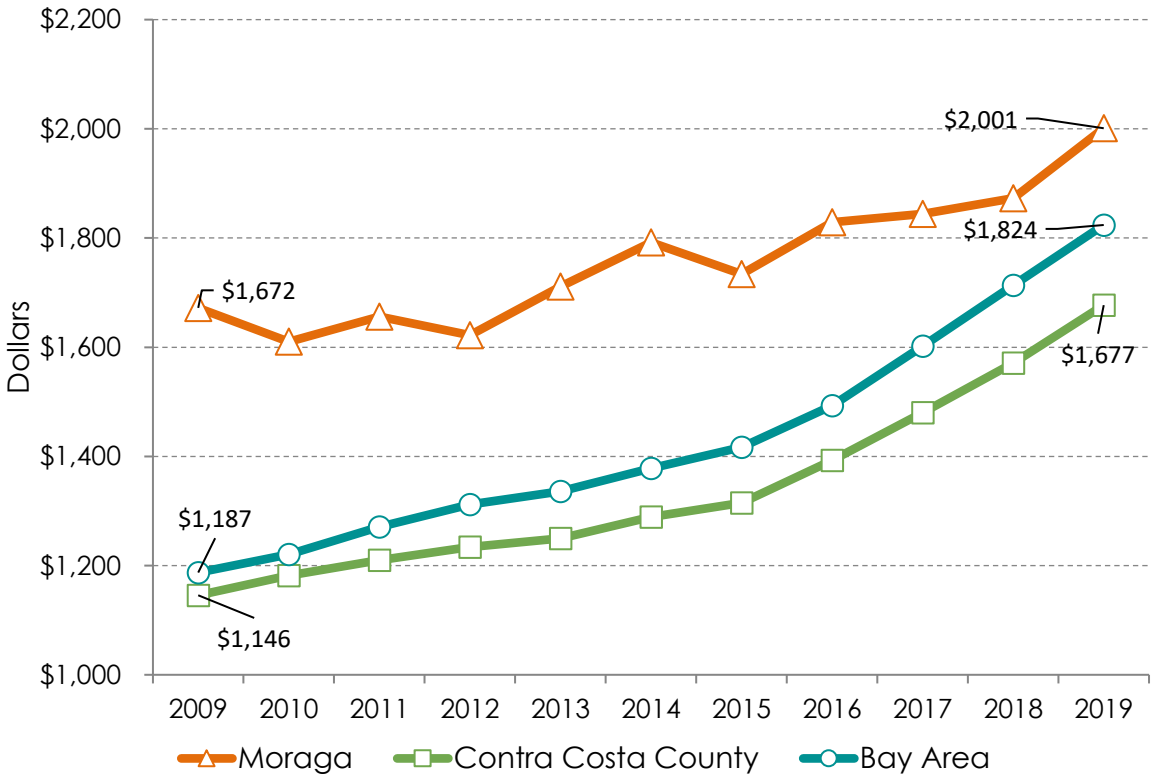


Universe: Renter-occupied housing units paying cash rent

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25056.

Rents in Moraga are on average higher than for Contra Costa County and the Bay Area overall. Between 2009 and 2019, the median monthly contract rent in Moraga increased by 20 percent; interestingly, this is below the rate of increase for the county or the Bay Area, each of which increased by approximately 50 percent (see Figure 3-24). The median increased from $1,672 to $2,001 in Moraga, from $1,146 to $1,677 per month in Contra Costa County, and from $1,187 to $1,824 in the Bay Area. This rent data comes from the U.S. Census Bureau's American Community Survey, which does not fully reflect current rents. Following Figure 3-24 is a discussion of more recent trends in rents in Moraga.

Figure 3-24: Median Contract Rent



Universe: Renter-occupied housing units paying cash rent

Notes: For Bay Area, median is calculated using the distribution in ACS Table B25056.

Source: U.S. Census Bureau, American Community Survey 5-Year Data releases, starting with 2005-2009 through 2015-2019, B25058, B25056 (for Bay Area).

Table 3-17 presents more current rent data for Moraga as compiled by CoStar, a private data vendor tracking residential markets nationwide. As shown, the average market-rate monthly asking rent for the third quarter of 2021 in Moraga was reported at $2,087. This was an increase of 1.5 percent year-over-year; showing that rents were holding at that level even as the pandemic continues. The 4.1 percent vacancy rate indicates a stabilized rental market with no excess vacancies. These results show likely ongoing affordability issues for any lower-income households seeking housing in Moraga.

Additionally, the rental data cited by CoStar is for multi-family units only. About 45 percent of the renter households in Moraga occupy single family homes (detached or attached). These housing units rent for considerably more than conventional apartments and are even less affordable.

Table 3-17: Summary for Market Rate Multifamily Rentals in Moraga, Q3 2021

Multifamily Summary	Market/Market Affordable Units
Inventory, Q3 2021 (bldgs)	39
Inventory, Q3 2021 (units)	581
Occupied Units	421
Vacant Units	24
Vacancy Rate	4.1%
Avg. Inventory Size, Q3 2021 (sf)	1,020
Avg. Asking Rents	
Avg. Asking Rent, Q3 2020	$2,057
Avg. Asking Rent, Q3 2021	$2,087
% Change, Q3 2020 - Q3 2021	1.5%
Avg. Asking Rents per sf	
Avg. Asking Rent per sf, Q3 2020	$2.02
Avg. Asking Rent per sf, Q3 2021	$2.05
% Change, Q3 2020 - Q3 2021	1.5%

Sources: CoStar Group, 2021; BAE, 2021.

3.8: Overpayment and Overcrowding

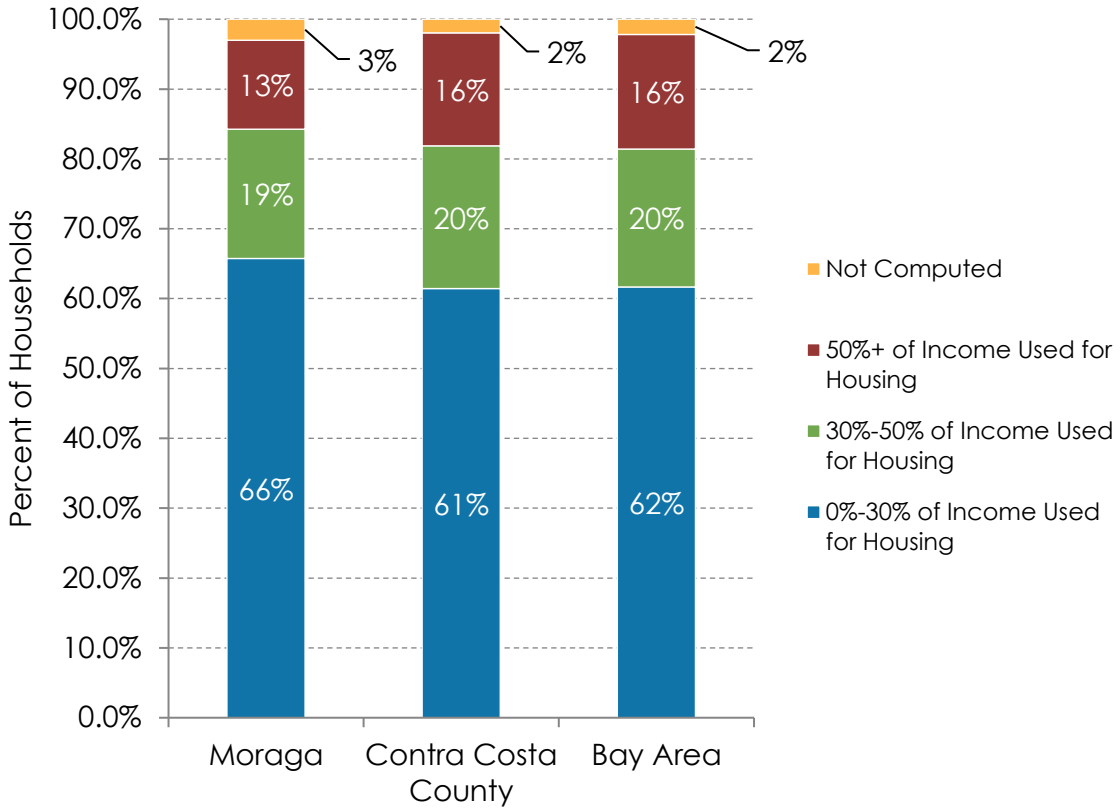
In addition to financial hardship, overpayment can indicate households at risk of displacement from their housing. Overcrowding can be a symptom of lack of suitable, affordable housing to accommodate the needs of households.

3.8.1: Overpayment

Housing cost burden is most commonly measured as the percentage of gross income spent on housing. A household is considered to have a "moderate" housing cost burden if housing expenses are between 30 percent and 50 percent of income, and to have a "severe" cost burden when housing expenses exceed 50 percent of income. Low-income residents are the most impacted by high housing costs and experience the highest rates of cost burden. Spending such large portions of their income on housing puts low-income households at higher risk of displacement, eviction, or homelessness.

Moraga, Contra Costa County, and the Bay Area all have similar percentages of households (between 61 and 66 percent) facing acceptable housing costs of less than 30 percent of their income (see Figure 3-25). Similar proportions also have moderate housing cost burdens, at 19 percent for Moraga and 20 percent for the county and the region, and the pattern holds for severe cost burdens, with Moraga showing 13 percent of households and the county and region showing 16 percent of households at this level. These figures indicate that Moraga faces housing affordability issues despite its relative affluence. One-third or more of all households in all three areas appear to face excessive housing costs.

Figure 3-25: Cost Burden Severity



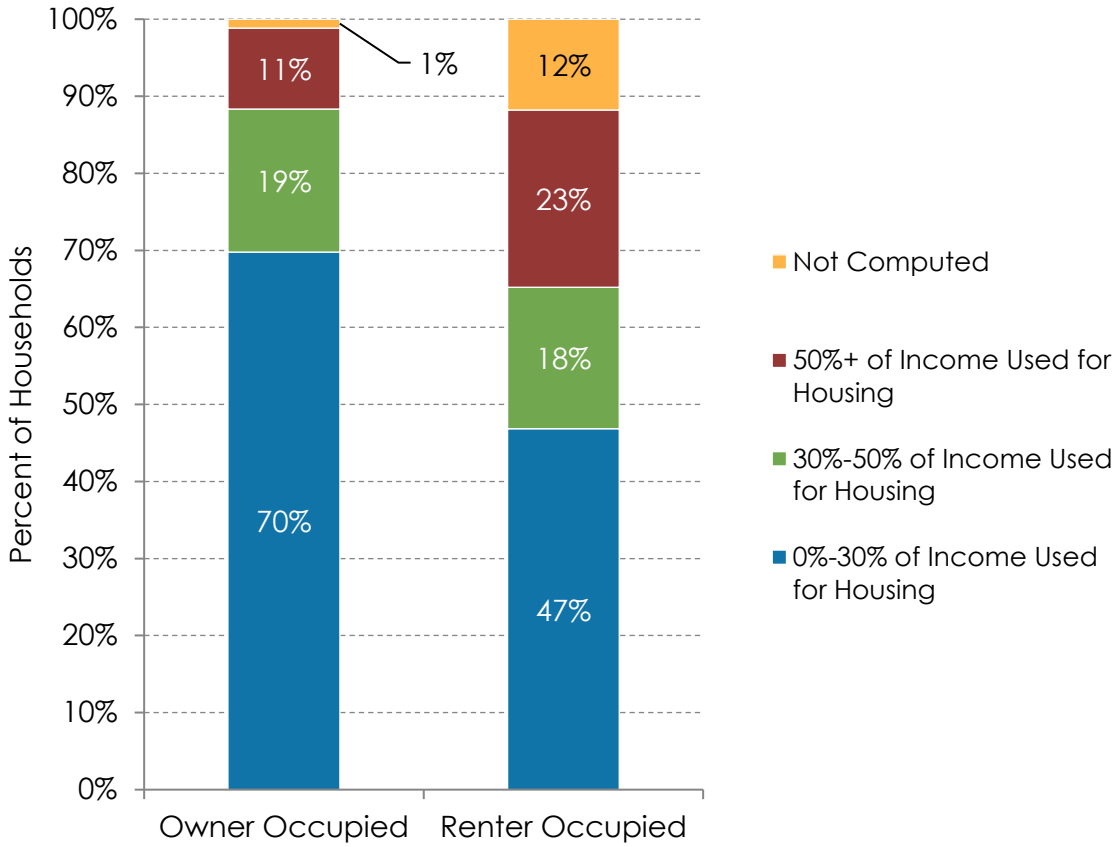
Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091.

Renters are often more cost-burdened than owners. While the housing market has resulted in home prices increasing dramatically, homeowners often have mortgages with fixed interest rates and some may own their homes with no debt, whereas renters are more likely to be impacted by market increases. This pattern is shown in Moraga, where 70 percent of owners spend 30 percent or less of income on shelter, while less than half of renters are in this category, as shown in Figure 3-26. In Moraga, the proportion of owners and renters with moderate housing cost burdens is similar, but the proportion of renters with severe housing cost burdens is over twice that of owners (23 percent versus 11 percent, respectively). Additionally, housing cost burden is not computed for households that report negative income, and these households make up 12 percent of renters and only one percent of owners. Given the lack of income, these households represent an additional group facing unaffordable housing costs.

Figure 3-26: Cost Burden by Tenure



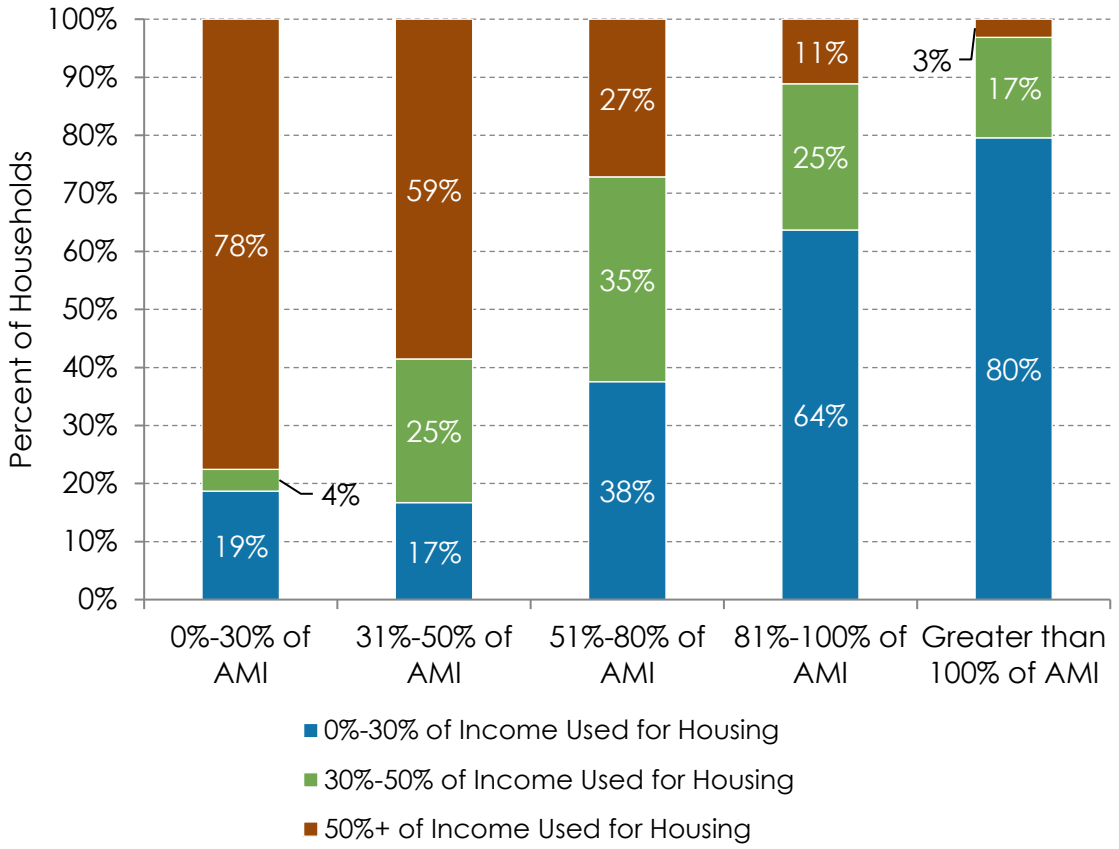
Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs," which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25070, B25091.

In Moraga overall, 14 percent of households spend 50 percent or more of their income on housing, while 19 percent spend 30 percent to 50 percent. However, these rates vary greatly across income categories; not surprisingly, lower income households are more likely to have issues with housing affordability (see Figure 3-27). For example, 78 percent of Moraga households with incomes less than 30 percent of AMI spend the majority of their income on housing but only three percent of Moraga households with income greater than 100 percent of AMI are severely cost-burdened, and 80 percent of those with incomes more than 100 percent of AMI are not unduly cost-burdened, spending less than 30 percent of their income on housing.

Figure 3-27: Housing Cost Burden by Income Level



Universe: Occupied housing units

Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs," which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

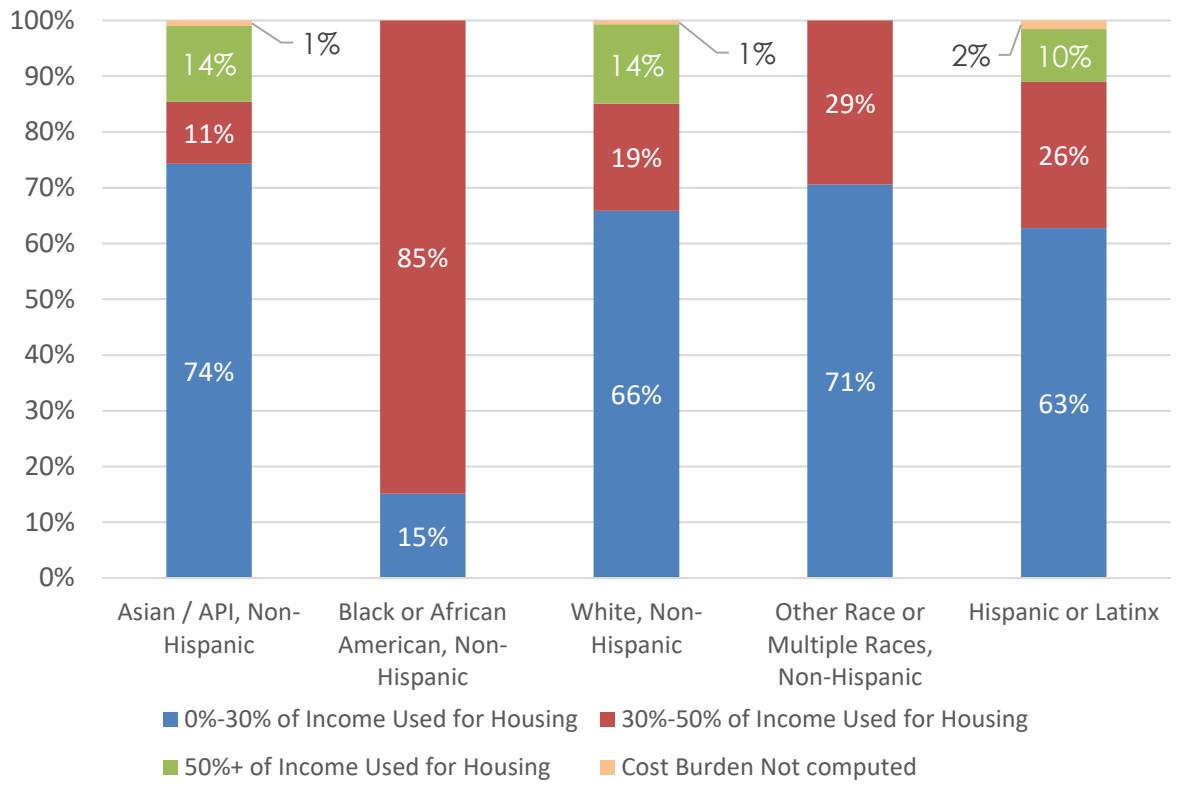
Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

People of color often have lower incomes and spend a greater percentage of their income on housing, and in turn, are at a greater risk of housing insecurity and more likely to experience poverty and financial instability in part as a result of federal and local housing policies that have historically excluded them from the same opportunities extended to White residents.

In Moraga, the proportion of households with housing cost burdens of 30 percent or below of income ranges from 63 percent to 74 percent across most of the major race/ethnic groups in the town (Figure 3-28). The one exception is Black households where the data indicate that the majority pays between 30 and 50 percent of income for housing costs. This group, however, is extremely small (estimated at 53 households) and the findings may not be statistically reliable

given the size of the sample used for the estimates. In any case, substantial portions of households (one fourth or more) in each of the categories pay 30 percent or more of income for shelter expenses.

Figure 3-28: Cost Burden by Race



Universe: Occupied housing units.

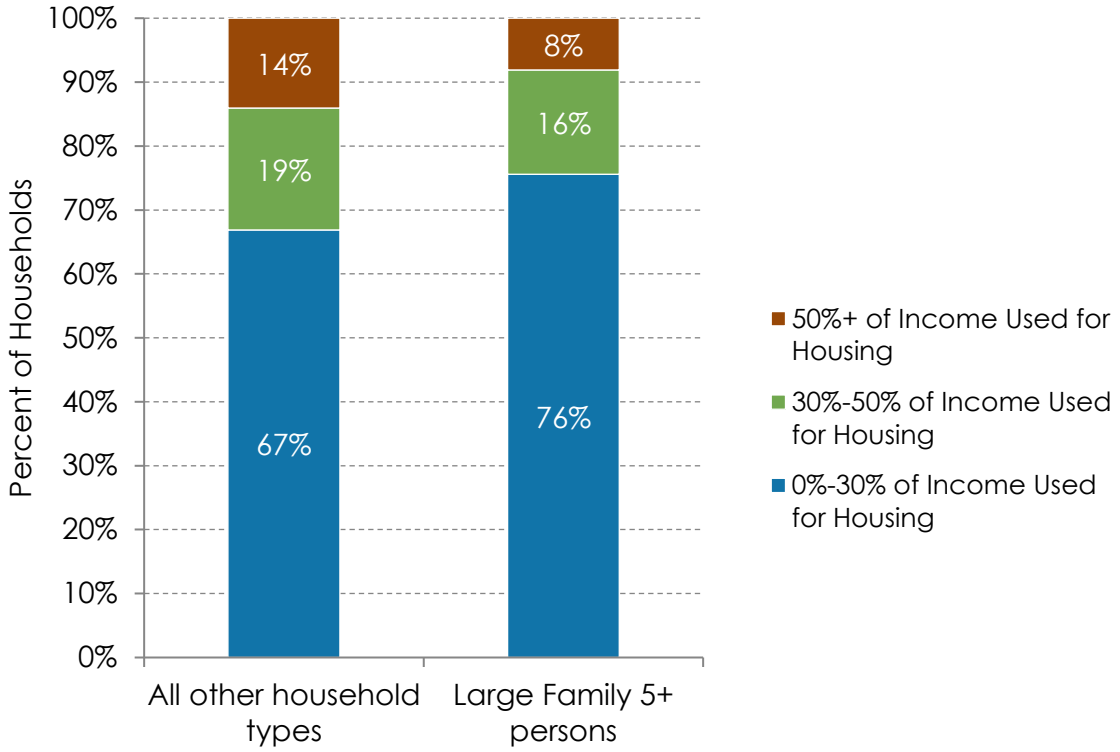
Notes: Other race includes but is not limited to American Indian/Alaska Native and Black/African American; there are too few households in these two racial groups for statistical reliability. Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs," which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. For the purposes of this graph, the "Hispanic or Latinx" racial/ethnic group represents those who identify as having Hispanic/Latinx ethnicity and may also be members of any racial group. All other racial categories on this graph represent those who identify with that racial category and do not identify with Hispanic/Latinx ethnicity. No reported American Indian or Alaska Native, Non-Hispanic in Moraga.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

Large family households often have special housing needs due to a lack of adequately sized affordable housing available and may bear higher cost burdens than other household types. However, in Moraga, fewer of the large-family households (i.e., those with five or more family members) experience moderate or severe cost burdens than other household types; 16 percent of large family households experience a cost burden of 30 percent to 50 percent and eight

percent of large-family households spend more than half of their income on housing. For all other household types combined, 19 percent have a cost burden of 30 percent to 50 percent and 14 percent spend more than half of their income on housing (see Figure 3-29). It appears that for Moraga, the large family households may tend to be more affluent than other household types, but it should be noted that a substantial portion of these households still face very high housing costs.

Figure 3-29: Cost Burden by Household Size



Universe: Occupied housing units

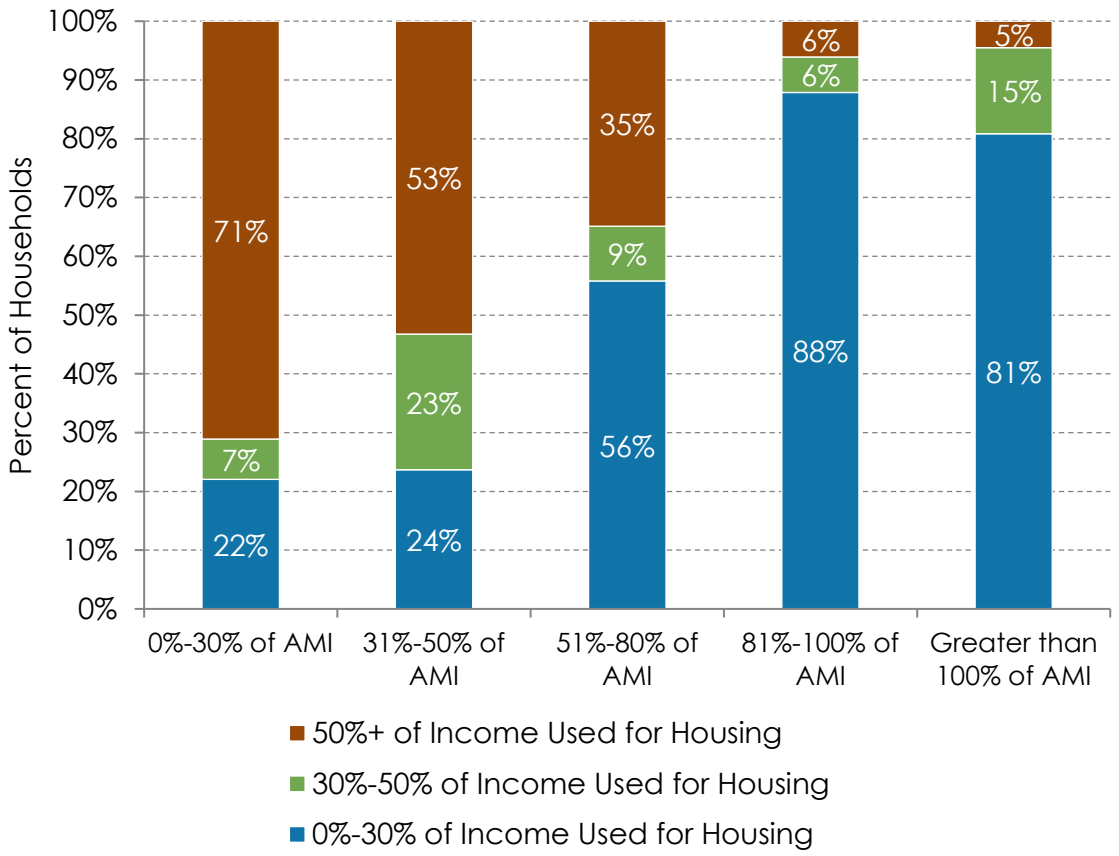
Notes: Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs," which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release

When cost-burdened seniors are no longer able to make house payments or pay rents, displacement from their homes can occur, putting further stress on the local rental market or forcing residents out of the community they call home. Understanding how seniors might be cost-burdened is of particular importance due to their special housing needs, particularly for low-income seniors, who tend to face modest or severe cost burdens. This is the case in Moraga, where over 70 percent of extremely low-income seniors are spending the majority of their income on housing. In contrast, for senior households with incomes of more than 100

percent of AMI, 81 percent are not cost-burdened and spend less than 30 percent of their income on housing; only 15 percent of this group have modest cost burdens and only five percent have severe cost burdens (see Figure 3-30).

Figure 3-30: Cost-Burdened Senior Households by Income Level



Universe: Senior households

Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs," which includes mortgage payment, utilities, association fees, insurance, and real estate taxes. HUD defines cost-burdened households as those whose monthly housing costs exceed 30% of monthly income, while severely cost-burdened households are those whose monthly housing costs exceed 50% of monthly income. Income groups are based on HUD calculations for Area Median Income (AMI). The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

3.8.2: Overcrowding

Overcrowding is often related to the cost of housing and can occur when demand in a local jurisdiction or region is high. Overcrowding occurs when the number of people living in a household is greater than the home was designed to hold. This report uses the Census Bureau definition of overcrowding, which is more than one occupant per room (not including bathrooms

or kitchens). Additionally, the Census Bureau considers units with more than 1.5 occupants per room to be severely overcrowded.

Overcrowding does not appear to be a significant housing problem in Moraga, either overall or for particular groups by tenure or race. As shown in Table 3-18, the 2015-2019 American Community Survey reports that there are no overcrowded renter or owner-occupied units in the town.[21] In comparison, 3.5 percent of occupied housing units in Contra Costa County and 4.2 percent of occupied housing units in the Bay Area are overcrowded. For the county and Bay Area respectively, 1.5 percent and 2.7 percent of units are severely overcrowded.

Table 3-18: Overcrowding Severity

	1.00 occupants per room or less		1.01 to 1.50 occupants per room		More than 1.50 occupants per room	
Geography	Number	Percent Across	Number	Percent Across	Number	Percent Across
Moraga	5,867	100.0%	0	0.0%	0	0.0%
Contra Costa County	374,726	94.9%	13,950	3.5%	6,093	1.5%
Bay Area	2,543,056	93.1%	115,696	4.2%	72,682	2.7%

Universe: Occupied housing units

Notes: The Census Bureau defines an overcrowded unit as one occupied by 1.01 persons or more per room (excluding bathrooms and kitchens), and units with more than 1.5 persons per room are considered severely overcrowded.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25014.

3.9: Special Housing Needs

3.9.1: Large Households

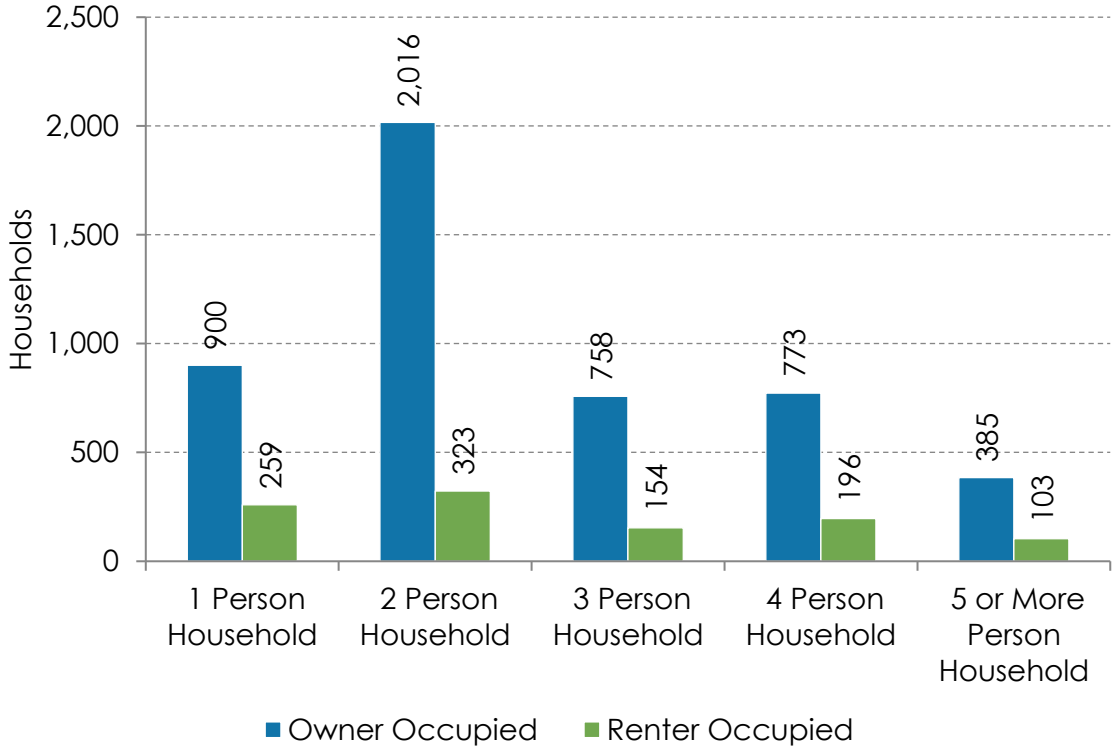
Large households often have different housing needs than smaller households. If an area's rental housing stock does not include larger apartments, large households who rent could end up living in overcrowded conditions or unable to find housing locally at all. ACS data indicate that there are an estimated 488 households with five or more people, accounting for approximately eight percent of all Moraga households. Two-person households account for the largest share of households in Moraga, comprising approximately 40 percent of all households in Town.

In Moraga, owners substantially outnumber renters across all household sizes, as shown in Figure 3-31. For large households with five or more persons, approximately one-fifth of units

[21] It should be noted that this result is based on a sample, where there is some margin of error in the estimates. In any case, the proportion and number of overcrowded units in Moraga is extremely small.

are renter-occupied, similar to the proportion for all household sizes. This high proportion is linked to the high proportion of single-family homes in Moraga, which tend to be owner-occupied and have the space to accommodate larger families. As a result, the number of large family renter households could be constrained by the lack of available units.

Figure 3-31: Household Size by Tenure



Universe: Occupied housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25009.

Existing Needs and Resources

The unit sizes and types available in a community affect the household sizes that can access that community with appropriate housing. Large families are generally served by housing units with three or more bedrooms. Moraga has a relatively large stock of units with three or more bedrooms (4,753 units), which comprise approximately 81 percent of the Town's housing stock. The number of units with three or more bedrooms (4,753 units) is significantly higher than the number of large family households in Moraga (488 households), indicating that Moraga generally has a sizable inventory of units for large households relative to the need.

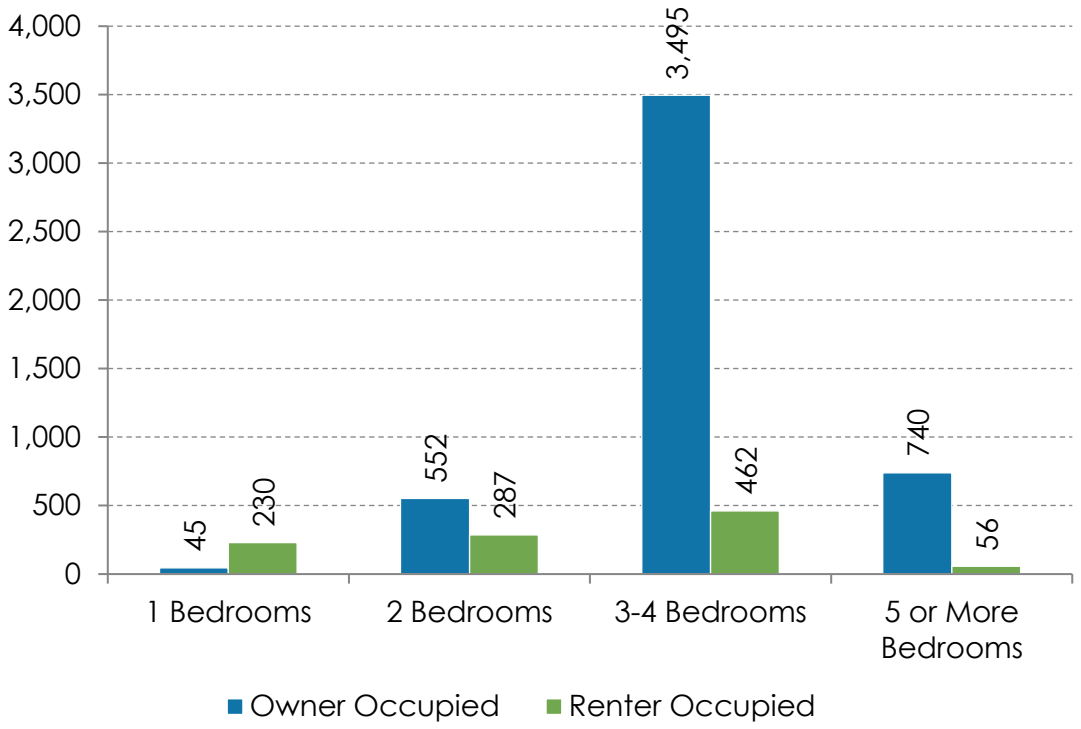
Among units with three or more bedrooms, 11 percent are renter-occupied (see Figure 3-32). Units with three or more bedrooms comprise approximately half of the Town's rental housing

stock, with a total of 518 units. This represents a relatively large share of the rental housing market and significantly exceeds the number of large family renter households in Moraga.

These data indicate that Moraga's housing stock is generally adequate to meet the needs of large-family owner and renter households, and Figure 3-29 shows that large households in Moraga are less likely than other Moraga households to experience high housing cost burdens.. However, some lower-income large-family households may struggle to afford housing in Moraga. The Housing Element Update includes programs to facilitate the production of affordable housing in Moraga through increases in allowable density, by-right approvals, and other actions.

In addition, the programs state that the Town will adopt an inclusionary ordinance as part of the Housing Element Update process. The draft ordinance states that inclusionary units must be comparable to other units in the development in terms of the number of bedrooms, which means that future inclusionary units are likely to include units with three or more bedrooms to the extent that units of this size are included in future residential developments in Moraga.

Figure 3-32: Housing Units by Number of Bedrooms



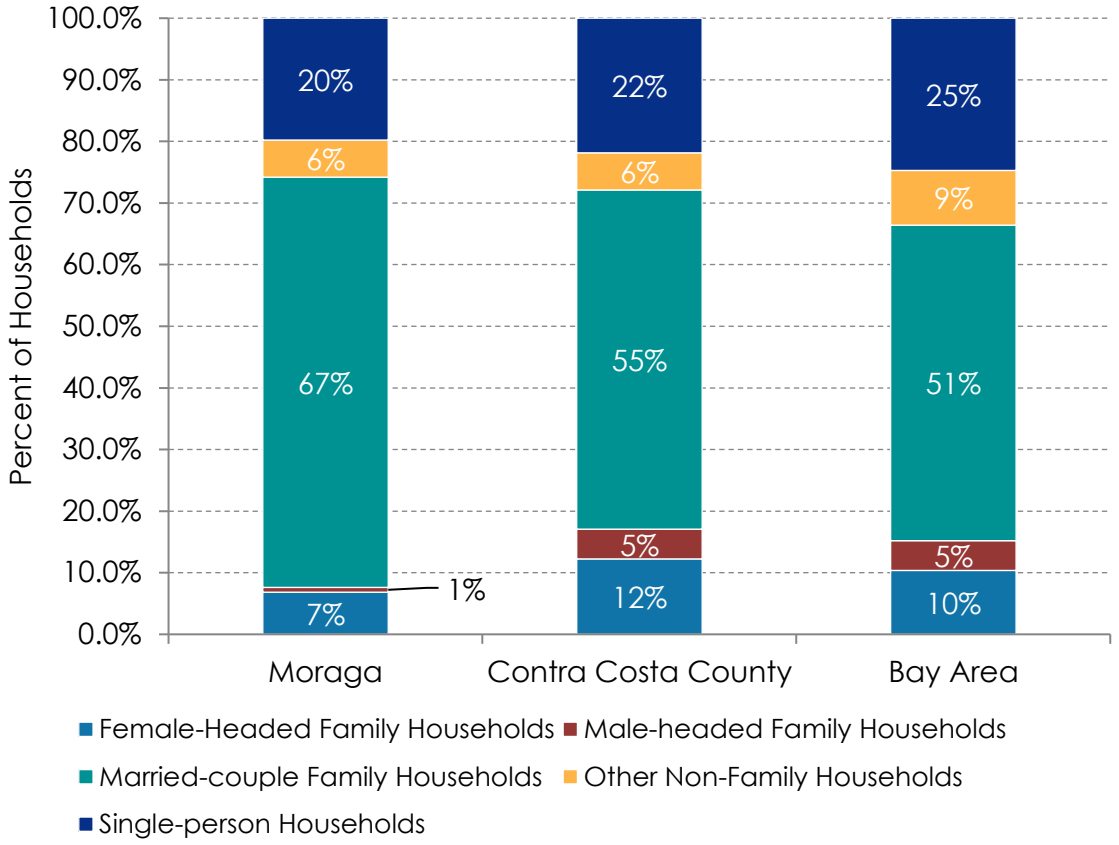
Universe: Housing units

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B25042.

3.9.2: Female-Headed Households

Households headed by one person are often at greater risk of housing insecurity, particularly female-headed households, who may be supporting children or a family with only one income. In Moraga, the largest proportion of households is married-couple family households at 67 percent of total, as shown in Figure 3-33. This is a notably higher proportion than for Contra Costa County overall or the Bay Area region. Female-headed households make up only seven percent of all households in Moraga, a lower percentage than in the two larger geographies.

Figure 3-33: Household Type



Universe: Households

Notes: For data from the Census Bureau, a "family household" is a household where two or more people are related by birth, marriage, or adoption. "Non-family households" are households of one person living alone, as well as households where none of the people are related to each other.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B11001.

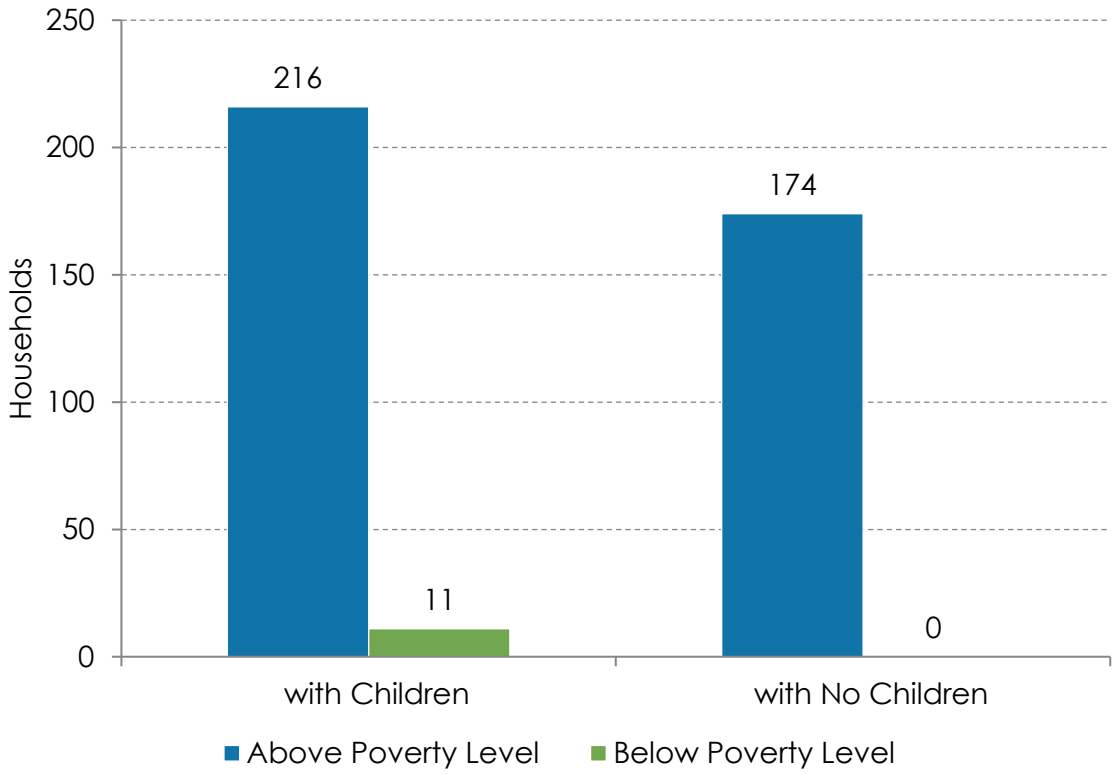
Existing Needs and Resources

Female-headed households with children may face particular housing challenges, with pervasive gender inequality resulting in lower wages for women. Moreover, the added need for and cost of childcare can make finding a home that is affordable more challenging. In Moraga, the 2015-2019 ACS reports 227 female-headed family households with children, with only 11 of these in

poverty (see Figure 3-34). Given that the ACS results are based on a sample, these estimates are subject to statistical error, but do indicate a very limited number of female-headed households in poverty in Moraga.

Through this Housing Element update, the Town of Moraga is committing to multiple actions that will facilitate the production of affordable housing that can help to address needs among female-headed households with children. These actions include rezoning to allow multifamily housing on additional sites, increasing allowable densities on some existing residential sites, removing barriers to residential construction, facilitating the production of ADUs, and adopting an inclusionary ordinance to require affordable units in new developments. In addition, the Housing Element includes a program that will allow family supportive services such as childcare by right in high-density residential and mixed-use zones.

Figure 3-34: Female-Headed Households by Poverty Status



Universe: Female-Headed Households

Notes: The Census Bureau uses a federally defined poverty threshold that remains constant throughout the country and does not correspond to Area Median Income.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B17012.

3.9.3: Seniors

Senior households often experience a combination of factors that can make accessing or keeping affordable housing a challenge. They often live on fixed incomes and are more likely to have disabilities, chronic health conditions and/or reduced mobility. Seniors who rent may be at even greater risk for housing challenges, due to low or fixed income that do not escalate at the same rate as rental costs.

Existing Needs and Resources

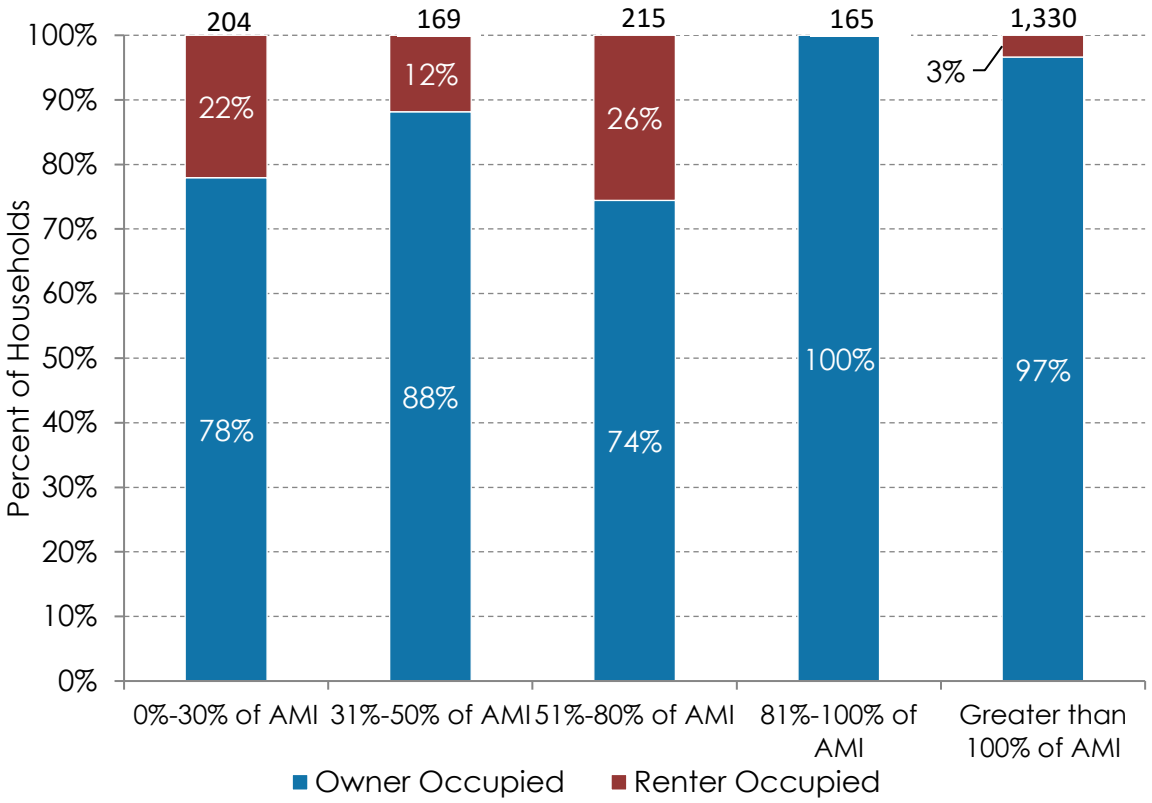
As discussed above (see Figure 3-2), Moraga has a growing senior population. According to data from the US Census and American Community Survey, the population over the age of 65 increased from an estimated 2,577 in 2000 to 3,734 in 2019. While the large majority of senior homeowners have incomes greater than 100 percent of AMI, nearly one-fourth have low, very low, or extremely low incomes (see Figure 3-35). As shown in Figure 3-30, a significant portion of extremely low-, very low-, and low-income senior households in Moraga have high housing cost burdens, indicating some unmet need for affordable housing for seniors. However, the overall number of extremely low-, very low-low, and low-income senior households in Moraga with housing costs that exceed 30 percent of household income is relatively small, totaling an estimated 383 households according to CHAS data for the 2013-2017 period. Only eight percent of Moraga's senior households are renters, and only slightly above one-fourth of senior renters in Moraga have incomes greater than 100 percent of AMI; the remainder, nearly three-fourths, have low, very low, or extremely low incomes. The group most in need of affordable housing is extremely low-income senior renters, who make up 27 percent of all senior renter households.

Existing senior housing resources in Moraga include Moraga Royale (95 rooms, 10 percent of which are for very low-income seniors), Aegis Living (77-unit senior assisted care facility, and Moraga Retreat Care (two assisted living senior group homes). In addition, BrightStar Care provides in home services for people with disabilities, including seniors with disabilities. The Contra Costa County Neighborhood Preservation program provides low-income homeowners with low-interest loans for home repairs, energy efficiency improvements, and accessibility improvements, which qualifying senior households can access to make home repairs and modifications that will allow them to age in place. Seniors with disabilities that require accessibility modifications to their homes are able to make these modifications in accordance with the Town's reasonable accommodations procedures.

The Housing Plan chapter of this Housing Element Update includes several programs to address senior housing needs. These include supporting a shared housing program, meeting with senior housing developers to attract senior housing to the Town, and publicizing information about senior housing resources. In addition, the Housing Plan includes many actions that will facilitate the production of housing in Moraga in general, which would also facilitate the production of senior housing, such as supporting the use of density bonuses, facilitating ADUs, and rezoning

to increase the Town's capacity to accommodate multifamily development. Furthermore, the Housing Plan includes multiple programs that will facilitate the production of multifamily housing in Moraga. New multifamily units will include accessibility features in accordance with the Americans with Disabilities Act and adaptability features in accordance with the Fair Housing Act, which can help to address a portion of the need for housing among seniors with disabilities.

Figure 3-35: Senior Households by Income and Tenure



Universe: Senior households

Notes: For the purposes of this graph, senior households are those with a householder who is aged 62 or older. The AMI levels in this chart are based on the HUD metro area where this jurisdiction is located.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) ACS tabulation, 2013-2017 release.

3.9.4: People with Disabilities

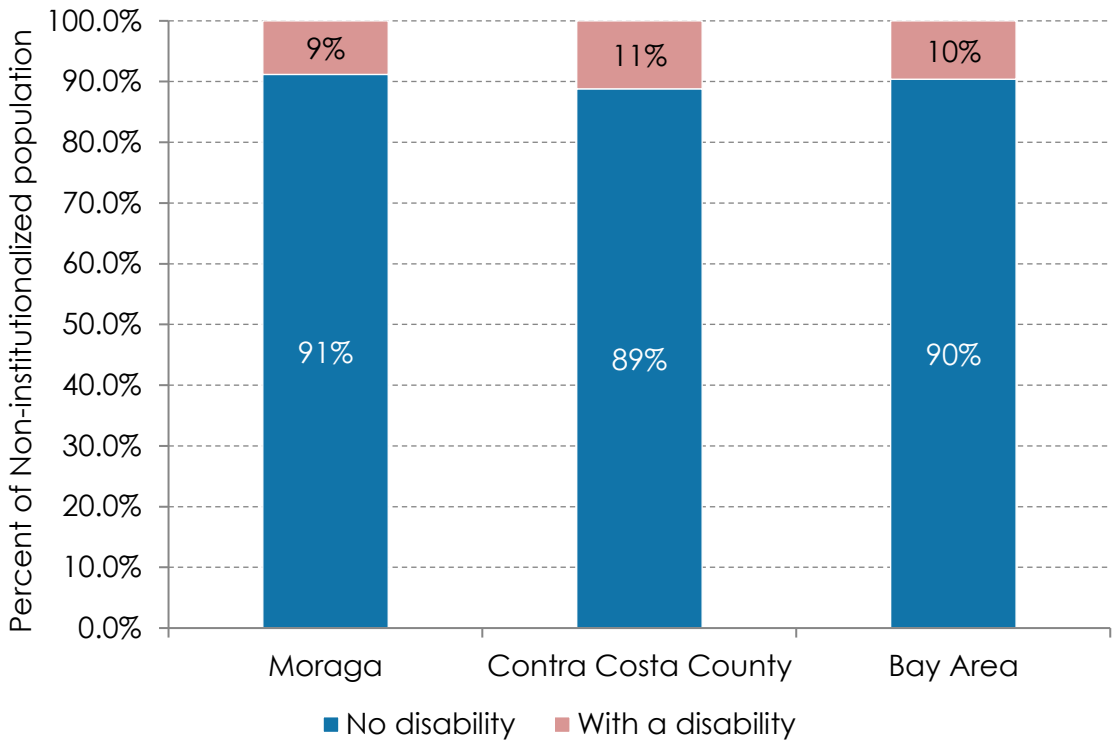
People with disabilities face additional housing challenges. Encompassing a broad group of individuals living with a variety of physical, cognitive, and sensory impairments, many people with disabilities live on fixed incomes and require specialized care, yet often rely on family members for assistance due to the high cost of care. Persons with disabilities are not only in need of affordable housing but may require accessibly designed housing, which offers greater mobility and opportunity for independence. Unfortunately, the need may outweigh what is

available, particularly in a housing market with high demand. People with disabilities are at a high risk for housing insecurity, homelessness, and institutionalization, particularly if they lose aging caregivers.

Population by Disability Status

For Moraga, approximately nine percent of the civilian noninstitutionalized population is estimated to have one or more of the six disability types specified below. As shown in Figure 3-36, this proportion is slightly lower than the proportions for Contra Costa County and the Bay Area.

Figure 3-36: Population by Disability Status



Universe: Civilian noninstitutionalized population

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18101.

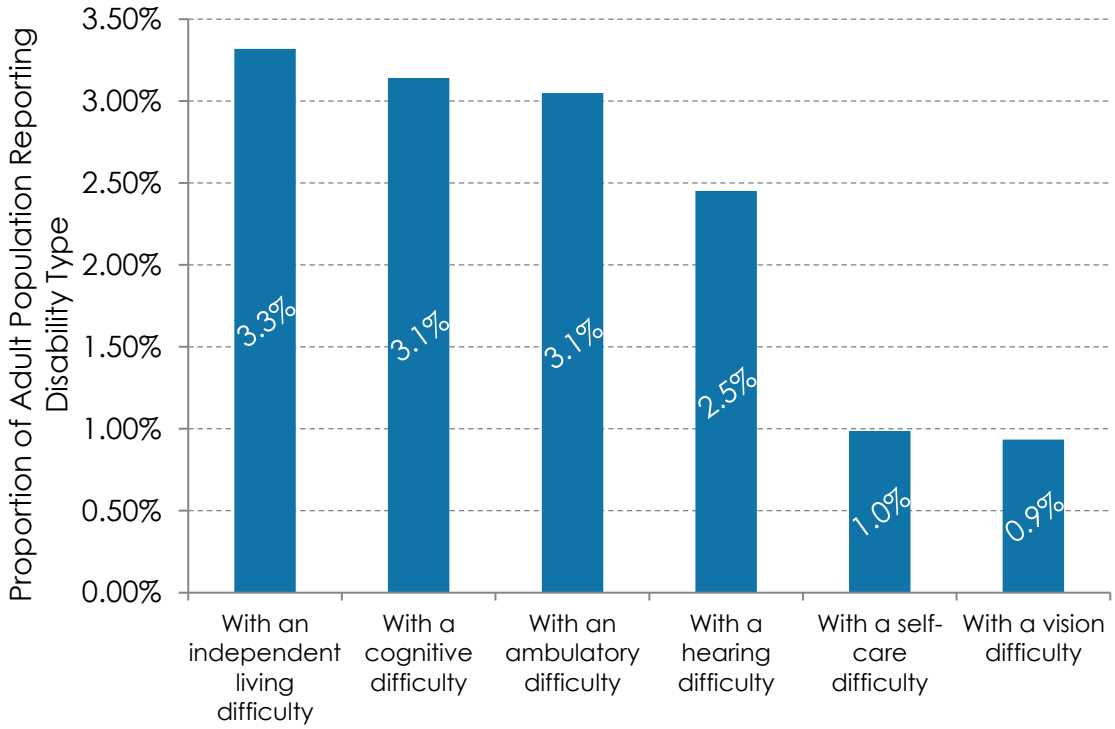
Disability by Type

Figure shows the rates at which different disabilities are present among residents of Moraga.[22] There are a broad range of disabilities present, for which varying housing solutions may be required. As an individual may report more than one disability, the percentages shown in Figure

[22] These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed.

3-37 may be counting the same individuals in more than one column—thus the total number of disabled persons is less than the sum of all columns.

Figure 3-37: Disability by Type



Universe: Civilian noninstitutionalized population 18 years and over

Notes: These disabilities are counted separately and are not mutually exclusive, as an individual may report more than one disability. These counts should not be summed. The Census Bureau provides the following definitions for these disability types:
Hearing difficulty: deaf or has serious difficulty hearing.
Vision difficulty: blind or has serious difficulty seeing even with glasses.
Cognitive difficulty: has serious difficulty concentrating, remembering, or making decisions. Ambulatory difficulty: has serious difficulty walking or climbing stairs.
Self-care difficulty: has difficulty dressing or bathing.
Independent living difficulty: has difficulty doing errands alone such as visiting a doctor's office or shopping.

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B18102, Table B18103, Table B18104, Table B18105, Table B18106, Table B18107.

Developmental Disabilities by Age

State law requires Housing Elements to examine the housing needs of people with developmental disabilities. Developmental disabilities are defined as disabilities that originate before an individual attains 18 years of age, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual. This can include Down's Syndrome, autism, epilepsy, cerebral palsy, and mild to severe intellectual disability, as well as disabling conditions that are closely related to intellectual disability or require treatment similar to that required for individuals with an intellectual disability but does not include conditions that

are solely physical in nature. Some people with developmental disabilities are unable to work and rely on Supplemental Security Income and live with family members. In addition to their specific housing needs, they are at increased risk of housing insecurity after an aging parent or family member is no longer able to care for them.

In Moraga, children under the age of 18 make up 54 percent and adults make up 46 percent of the 67 persons reported as having a developmental disability, as shown in Table 3-19.

Table 3-19: Population with Developmental Disabilities by Age

Age	Number	Percent
0 - 17 Years	36	54%
18+ Years	31	46%
Total	**67**	**100%**

Universe: Population with developmental disabilities.

Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Age Group (2020).

Population with Developmental Disabilities by Residence

As shown in Table 3-20, the most common living arrangement by far for individuals with developmental disabilities in Moraga is the home of parent/family/guardian, at 85 percent of all such individuals. The Housing Plan chapter of this Housing Element Update includes a program that states that the Town will work with the Regional Center of the East Bay to inform residents with developmental disabilities and their families of the services that are available to them. The Town will also meet with disability service providers to identify additional opportunities for the Town to support service providers that serve residents with disabilities.

Table 3-20: Population with Developmental Disabilities by Residence

Residence Type	Number	Percent
Home of Parent /Family /Guardian	62	85%
Independent /Supported Living	6	8%
Foster /Family Home	5	7%
Other	0	0%
Community Care Facility	0	0%
Intermediate Care Facility	0	0%
Total by Residence Type	**73**	**100%**

Universe: Population with developmental disabilities

Notes: The California Department of Developmental Services is responsible for overseeing the coordination and delivery of services to more than 330,000 Californians with developmental disabilities including cerebral palsy, intellectual disability, Down syndrome, autism, epilepsy, and related conditions. The California Department of Developmental Services provides ZIP code level counts. To get jurisdiction-level estimates, ZIP code counts were crosswalked to jurisdictions using census block population counts from Census 2010 SF1 to determine the share of a ZIP code to assign to a given jurisdiction.

Source: California Department of Developmental Services, Consumer Count by California ZIP Code and Residence Type (2020).

Existing Needs and Resources

For many persons with disabilities, Moraga's high housing costs may present a barrier to living in Moraga. Persons with disabilities tend to have lower incomes than those without disabilities, as disabilities can affect a person's ability to work at all or in certain occupations, depending on the nature of an individual's disability. The high cost of housing in Moraga is likely to be a key reason that the Town has a slightly lower proportion of residents with disabilities (nine percent) compared to Contra Costa County (11 percent) and the Bay Area (10 percent), as shown in Figure 3-36.

Some individuals with disabilities may need affordable housing but do not require any specific accessibility features or services. The Housing Plan chapter of this Housing Element Update includes many actions that will facilitate the production of affordable housing in Moraga, such as supporting the use of density bonuses, facilitating ADUs, and rezoning to increase the Town's capacity to accommodate multifamily development.

Other individuals with disabilities require supportive services or accessibility features or have other unique needs related to their housing, and may or may not also need affordable housing. BrightStar Care provides in home services for people with disabilities in Moraga. In addition, Contra Costa County's developmentally disabled community is served by the Regional Center for the East Bay for Alameda and Contra Costa Counties, which provides advocacy, services, support, and care coordination to children and adults diagnosed with intellectual and developmental disabilities and their families. As of December 2020, the regional center supported almost 20,000 individuals in Alameda and Contra Costa Counties. The Contra Costa County Neighborhood Preservation program provides low-income homeowners with low-interest loans for home repairs, energy efficiency improvements, and accessibility improvements, which qualifying persons with disabilities can access to make accessibility modifications. Persons with

disabilities are able to make accessibility modifications in accordance with the Town's reasonable accommodations procedures.

The Housing Plan chapter of this Housing Element Update includes several actions to address housing needs among persons with disabilities. These include amending the Municipal Code to include provisions for residential care facilities and coordinating with the Regional Center of the East Bay to conduct outreach to inform residents of available services. The Housing Plan also includes multiple programs that will facilitate the production of multifamily housing in Moraga, which will include accessibility features in accordance with the Americans with Disabilities Act and adaptability features in accordance with the Fair Housing Act. In addition, the Housing Plan also states that the Town will enter into an agreement with a fair housing provider that can provide fair housing services and tenant/landlord services if individuals disabilities experience fair housing violations, including issues related to reasonable accommodations.

3.9.5: Homelessness

Homelessness remains an urgent challenge in many communities across the region and the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Residents who have found themselves housing insecure have ended up unhoused or homeless in recent years, either temporarily or longer term.

Addressing the specific housing needs for the unhoused population remains a priority throughout the region; homelessness is disproportionately experienced by people of color, people with disabilities, those struggling with addiction and those dealing with traumatic life circumstances. As shown in Table 3-21, a total of 2,277 individuals were identified in Contra Costa County as homeless by the 2020 point in time count. According to the county's publication of results, only four unsheltered persons were counted in Moraga.

In Contra Costa County, the most common type of household experiencing homelessness is those without children in their care. Among households experiencing homelessness that do not have children, three-fourths are unsheltered; of homeless households with children, 58 percent are in emergency shelters and 19 percent are in transitional housing (see Table 3-21).

Table 3-21: Homelessness by Household Type & Shelter Status, Contra Costa County

Status	People in Households Composed Solely of Children < 18	People in Households with Adults & Children	People in Households without Children < 18
Sheltered - Emergency Shelter	-	152	398
Sheltered - Transitional Housing	-	49	108
Unsheltered	-	60	1,510

Universe: Population experiencing homelessness in Contra Costa County.

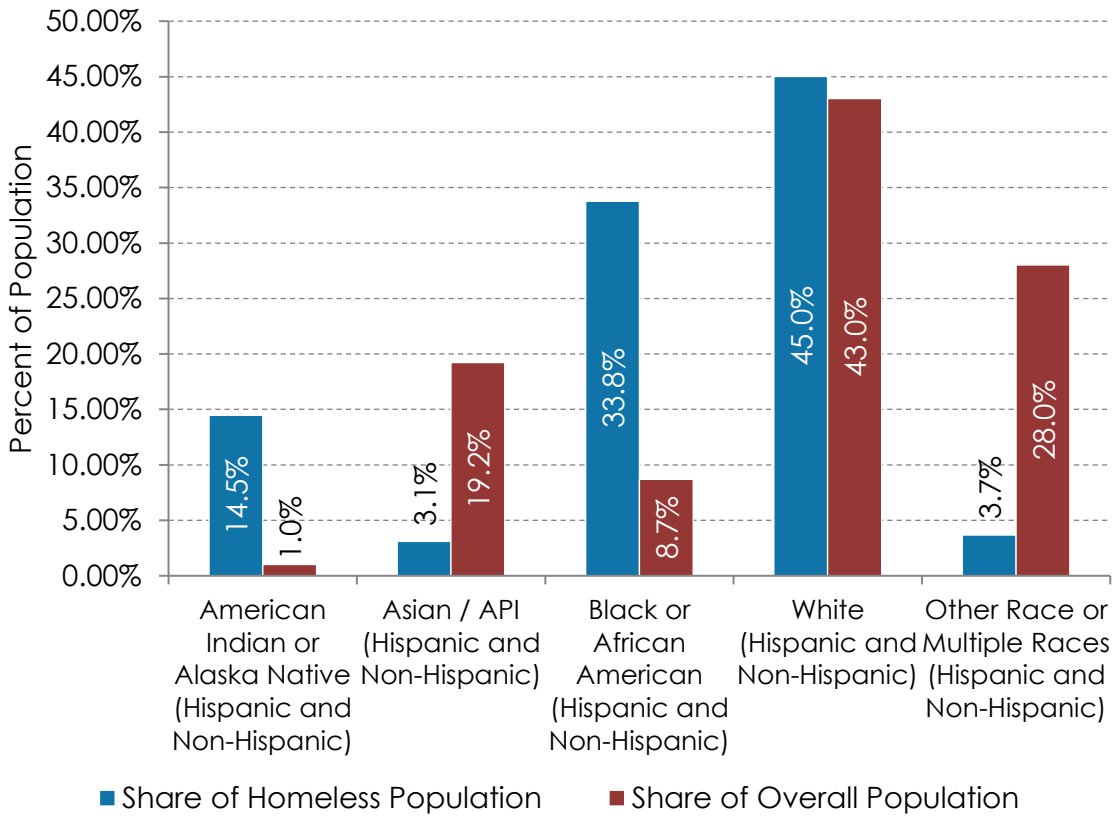
Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness.

Sources: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2020).

While people of color are more likely to experience poverty and financial instability resulting in homelessness, 45 percent of persons in Contra Costa County experiencing homeless are White (Hispanic or non-Hispanic), reflecting the overall proportion of the White population (43 percent.[23] However, the American Indian/Alaska Native population and the Black population are over-represented in the homeless population relative to their prevalence in the total population, and the Asian/Pacific Islander and Other Race/Multiple Race populations are underrepresented (see Figure 3-38). The American Indian/Alaska Native population makes up 14.5 percent of the estimated homeless population but only one percent of the county's overall population. Slightly more than one-third of the homeless population is Black, but they are less than nine percent of the overall population of the county.

[23] Available data do not separate the non-Hispanic from the Hispanic population by race.

Figure 3-38: Racial Group Share of General and Homeless Populations, Contra Costa County



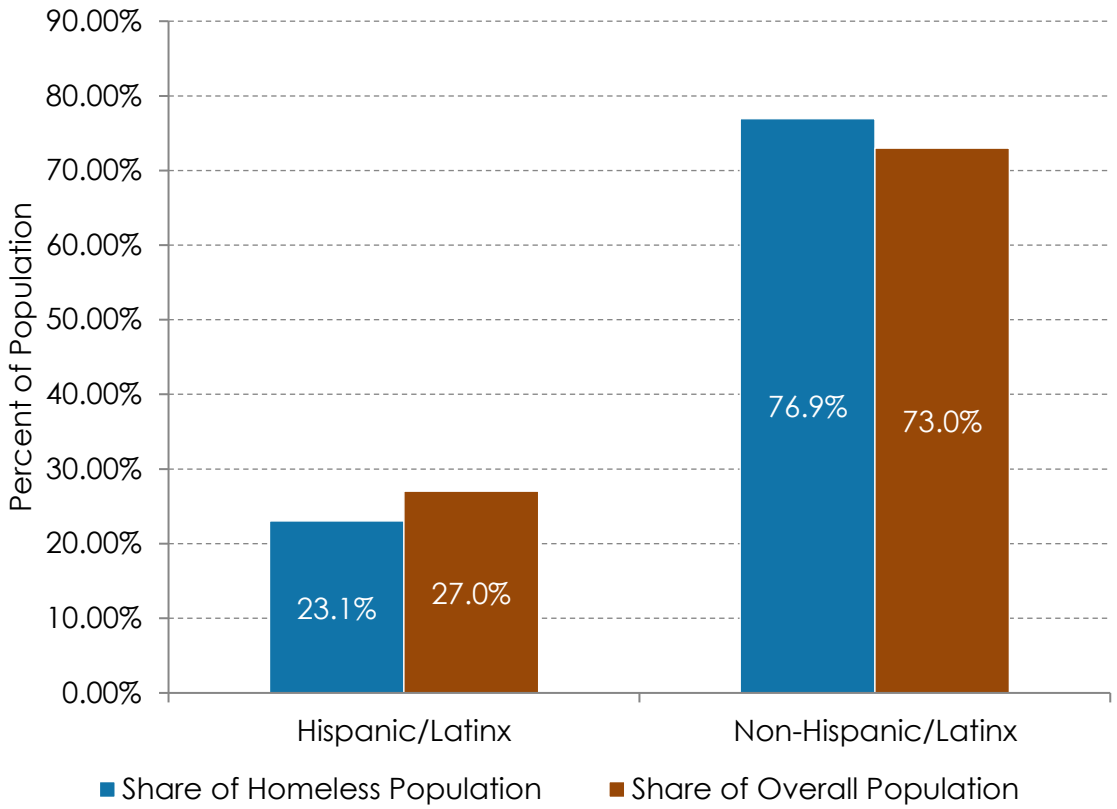
Universe: Population experiencing homelessness

Notes: Data based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. HUD does not disaggregate racial demographic data by Hispanic/Latinx ethnicity for people experiencing homelessness. Instead, HUD reports data on Hispanic/Latinx ethnicity for people experiencing homelessness in a separate table. Accordingly, the racial group data listed here includes both Hispanic/Latinx and non-Hispanic/Latinx individuals.

Sources: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2020); U.S. Census Bureau, 2020 Census PL 94-171, Table P1.

In Contra Costa County, Latinx residents represent 23.1 percent of the population experiencing homelessness, slightly lower than the 27.0 percent share of the general population, as shown in Figure 3-39.

Figure 3-39: Latinx Share of General and Homeless Populations, Contra Costa County



Universe: Population experiencing homelessness

Notes: See notes for Figure 3- above.

Sources: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2020); U.S. Census Bureau, 2020 Census PL 94-171, Table P1.

Many of those experiencing homelessness are dealing with severe personal issues – including mental illness, substance abuse and domestic violence – that are potentially life threatening and require additional assistance. In Contra Costa County, homeless individuals are commonly challenged by severe mental illness, with 926 persons reporting this condition (see Table 3-22). Of those, 80 percent are unsheltered, further adding to the challenge of handling the issue. A substantial number (873) also report having problems with chronic substance abuse, and 524 report being victims of domestic violence.

Table 3-22: Characteristics for the Population Experiencing Homelessness, Contra Costa County

Status	Chronic Substance Abuse	HIV/AIDS	Severely Mentally Ill	Veterans	Victims of Domestic Violence
Sheltered - Emergency Shelter	94	7	176	32	23
Sheltered - Transitional Housing	9	0	10	17	8
Unsheltered	770	10	740	68	493
Total	**873**	**17**	**926**	**117**	**524**

Universe: Population experiencing homelessness

Notes: This data is based on Point-in-Time (PIT) information provided to HUD by CoCs in the application for CoC Homeless Assistance Programs. The PIT Count provides a count of sheltered and unsheltered homeless persons on a single night during the last ten days in January. Each Bay Area county is its own CoC, and so the data for this table is provided at the county-level. Per HCD's requirements, jurisdictions will need to supplement this county-level data with local estimates of people experiencing homelessness. These challenges/characteristics are counted separately and are not mutually exclusive, as an individual may report more than one challenge/characteristic. These counts should not be summed.

Sources: U.S. Department of Housing and Urban Development (HUD), Continuum of Care (CoC) Homeless Populations and Subpopulations Reports (2020).

In recent school years, Moraga has not reported any homelessness among its public school student population. Countywide, 2,209 public school students and regionwide approximately 13,700 public school students reportedly experienced homelessness during the 2019-2020 school year (see Table 3-23). Students facing homelessness face added undue burdens on learning and thriving, with the potential for longer term negative effects.

Table 3-23: Students in Local Public Schools Experiencing Homelessness

	School Year			
Geography	**2016-17**	**2017-18**	**2018-19**	**2019-20**
Moraga	-	-	-	-
Contra Costa County	2,116	2,081	2,574	2,209
Bay Area	14,990	15,142	15,427	13,718

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

Notes: The California Department of Education considers students to be homeless if they are unsheltered, living in temporary shelters for people experiencing homelessness, living in hotels/motels, or temporarily doubled up and sharing the housing of other persons due to the loss of housing or economic hardship. The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020); ABAG.

Existing Needs and Resources

The data presented above indicate that there are very few people experiencing homelessness that live in Moraga. There are no shelter or transitional housing facilities in Moraga. However, Moraga's zoning provides for the development and operation of these uses, as discussed in the Governmental Constraints section of the Housing Element.

The Housing Plan chapter of this Housing Element Update includes actions that will assist in addressing housing needs among individuals experiencing homelessness. These include programs that facilitate the production of affordable housing by rezoning to allow multifamily uses on additional sites, increasing allowable densities on sites already zoned for multifamily use, implementing inclusionary requirements, streamlining the approvals process, conducting outreach to affordable housing developers, and facilitating access to housing subsidies, among other actions. The Housing Plan also includes actions that will allow SROs in some areas subject to objective standards, add provisions for low-barrier navigation centers to the Municipal Code, and provide referrals to agencies that provide assistance to persons experiencing homelessness. In addition, the Housing Plan include actions that will assist in the development of extremely low income housing by providing priority processing, technical assistance, and priority for fee deferrals.

3.9.6: Farmworkers

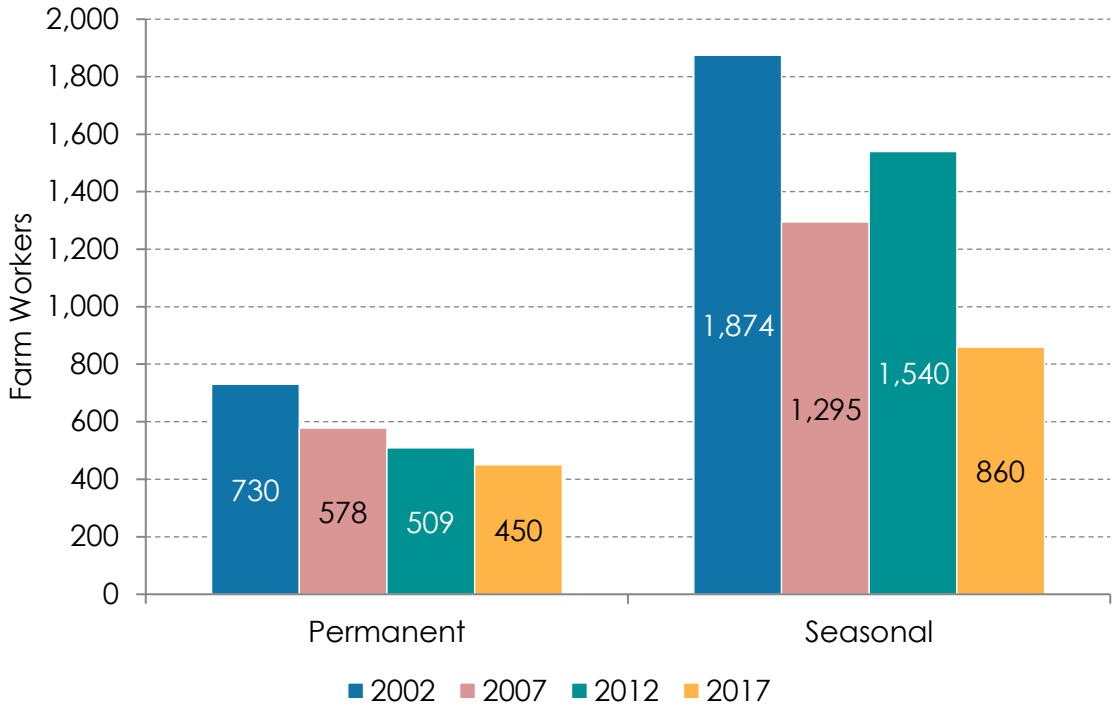
Across the state, housing for farmworkers has been recognized as an important and unique concern. Farmworkers generally receive wages that are considerably lower than other jobs and may have temporary housing needs. Finding decent and affordable housing can be challenging, particularly in the current housing market. Farmworkers can have a variety of special housing needs in terms of affordability, location, and duration of residence.

Contra Costa County has a substantial but gradually shrinking agricultural economy. According to the U.S. Department of Agriculture's Census of Agriculture, the number of permanent and temporary farm workers in Contra Costa County has been in decline since 2002, falling from 730 to 450 permanent workers between 2002 and 2017, while the number of seasonal farm workers has decreased from 1,874 to 860 over the same period. Most of the remaining farm economy is in the eastern portions of the county with little activity in the Moraga area (see Figure 3-40 and Table 3-24).

Existing Needs and Resources

The findings above indicate that housing for farmworkers is not a critical issue for Moraga; most of the county's agricultural activity is well to the east, and agricultural employment in the county is in a long-term decline. The Housing Plan includes a program that will allow employee and farmworker housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone.

Figure 3-40: Farm Labor in Contra Costa County



Universe: Hired farm workers (including direct hires and agricultural service workers who are often hired through labor contractors)

Notes: Farmworkers are considered seasonal if they work on a farm less than 150 days in a year, while farm workers who work on a farm more than 150 days are considered to be permanent workers for that farm.

Source: U.S. Department of Agriculture, Census of Farmworkers (2002, 2007, 2012, 2017), Table 7: Hired Farm Labor.

Table 3-24: Migrant Worker Student Population

	School Year			
Geography	**2016-17**	**2017-18**	**2018-19**	**2019-20**
Moraga	-	-	-	-
Contra Costa County	-	-	-	-
Bay Area	4,630	4,607	4,075	3,976

Universe: Total number of unduplicated primary and short-term enrollments within the academic year (July 1 to June 30), public schools

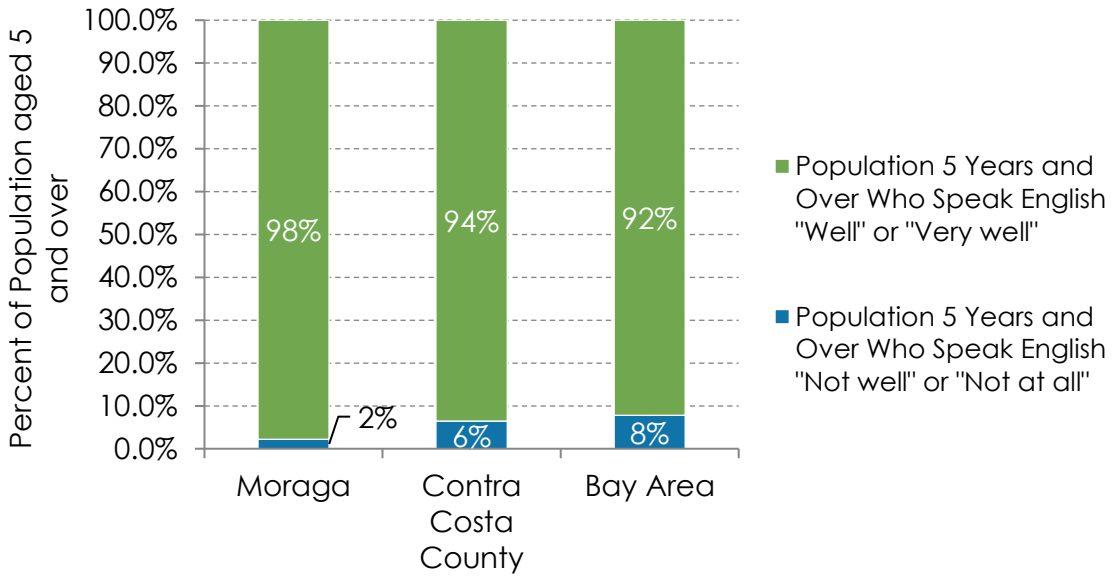
Notes: The data used for this table was obtained at the school site level, matched to a file containing school locations, geocoded and assigned to jurisdiction, and finally summarized by geography.

Source: California Department of Education, California Longitudinal Pupil Achievement Data System (CALPADS), Cumulative Enrollment Data (Academic Years 2016-2017, 2017-2018, 2018-2019, 2019-2020).

3.9.7: Non-English Speakers

California has long been an immigration gateway to the United States, which means that many languages are spoken throughout the Bay Area. Since learning a new language is universally challenging, it is not uncommon for residents who have immigrated to the United States to have limited English proficiency. This limit can lead to additional disparities if there is a disruption in housing, such as an eviction, because residents might not be aware of their rights or they might be wary to engage due to immigration status concerns. Regionwide, the proportion of residents five years and older with limited English proficiency is eight percent; in the county it is six percent. The proportion is lower in Moraga, at only two percent (see Figure 3-41). Census data indicates the principal languages spoken by those with limited English are Asian languages; based on place of birth data for foreign-born Moraga residents, Chinese is likely the most commonly spoken foreign language.

Figure 3-41: Population with Limited English Proficiency



Universe: Population 5 years and over

Source: U.S. Census Bureau, American Community Survey 5-Year Data (2015-2019), Table B16005.

Existing Needs and Resources

The data presented above indicate that Moraga has a relatively small number of existing residents with limited English proficiency. To the extent that residents with limited English proficiency are in need of affordable housing, the Housing Plan chapter includes numerous programs to facilitate the production of affordable housing. The Housing Plan also states that the Town will enter into an agreement with a fair housing provider that can provide fair housing services and tenant/landlord services if individuals with limited English proficiency experience fair housing violations.

CHAPTER 4: HOUSING SITES ANALYSIS

4.1: 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 be both comprehensive and realistic. It includes properties zoned for residential uses, as well as properties that are zoned to allow both residential <u>and</u> 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 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.

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.

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. Upon adoption of the Housing Element, the Town will enter each site into the State's electronic data base, following the format prescribed by HCD.

4.2: 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.

4.3: 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 conservatively estimating "realistic capacity" as being 65 to 85 percent of the maximum allowed by zoning on sites with lower income housing potential.[3] This conservative range is used because the Town does not have a robust recent track record of producing high-density multi-family housing. However, based on recent applications, market trends, and newly adopted local development incentives, the actual densities will likely exceed 100 percent of what is permitted by zoning. The last two multi-family housing applications received by the Town both exceeded the 20 units per acre allowed by current 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:

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[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.

[3] On some of the lower-density (above-moderate income) sites, the Town has assumed realistic capacity as being 50 percent or less of what is permitted by zoning, due to topographic constraints and site features. No lower or moderate-income housing is planned on these sites, as they are in areas without access to transit and services.

- 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 being adopted for the Rheem area concurrently with Housing Element adoption.

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 has been assigned to the low- or moderate- income categories. This is based on the Town's recent (December 2022) adoption of a 10% inclusionary zoning requirement. 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. However, based on communication with property owners and recent development trends, residential development is more likely to occur on "mixed use" zoned sites under current market conditions.

The caveat to the above paragraph is that cities and towns must be able to demonstrate that they have adequate sites to meet their RHNAs *at all times* during the planning period. If a "lower income"

site is developed for another purpose (or with a smaller number of lower income units) 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 23 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.

4.4: 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 4th and 5th Cycle Housing Sites. Each housing site identified in the 2009-2015 (4th Cycle) and 2015-2023 (5th Cycle) 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. Most of the 5th cycle sites were also counted in the 4th cycle, with a total of 594 units identified at that time.

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.

4.5: 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.[4] 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	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 nine 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:

[4] 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 seven-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.

4.6: Housing Opportunity Sites

4.6.1.: 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 prior two Housing Elements but Area 16 was not. Because these sites do not meet HCD's "default" density requirement of 20 units per acre, they are presumed to develop with market-rate housing. Ten percent of the units in each case are presumed to be moderate income, given the Town's newly adopted inclusionary housing requirements.

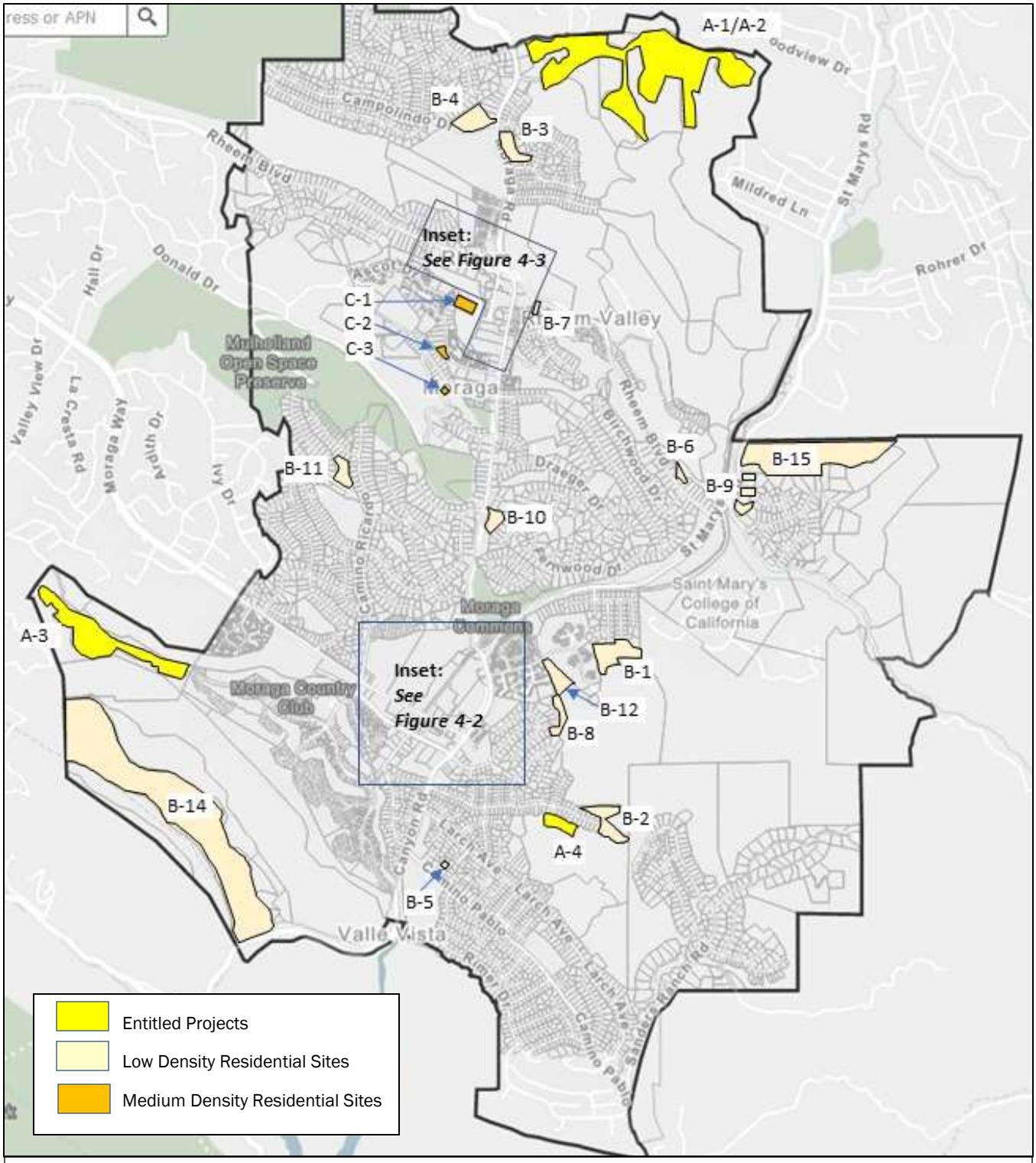
The text box on the next page provides a description of the MCSP. Figure 4-2 shows Housing Opportunity sites in the MCSP area, including the numbered "Areas" identified by the MCSP. Figure 4-3 shows Housing Opportunity sites in the Rheem Center.

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.

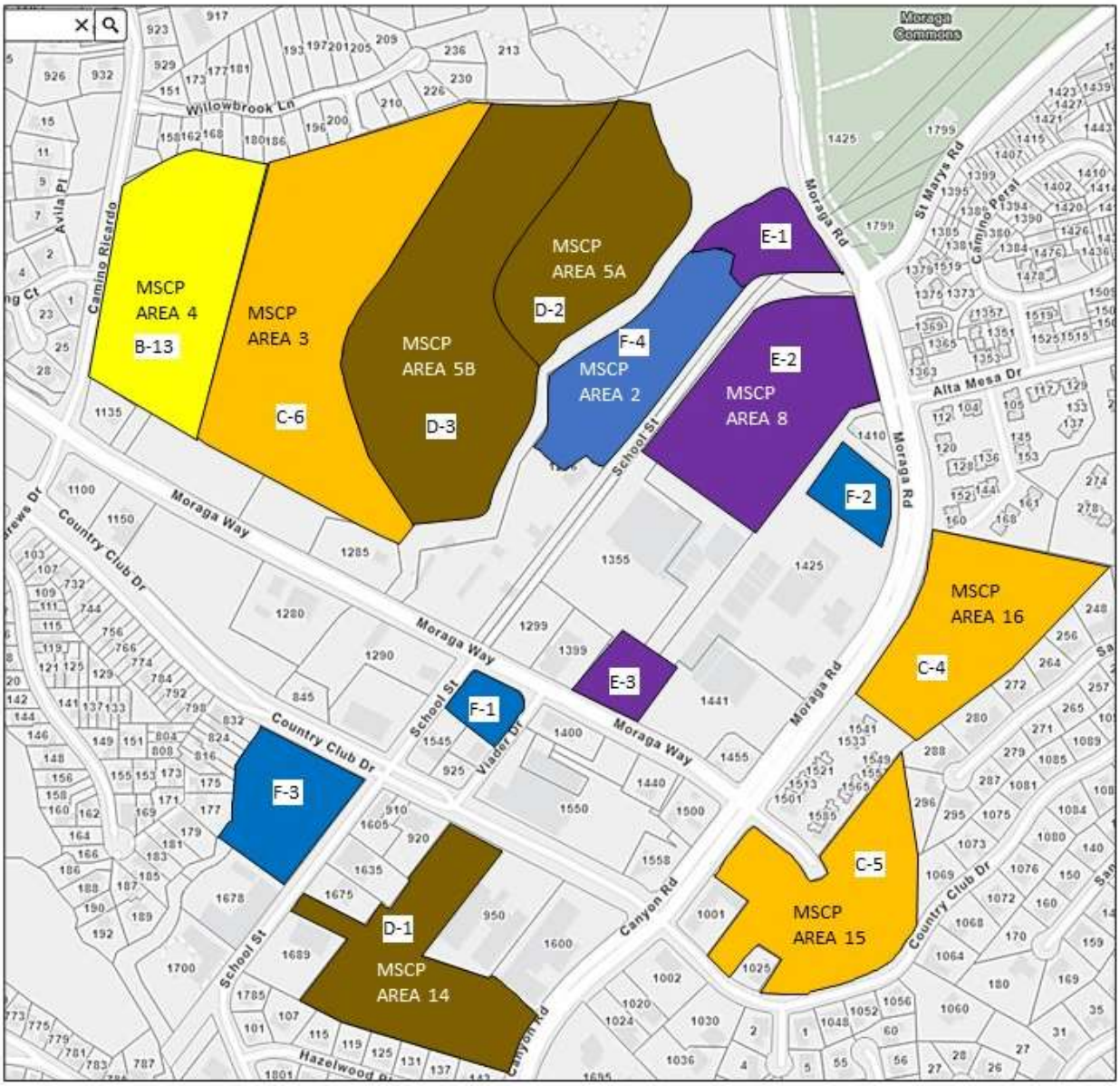
Rezoning occurred in two phases. The R-20 zone was created in 2010, providing opportunities for new housing at 20 units per acre. The remainder of the zoning changes were adopted in 2020. The 2020 zoning changes provided new incentives, streamlined processes, objective design standards, and "by right" 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



LEGEND

- Vacant Low Density (3 DUA)
- Vacant Medium Density (6 DUA and 12 DUA)
- Vacant High Density (20 DUA and 24 DUA)
- Vacant Mixed Use (24 DUA)
- Non-Vacant Mixed Use (24 DUA)

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

LEGEND

Vacant Mixed Use (24 DUA)

Non-Vacant Mixed Use (24 DUA)

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

4.6.2: 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 increases the maximum density on this site from 20 to 24 units per acre. A minimum density of 16 units per acre also applies. Consistent with HCD protocol, the minimum density standard has been used to estimate the potential number of units on this site (97 units). The actual number of units would likely be much higher, given that 147 units are allowed by zoning, and additional units are possible through State and local density bonuses.

- 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. Consistent with HCD protocol, the minimum density standard has been used to estimate the potential number of units on this site (198 units). The actual number of units would likely be higher, given that 248 units are allowed by zoning, and additional units are possible through State and local density bonuses. Because this site is larger than 10 acres, it has been assumed to be a market-rate development opportunity. No lower income housing units have been assumed on this site.

- 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. The presumed yield on this site is 122 units, based on the recent application. However, a larger yield is possible.

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. As such, projects on these sites in which 20 percent or more of the units are affordable to lower income households are subject to the State's provisions for "by right" approval.

4.6.3: Vacant Sites Zoned for Mixed Use

Five 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 three are in the Moraga Center Specific Plan (MSCP) area. While all five sites could potentially support lower income housing, the Town has assigned some of the MCSP site capacity to lower-income housing and some 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 215 units. This is a conservative estimate that excludes the potential for density bonuses.

The sites are described below

- MCSP "Area 2-North" (Table B-5, ID E1) is approximately 1.3 acres and is located on the south side of Moraga Road west of the proposed School Street extension. 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 Laguna Creek, as well as a 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.[5] The property is completely vacant, with no improvements.

- MCSP "Area 8" (Table B-5, ID E2) is an approximately 7.7-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 gravel area with no improvements used for seasonal product sales (Christmas trees, etc.). The southwest corner of the site is leased to a private entity for temporary batting cages, operating under a Temporary Use Permit. The entire site is flat and unimproved, with grass and scrubby vegetation.

  Area 8 consists of two separate assessor parcels: the larger parcel includes an irregularly shaped southern extension that extends into the Moraga Shopping Center. That portion of the parcel has been excluded from the site, as it is functionally a different land use. All improvement values associated with this site are related to the excluded portion of the parcel; the portion identified for future housing has no assessed improvement value and no structures. Like Area 2, this vacant

[5] In other words, a one-acre parcel could include 37,026 square feet of commercial space plus 24 units of housing. 43,560 SF x FAR of 0.85 = 37,026 SF

housing site 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.

- 1405 Moraga Way (Table B-5, ID E3) is a one-acre vacant lot recently advertised as for-sale or lease. The site was not initially included as a housing opportunity, as it has commercial (rather than mixed use) zoning. However, the Town has contacted the property owner and determined there is interest in creating housing here. The site is being rezoned to MCSP Mixed Use Retail-Residential concurrently with Housing Element adoption. The property is completely flat and graded and has no improvement value or structures.

- West of Rheem Theater Lot (Table B-5, ID E4). 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.

- Lucas Drive/Moraga Road (Table B-5, ID E5). 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.

4.6.4: 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 471 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. While the assessed improvement values currently exceed assessed land values, the floor area ratio is 0.21. 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. The current owner submitted a residential development plan for the site in December 2022, with 66 residential units (22.8 units per acre, including a density bonus for including affordable units).

- MCSP "Area 2 South" (Table B-6, ID F4). This 3.6-acre site is located on the west side of School Street. It represents roughly half of a rectangular parcel that extends south to Moraga Way and includes parts of the original Moraga Ranch. Site F4 includes a number of low value improvements that would need to be removed for site development to proceed. These include two remnant cottages (c. 1931) and a storage lot for (unoccupied) recreational vehicles that pre-dates Moraga's incorporation. The southern portion of the parcel, which includes ranch buildings and barns, is excluded from the housing site. The assessed value of improvements on the site (which is under $200,000) is almost entirely associated with the excluded area—the Floor Area Ratio on Site F4 is just 0.02. Site F4 has been identified as a potential housing site since adoption of the Moraga Center Specific Plan. It is specifically described in that Plan as a location for multi-family housing and "village" scale retail uses, potentially on the ground floor of a mixed use project. The allowable density on this site is being increased from 20 to 24 units per acre as part of the rezoning.

- 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. The Floor Area Ratio on this site is 0.01 and the only structural improvement is the former sales office/shed.

- 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 assessed land value of this site is 2.6 times the assessed improvement value and the existing floor area ratio is 0.09.

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." Although assessed improvement value exceed assessed land value on this site, the existing floor area ratio is just 0.22. The Town has received inquiries from prospective purchasers regarding high density housing and has met with several developers interested in building housing here. 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. Assessed land value is approximately equal to assessed improvement value. 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. The possibility of merging with this site with the adjacent vacant lot next to the Rheem Theater has been discussed with prospective owners, creating a larger residential building site.

- 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. While a conservative buildout estimate of 50 units has been used for the Housing Element, St. Mary's has expressed interest in developing up to 120 multi-family units on this site. The existing floor area ratio is 0.25.

- 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 multiple times 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). However, the proposed zoning for the site would allow 96 units (before density bonuses).

- 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. This site has an assessed land value that is 7% higher than the assessed improvement value, and an existing floor area ratio of just 0.19. (Table B-6, ID F9).

4.6.5: Probability of Residential Development on Mixed Use Sites

The sites inventory identifies the capacity for 1,103 units of higher-density housing (densities greater than 20 units per acre). Of this total, 417 units are in residential zoning districts and 686 units are in mixed use zoning districts. Commercial uses also are permitted on the mixed use sites; thus, it is important to examine the likelihood that these sites will actually develop with residential uses. In Moraga's case, there have been almost no new commercial development proposals in either the Moraga Center or Rheem Park area in more than two decades, while there have been numerous residential proposals. During the 2000s and 2010s, new jobs in the East Bay tended to locate in transit-oriented development areas, central cities, and business/technology parks. Moraga retained its appeal for residential developers due to its sought-after schools and quality of life.

The last new non-residential construction projects in the Rheem Center were a self-storage facility built in the late 1990s and a fire station built in 2000. Several renovation projects occurred in the Rheem Center in the 2010s but these did not increase commercial floor space. The most significant new construction project in this district has been the replacement of a commercial use (bowling alley) with 17 housing units in 2017.

More significantly, each of the owners of the sites listed in this Housing Element have expressed their interest in developing housing on their properties. This includes the owner of the Rheem Shopping Center, who has been in discussion with the Town for several years regarding a major redevelopment of the center with mixed use, including higher-density housing. The Town has also been in discussion with St. Mary's College regarding multi-family housing on their 2.5-acre property, and with the owners of 346 and 350 Rheem Boulevard regarding multi-family residential uses on those two sites, as well as the vacant site west of the Rheem Theater. The owner of the vacant site at Lucas Drive and Moraga Road has also prepared preliminary concept plans for multi-family housing on that site. The mixed use zoning necessary to expedite these residential proposals is being put in place concurrently with Housing Element adoption.

Similarly, the trend in the Moraga Center area has been toward residential and mixed use development rather than commercial development. The most significant recent construction projects in this district in the last 20 years are the 36-unit Moraga Town Center development and the 26-unit Harvest Court development—both are residential. The only new non-residential construction project during this

period was a 3,500 square foot bank built in 2019. While a few of the commercial buildings have been renovated, most of the office and retail construction in this district dates to the 1960s and 70s.

As in the Rheem Center, the Moraga Center mixed use housing sites listed in this Housing Element reflect property owner interest in residential uses. The owner of Site F3 has publicly stated his intent to redevelop the existing single-story office buildings with multi-family housing and on December 21, 2022 submitted an application for 66 units. The remaining sites in Moraga Center are owned by a single property owner, who has been working with the Town for the last two decades to improve housing opportunities on these sites. The sites are individually addressed in a Specific Plan which describes the housing types that are envisioned, including development and design standards for mixed use projects. These standards have been structured to favor mixed use projects over free-standing commercial uses.

In addition to the factors cited above, the Town has recently adopted incentives for multi-family housing on all mixed use sites, including local density bonuses allowing densities of 30-36 units per acre (rather than the 20 units per acre that was previously allowed). The Town is also working directly with property owners to ensure that zoning standards accommodate residential and mixed uses and convened a developer forum in October 2022 to determine the steps it could take to facilitate higher-density residential uses.

Finally, the market for commercial and office uses in Moraga has been significantly affected by the COVID-19 pandemic and resulting shift to telework. Real estate reports for Central Contra Costa County indicate office vacancy rates exceeding 20 percent, making it unlikely that new office space would be constructed. The retail market has been similarly impacted, with a large inventory of vacant space and weak demand. Given the amount of available inventory (56,000 square feet according to propertyshark.com), the probability of the housing sites being developed with free-standing retail buildings is low. By contrast, there continues to be strong demand for multi-family housing, particularly in walkable “town center” settings like those available at the Moraga and Rheem Centers.

4.6.6: Justification of Presumed Densities

As noted earlier in this chapter, the estimated yields on the multi-family and mixed use housing sites is based on 65 to 85 percent of the "theoretical" capacity of each site. In other words, where 24 dwelling units per acre (DUA) is permitted, the sites are presumed to develop at 16 to 20 DUA. This accounts for topographic limitations on some sites, site dimensions, access issues, or the preference of some property owners to build lower density products.

The Town does not have a track record of recent developments at densities of 20 DUA or greater. Moraga Town Center was developed at about 11 DUA, while Via Moraga was developed at 9 DUA. However, the town has a substantial inventory of multi-family housing built in the 1960s and 70s in the 20 to 30 DUA range (on Ascot Drive, Donald Drive, Rheem Boulevard, and Moraga Road). Thus, there is precedent for these densities in the town, and they currently represent at least 10 percent of the existing housing stock. All of the mixed use zones now have minimum densities to ensure that multi-family sites are efficiently developed.

Moreover, the Town has been in discussion with the owners of the listed housing sites. Several have stated their intent to construct projects at 30 DUA by applying State and local density bonuses. Based on the conceptual plans provided to the Town for Area 14 (Site D1), 1600-1660 School Street (Site F3), and the Rheem Center (Site F8), the 16-20 DUA range is conservative. Preliminary plans for the site call for 22.8 DUA, but this density is being clustered on one-half of the site, resulting in an effective density and construction type more typically associated with 40-50 DUA.

The expectation that future densities will exceed 16 DUA is further supported by the densities of recently completed projects in nearby cities with similar zoning densities. For example, Danville's recently completed Alexan Apartments are in a zoning district allowing a maximum 30 DUA but have a completed density of 38.5 DUA (due to density bonuses). Lafayette reported that of eight multi-family projects completed in 2017-2021, the average yield was 11 percent higher than the maximum density allowed by zoning (due to density bonuses). In a zoning district with a maximum density of 35 DUA, densities of actual projects ranged from 29 to 48 DUA. In Moraga's case, the recent adoption of local density bonuses, coupled with changes to parking standards and adoption of objective development and design standards, are expected to result in similar outcomes.

On October 20, 2022, the Town convened a Developer Forum and invited local developers as well as the general public. Participating developers confirmed their interest in developing projects in the 30 DUA density ranges in the Moraga Center and Rheem Center area. The Town responded by developing a local density bonus program that enables these densities to be achieved. Again, the Town is using more conservative assumptions in this Housing Element to create a larger buffer and recognize that not every site in the inventory may develop over the 2023-2031 period. The Town's expectation is that most multi-family and mixed use projects will be 24-36 DUA.

4.6.7: Potential for Displacement of Residential Uses on Housing Sites

State Housing Element guidelines require that the site inventory consider the potential to displace residents on those sites identified as Housing Opportunity Sites. Of the nine non-vacant sites included in the inventory, eight have no housing units. One site (F4) includes two small 1930s-era cottages owned by the primary landowner of the Moraga Shopping Center. The occupancy status of the cottages is unknown, as they are surrounded by tall, locked security fencing. If these units are occupied, they are not subject to any covenant, ordinance, or law that restricts rents to affordable levels or limits occupancy to low-income households. Any future project on this site would provide a substantially larger number of housing units, including at least two affordable units (under the Town's inclusionary housing requirements).

4.6.8 Use of Large and Small Sites for Lower Income Housing

Consistent with State guidelines, the Town has not assumed any lower income capacity on housing sites larger than 10 acres. It has also not assumed any lower income capacity on housing sites smaller than 0.5 acres.

A number of the parcels in the Moraga Center area are irregularly shaped or are "slivers" that are functionally part of an adjacent parcel. Similarly, the Rheem Center is comprised of multiple parcels, although they have a common owner and form a continuous retail structure. The Town has included programs in Chapter 6 to address the parcelization issue. In both instances, the Town will work with the landowners to make lot line adjustments in order to facilitate future development consistent with this Housing Element.

4.6.9 Special Provisions for Carry-Over Sites

This Housing Element is carrying over two vacant sites that were counted as having the potential for lower income units in both the 4th and 5th Cycles. The sites are referenced here as D1 and D2; both are located in the Moraga Center Specific Plan Area. Both of these sites have high-density residential (R-20) zoning and continue to be presumed to have lower income potential. As required by State law, projects on these sites in which 20 percent of the units are deed restricted as affordable to lower-income households would be subject to "by right" approval. The Town has already adopted objective design and development standards for these two sites to facilitate this process.

None of the mixed use sites or non-vacant sites or are "carry over" sites from either the 4th or 5th Cycle.

4.6.10: Non-Vacant Site Analysis

Approximately 44 percent of the lower income housing capacity described in the previous sections is associated with vacant sites (263 out of 604 units). The remaining 56 percent (341 out of 604 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. Table 4-2 below provides the justification for why these non-vacant sites can reasonably be expected to redevelop during the planning period. The Town has included findings in its adoption resolution referencing this information, as it provides substantial evidence that existing uses do not impede residential development.

In most instances, the owners of the sites listed in Table 4-2 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.

Table 4-2: Justification for Assuming Housing on Non-Vacant Sites

ID	Existing Use	Acres	Presumed Units	Imp/Land Value Ratio	Floor Area Ratio	Justification
F-1	Vacant lot and day care (1350 Moraga Way)	0.77	15	0.38	0.09	Two parcels, same owner. One parcel is completely vacant and flat with frontage on two streets. Other parcel has a former house converted to day care. Owner is a developer who has been working with the Town on major residential projects on multiple sites. Low improvement value/ FAR.
F-2	Vacant Moraga Garden Ctr (1400 Moraga Rd)	1.20	24	N/A	0.01	Business has been vacant for 3 years. Minimal improvements (small shed used as office)—rest of the 1.2 acres is vacant or parking. Site is flat with frontage on Moraga Rd. and easy access.
F-3	1600-1660 School St Office Buildings	2.89	56	1.43	0.21	One owner has assembled all four parcels and expressed intent to build a multi-family residential project including 66 units (23 DUA); owner has track record of high-density development in nearby cities and has been meeting with Town staff and participating in Housing Element process. Existing buildings have high vacancy.
F-4	1320 School Street/ RV storage lot	3.63	58	0.37	0.02	Site is almost entirely vacant, with remnant RV lot that pre-dates incorporation. Site is flat, with frontage on School Street. Owner is a developer and has participated in Housing Element Update; site is referenced in Specific Plan as high density residential/mixed use opportunity.
F-5	346 Rheem Office Bldg	1.69	33	2.01	0.22	Office building for sale ($8M), marketed as "high density residential site"; 18% vacancy rate. Prospective buyers have been contacting Town staff to discuss housing potential and opportunities. Low FAR.
F-6	350 Rheem Office Bldg	1.75	35	1.08	0.11	Former tenant (Orion Academy) has relocated; building is vacant and avail. for lease or sale. Several conceptual plans for housing have been prepared in recent years, usually adding the vacant lot next to Rheem Theater to site plan. FAR is very low at 0.11. Building is 58 yrs old.
F-7	380 Moraga (St. Mary's site)	2.51	50	2.45	0.25	Owner (St. Mary's College) has been participating actively in Housing Element Update and is pursuing high density housing on this site; interested in building up to 120 units.
F-8	Rheem Ctr 1 (North)	4.00	80	2.45	0.30	Town staff is currently working with owner (US Realty) and their architects on conceptual mixed use/ housing plans, including initial phase with approx. 100 units plus retail. Owner has been participating in Housing Element Update and expressed support for future mixed use beyond Phase I. Middle part of center includes substantial parking lots and 67 year old aging retail center.
F-9	Rheem Ctr 2 (Middle)	6.00	120	0.94	0.19	

Source: Barry Miller Consulting, 2022.

With the adoption of new MCSP mixed use zoning in 2020, the adoption of local density bonus incentives in 2022, and the rezoning of the Rheem Center in early 2023, 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.

4.6.11: 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 permitted nine ADUs, or an average of 2,25 units per year. The number of ADUs permitted per year was trending upward, however, with seven units entitled in 2021 and four entitled in 2022. 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.[6] 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).

One important factor supporting an increase in annual ADU construction (from 2.25 to 4.0 units) is the Town's adoption of an inclusionary zoning ordinance in December 2022. The Ordinance covers all new residential and mixed-use projects with more than five units. Projects in zoning districts with densities of R-6 or lower (e.g., single family districts) have several options for meeting the requirement. One option is to meet the inclusionary requirement by including market-rate ADUs in at least 25 percent of the dwelling units. This Housing Element identifies the potential for 251 single family homes in projects of more than five units in the Town. Assuming these projects choose the "ADU option" to meet the inclusionary requirement, there would be 62 ADUs in these subdivisions, or 7-8 ADUs a year. These units are in addition to those that would be developed in existing single family homes. Even if only 20 ADUs are developed in this manner over the planning period, the number of new ADUs would double from current levels.

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

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

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:

- 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.

4.6.12: Summary of Housing Opportunities

Table 4-3: 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.

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 4-3: 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 23 percent buffer.

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

Table 4-3: Capacity to Meet the RHNA by Income Category

Site Type		Income Category: Low/ Very Low	Moderate	Above Moderate	TOTAL
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	109	210	98	417
	Vacant, zoned for Mixed Use	154	0	61	215
	Non-Vacant, zoned for Mixed Use	341	0	130	471
Accessory Dwelling Units		11	16	5	32
TOTAL		**615**	**259**	**928**	**1,802**
RHNA		501	172	445	1,118
Buffer		+114	+87	+483	+684
Percent Buffer for Lower Income Sites		23%			

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

4.7: 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.

4.7.1: 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 to 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.

4.7.2: 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.

4.7.3: 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 addition, affirmatively furthering fair housing includes expanding housing opportunities for lower-income households in areas where lower-income households and non-White residents are underrepresented in the existing population.

In Moraga's case, the entire Town is designated as a "highest-resource" area based on the State Tax Credit and Allocation Committee (TCAC) and HCD Opportunity Maps, meaning that the Town of Moraga has characteristics that have been shown to support positive economic, educational, and health outcomes for low-income families. As indicated in Appendix A, the community is relatively homogenous and there are not significant differences in income, education levels, tenure, special needs, or race and ethnicity 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.

Table 4-4 provides an analysis of the extent to which the Site Inventory will support the Town's efforts to affirmatively further fair housing. As shown, the site inventory provides low-income housing opportunity sites in areas with the highest TCAC resource designation. All existing housing units in Moraga are in "highest resource" areas, as are all sites in the Site Inventory. Figure 4-4 further demonstrates this finding. As shown, all sites in Moraga's site inventory are located in "highest resource" areas. This means that promoting the production of affordable housing anywhere in Moraga, including on any of the housing sites identified in the Site Inventory, helps to affirmatively further fair housing by improving access to opportunity for lower-income households.

Table 4-4: AFFH Analysis of Site Inventory

	Existing Housing Unit Distribution (a)	% of Lower Income Units in Site Inventory
TCAC Resource Area Designation		
Highest Resource	100%	100%
High Resource	0%	0%
Moderate Resource	0%	0%
Low Resource	0%	0%
High Segregation and Poverty	0%	0%
% Low to Moderate Income		
Less than 15%	44%	5%
Greater than 15%	56%	95%
% Non-White Population		
<38% Non-White	58%	17%
>38% Non-White	42%	83%

Note:
(a) For the TCAC Resource Area Designation and Percent Low to Moderate Income metrics, existing housing units analyzed include all units in Census Tracts that overlap with Moraga, some of which include areas outside of Moraga. For the Percent Non-White Population metric, existing housing units analyzed include all units in Census Block Groups that overlap with Moraga, some of which include areas outside of Moraga.

Sources: California Tax Credit Allocation Committee; HCD; U.S. Census Bureau, American Community Survey, 2015-2019 five-year sample data; U.S. Census 2020; BAE, 2022.

Table 4-4 also shows that lower-income sites in Moraga are less likely to be in block groups where the highest income households in the Town are located. The table shows that 44 percent of the town resides in tracts where fewer than 15 percent of households have low or moderate incomes, while only five percent of the lower-income units in the Site Inventory are in these tracts. Figure 4-5 further demonstrates these findings on a map. However, the figure shows that lower-income sites in the Site Inventory are located throughout Moraga, including some in areas with the highest incomes. Accessory Dwelling Units will create additional opportunities in these high-income areas.

Figure 4-6 provides an analysis of the site inventory in relation to the share of the population that is comprised of non-White residents. As discussed in the Housing Needs Assessment Chapter, an estimated 62 percent of Moraga's population is White Non-Hispanic, while the remaining 38 percent consists of other racial and ethnic groups. As shown, almost half (42 percent) of all existing housing units in Moraga are located in Census Block Groups in which non-White residents constitute more than than 38 percent of the population. Most of the lower-income units in the sites inventory are located in these Block Groups. This is due in part to the limited locations in Moraga where multi-family housing is feasible.

The data described above should be interpreted in a regional context, including the fact that no block group in Moraga has more than 22 percent of its households in the low-income range. Countywide, the average is 32 percent, so lower income housing anywhere in the Town limits contributes positively.

Similarly, all Block Groups in Moraga are relatively close in terms of the proportion of non-White residents, ranging from approximately 30 percent to 44 percent non-White. In contrast, Block Groups in Contra Costa County range from 13 percent to 98 percent non-White. As a result, Moraga is relatively homogeneous and there is little difference between Block Groups or Census Tracts in terms of existing concentrations of low- and moderate-income households and non-White residents.

The Housing Element includes several actions to introduce affordable units in established and new single family neighborhoods. It is important that the Town affirmatively further fair housing in these areas, as well as in its mixed use districts.

As part of the Housing Element process, the Town has adopted inclusionary housing requirements (Program 15), thereby ensuring that affordable units are built in new market-rate developments. In an effort to further fair housing, it intentionally applied these requirements across the entire town rather than limiting them to the two commercial centers. The Housing Plan also includes actions to encourage development of accessory dwelling units (ADUs). 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.

The Housing Plan also includes a program to accommodate SB 9 projects (Program 19), shared housing (Program 20), and rooms for rent in single-family homes (Program 21), all of which can provide affordable housing opportunities in single-family neighborhoods. With the exception of Program 15, housing opportunities that would be facilitated through these programs are not captured in the site inventory. All of the programs cited above will help to affirmatively further fair housing by providing additional housing opportunities for lower-income households in existing single-family neighborhoods and future single-family developments.

Figure 4-4: Housing Opportunity Sites by TCAC Opportunity Score

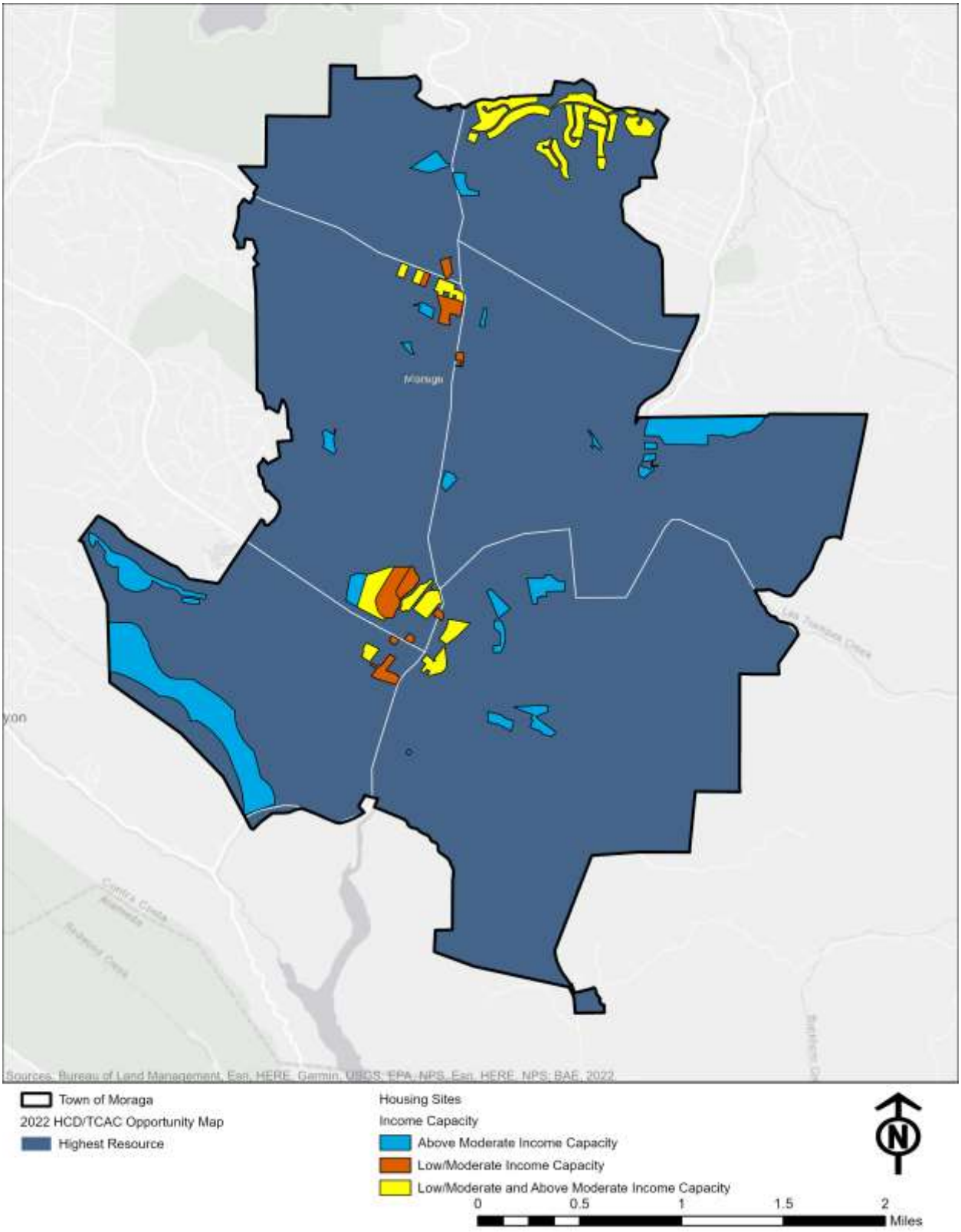


Figure 4-5: Housing Sites by Share of Low- and Moderate-Income Households

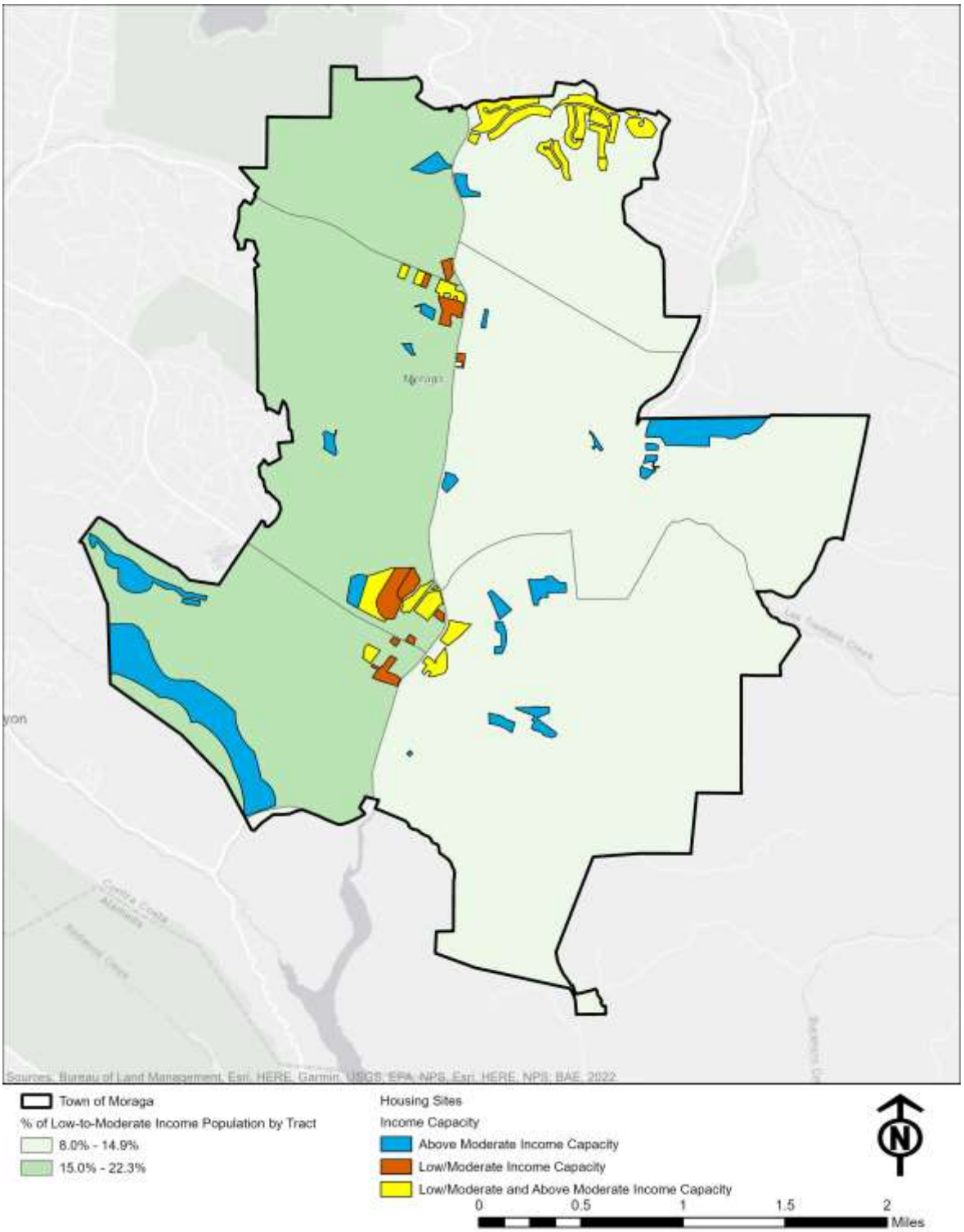
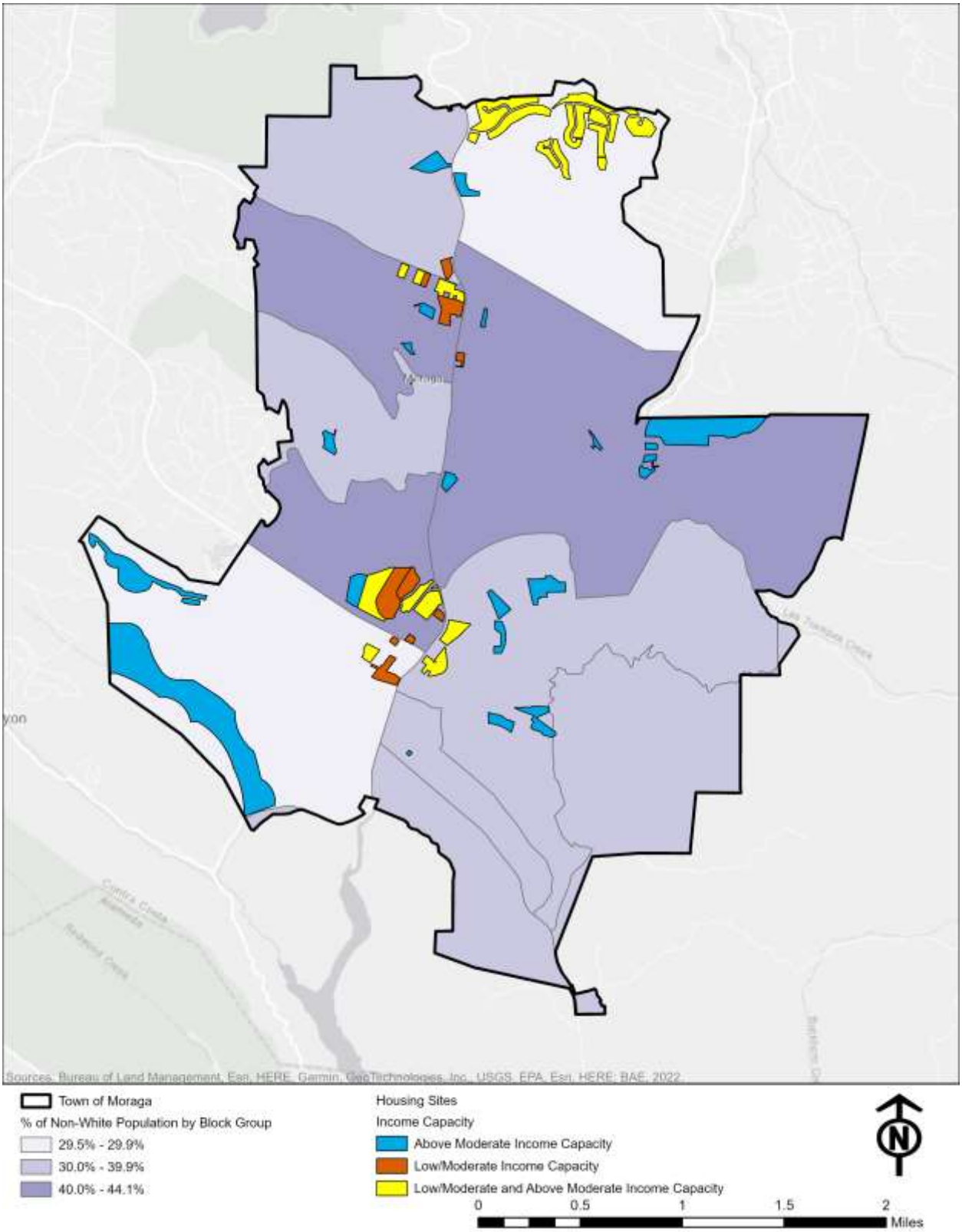


Figure 4-6: Housing Sites by Share of Non-White Population



4.8: 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.

4.8.1 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.

4.8.2 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, ginishes, 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.

4.8.3 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.

4.8.4 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.

4.8.5 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.

4.8.5 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.

CHAPTER 5: CONSTRAINTS TO HOUSING CONSERVATION AND PRODUCTION

5.1: Introduction

The California Government Code requires that all housing elements include an analysis of governmental constraints to the maintenance, improvement, and development of housing for all income levels. Constraints may include zoning regulations and other land use controls, development standards, permitting procedures, design review requirements, unique local ordinances and ballot initiatives, building codes, site improvements, fees, and other exactions required of developers.

While these measures are important to ensure public health and protect the quality of life, they can also add to the cost of housing. It is useful to periodically reexamine local ordinances and policies to determine whether, under current conditions, they are accomplishing their intended purpose or constitute a barrier to housing production and conservation.

Non-governmental constraints also must be considered. Such constraints include the cost of land, the cost of construction, credit and financing terms, interest rates, the availability of state and federal funds, and local attitudes about growth and development.

5.2: Governmental Constraints

5.2.1: Moraga General Plan

The Moraga General Plan (Plan) was adopted in 2002. The Plan has been amended several times in the last 20 years, but it has not been comprehensively updated. It was amended in 2010 to maintain internal consistency with the Moraga Center Specific Plan. It was amended in 2015 when the 2015-2023 Housing Element was adopted. Amendments were also made in 2018 when the Hillside and Ridgeline Ordinance was adopted. However, the Plan does not reflect the transformative changes that have reshaped the region in the last 20 years, such as the housing crisis, climate change, and changes in the way we live, work, communicate, and travel. The Plan also does not reflect demographic changes, including an aging and more diverse population, or the effects of high housing costs on young families and the local workforce. Nor does it reflect the housing laws adopted by the State of California, many of which require cities and towns to support more diverse housing types and more equitable housing policies.

The 2002 General Plan includes the Town's Land Use Map (Map), which provides the framework for zoning. The Map identifies three basic designations for single family development—one dwelling unit per acre (1 DUA), two dwelling units per acre (2 DUA), and three dwelling units per acre (3 DUA). Almost all Moraga neighborhoods are given one of these designations.[1] Collectively, they apply to 75 percent of all parcels in the Town.

[1] A "hybrid" category of 1.5 DUA is shown on the Land Use Map, although it is not referenced in the text.

The Map also includes a 6 DUA category, which applies to the multi-family neighborhoods along Donald Drive and Ascot Drive as well as some of Moraga's townhome developments. The Map also includes a "Rheem Center" designation for the Rheem Park commercial district and a "Moraga Center" designation for the Moraga Center Specific Plan area. These are described in the text as commercial centers and community focal points, with as well as opportunities to explore higher-density housing. The Land Use categories in the Plan should be more clearly defined, with density ranges realigned to support multi-family housing in R-6 areas and higher base densities (24 units per acre) in the mixed use areas. These changes are discussed in greater detail in a later section of this chapter (see the discussion on Zoning).

The General Plan begins with a statement of values and principles. Most of these statements still represent the Town's vision for its future. However, the Plan's goals and policies should be updated to recognize the importance of having a diverse housing stock, including opportunities for higher density housing. This includes acknowledging opportunities for accessory dwelling units (ADUs), deleting outdated language regarding density bonuses, and recognizing the variety of housing that already exists in the Town.

The first goal of the Land Use Element is "a high-quality residential environment consisting primarily of detached single family homes." This goal sets the tone for the policies that follow, including Policy LU-1.3, which limits the height of residential buildings outside of Specific Plan areas to two stories, and Policy LU-1.4, which indicates that "only conventional detached single family homes" are allowed in areas designated for 3 units/acre or less on the Land Use Map. Although this is the predominant housing type in the Town, it should be acknowledged that other types of housing are permitted by State law. Policy LU-1.9 indicates that the "6 DUA" General Plan designation is intended to provide for development that is single family in character. However, this designation is applied almost exclusively to multi-family and townhome development, most of which is currently 15-30 units per acre. The impacts of such policies are subtle but taken cumulatively could provide a negative characterization of multi-family housing and impede the Town's ability to affirmatively further fair housing, as required by State law.

Policy LU-3.1 calls for a specific plan for the Moraga Center, which has been completed. Actions are still needed to fully realize the vision of this plan, including privately funded improvements that facilitate development. Policy LU-3.2 calls for a Rheem Center Specific Plan, which enables "a mix of housing types that is fitting with Moraga's community character." This is being achieved through zoning changes being implemented as part of the 2023-31 Housing Element. A program in this Housing Element calls for a "Public Realm Plan" for the Rheem Park area to facilitate redevelopment, address parking and circulation, provide for gathering places, and create an attractive setting for new development.

Policies in other General Plan Elements influence how and where housing may be developed. The Community Design Element provides direction on hillside and ridgeline protection, site planning, view protection, and the preservation of mature trees. The Element also identifies scenic corridors, including the major thoroughfares that bisect the commercial districts. The purpose of scenic corridors

is to strengthen the Town's semi-rural character. However, some of the policies and resulting standards may be a barrier to multi-family or mixed use housing. Constraints associated with the scenic corridor designation are addressed in a later section of this chapter.

A goal in this element indicates that multi-family housing should be "centrally located, well designed and appropriate to Moraga's context and character." Policies under this goal are generally supportive of multi-family housing but are focused on compatibility with existing neighborhoods. There is no design guidance for mixed use development.

The Open Space Element likewise impacts housing potential. Specifically, it establishes standards for determining the number of units that may be allowed on private open space land, expresses support for transfer of development rights from open space to the two commercial districts, and prohibits development on major ridgelines and slopes greater than 20 percent. This Element also includes policies to maintain areas of natural significance, preserve riparian corridors, and protect tree covered areas. The Public Safety Element likewise prohibits development in "high-risk" areas (a term mostly related to landslides), even when mitigation measures may reduce potential hazards.[2] It also requires special standards for development in high fire hazard areas. Collectively, these policies direct development away from open space and toward the already urbanized Moraga Center and Rheem Park areas. This is consistent with regional plans and initiatives such as Plan Bay Area 2050 and the Contra Costa County General Plan.

The General Plan includes a Growth Management Element (GME), as required by Contra Costa County per voter initiative. This Element establishes level of service "C" standards for all Town roads, as well as standards for police, fire, parks, water, storm drainage, and sanitary sewer services. Development may only be approved after findings are made that these standards will continue to be met once new development is in place. The GME also implements the "Urban Limit Line" approved by County voters, limiting the Town's ability to annex and approve development on land that is now unincorporated.

The General Plan Implementation Chapter includes specific programs with the potential to affect housing. These include special requirements for fire safety, limits on building on steep slopes and in moderate and high-risk areas, and standards for tree protection, flood control, and historic preservation. It also provides the framework for development review, including the criteria for reviewing new projects. The chapter references the Town's design review process, as well as requirements for geotechnical reports, EIRs, fee waiver requests, and traffic studies. This Chapter identifies the Zoning Ordinance as the principal tool for carrying out these programs, as well as implementing the General Plan's policies and Land Use Map.

In summary, the 2002 General Plan presents a number of potential constraints to meeting regional housing needs. Most of the Plan was drafted more than two decades ago. As the Town's statement of its values and vision for the future, it is important that the Plan is updated so that it remains relevant, internally consistent, aligned with regional policies and forward focused.

[2] Staff has also identified internal inconsistencies between the Public Safety Element and the Land Use Element. These will be corrected as part of the Safety Element Update, which is now underway.

In 2021, the Town Council authorized an update of the General Plan as part of the Town's Comprehensive Advanced Planning Initiative. The Update is being undertaken in two phases, with the first phase including the Housing Element and State-mandated updates to the Safety Element and Circulation Element. Phase One also includes amendments to other Elements that are necessary to maintain internal consistency with the 2023-2031 Housing Element. The second phase of the update (2023-2024) will include revisions to the remaining elements for consistency and alignment with State laws. This should address the constraints identified here and provide a coordinated framework for meeting future housing needs.

5.2.2: Moraga Center Specific Plan

The Town adopted a Specific Plan for the 187-acre Moraga Center area in 2010. This followed a seven-year process that included Moraga Center's designation of this area as a "Priority Development Area" by the Town and the Association of Bay Area Governments (ABAG). The PDA designation makes Moraga Center eligible for planning grants, as well as transportation and infrastructure funds that support additional development. Initial zoning changes, including creation of the R-20 zone, were adopted in 2010. A more comprehensive rezoning occurred in 2020, following several years of community engagement.

Environmental review for the Moraga Center Specific Plan (MSCP) assumed up to 630 dwelling units, 90,000 square feet of new retail/entertainment space, and 50,000 square feet of office space.[3] Most of this development is planned on vacant land. In particular, a roughly 40-acre orchard west of Laguna Creek is designated for a range of housing types, including single family homes, townhomes, and multi-family housing. The MCSP also envisions workforce housing (particularly for Saint Mary's College employees) renovation of the Moraga Ranch as a community focal point, and a "Town Square" north of the Moraga Shopping Center. An underlying goal of the MCSP is to reduce vehicle miles traveled and congestion by creating opportunities for Moraga workers to live in the community, and by providing opportunities for local shopping, dining, and entertainment so that Moraga residents do not have to travel elsewhere for these services.

The MCSP increased allowable residential densities and created opportunities for new mixed residential-commercial land uses. This includes allowances for "Mixed Office/Residential" and "Mixed Retail/Residential" with densities ranging from 12 to 20 units per acre. The MCSP also identified 17 numbered "sub-areas" within its boundary and provided guidance for future land use in each sub-area. Sub-areas include the "Village" (Areas 1-7), the Shopping Center (Areas 8-12), and additional areas of vacant and underutilized land along the south and east edges of the planning area (Areas 13-17). In the mixed use areas, the MCSP provides the flexibility for either residential or commercial uses, and encourages projects in which both land uses are horizontally or vertically mixed.

In addition to providing land use guidance, the MCSP identifies future circulation improvements, public service and facility needs, and implementation measures (including zoning changes). Some of these

[3] 510 "base units" plus 120 density bonus units for senior housing = 630 units

measures have been completed while others are contingent on new development. The MCSP is intended to be dynamic and flexible in terms of the location of new development and mix of unit types within its boundary. Since the Plan's adoption in 2010, 62 units have been completed.

The MCSP strongly supports the Town's housing goals and will help Moraga achieve its regional housing needs allocation. Its standards have been codified in the Town's zoning regulations and are addressed in the discussion below.

5.2.3: Zoning Regulations

Moraga's zoning regulations (Title 8 of the Municipal Code) provide standards and requirements for the use of all property in the Town, as well as procedures for development, building modifications, and changes in use. The regulations are organized into Chapters, several of which correspond to specific zoning districts. Regulations for these districts are summarized below.

1-DUA, 2-DUA, and 3-DUA Districts

These three districts correspond to the Moraga General Plan land use designations of the same names. The intent of the districts is to provide for a residential environment consisting of low-density detached single-family homes. Permitted uses include single family homes, ADUs, and similar compatible uses listed in the Code. Additional uses, such as religious facilities and parks, are conditionally permitted. Development standards for this zone are shown in Table 5-1 and cover allowable lot size, lot width and depth, lot coverage, and building height. The standards allow for relaxed setbacks on homes built prior to the Town's adoption of its first zoning code in 1980.

The Code requires that all projects in these districts conform to the Moraga Design Guidelines as well as the zoning standards. This includes Floor Area Ratio (FAR) standards, which are in the Guidelines rather than the zoning code.[4]

6 DUA and MCSP-R6 District

Chapter 8.31 includes standards for the 6 DUA district. While the intent of this zone is to provide for multi-family development, the only uses permitted by right are duplexes, ADUs, supportive/ transitional housing, and agriculture. Other uses—including multi-family housing and offices—are permitted with a conditional use permit. Given the intent of the zone, the list of permitted uses should be amended so that multi-family housing is included.

Additionally, the maximum density in this zone is 6 units per acre. This is equivalent to 7,260 square feet of lot area per dwelling, which is a suburban density usually associated with single family housing.[5] Most of the existing development in this zone was permitted before Moraga was incorporated and

[4] See further discussion of FAR under "Design Guidelines" later in this chapter. Because FAR is an objective standard and is not discretionary, it should be relocated from the Guidelines to the Municipal Code.
[5] Single family detached housing is typically developed at one to ten units per net acre. Attached housing (townhomes) is typically 10-20 units per acre, while multi-family housing is typically at least 15 units per acre.

does not conform to the 6 DUA density. The zone also requires a minimum lot area of 10,000 square feet, 25-foot front and side yard setbacks, and 20-foot rear setbacks.

Development standards in the 6 DUA zone provide further direction for development. This includes a lot coverage limit of 50 percent (structures may not cover more than 50 percent of the lot area) and a maximum height of 35 feet or two stories, whichever is lower (this can be further reduced by the Planning Commission). Projects require submittal of a concept plan.

A variation of the 6 DUA zone, called R-6, has been adopted for the MCSP area. This zone is currently mapped on only one parcel. It provides more flexibility than the 6 DUA zone, including allowing multi-family structures by right, lots as small as 3,600 square feet, 60 percent lot coverage, and three-story construction. While the code allows for small lots, the density limit of 6 units per acre, coupled with the lot width and setback requirements, make small lots difficult to construct without a planned development application. Other uses allowed by right in this zone include "compact" single family housing, detached housing, duplexes, and similar housing types. A minimum density of four units per acre also applies.

Table 5-2 provides a summary of the 6 DUA and R-6 standards. Changes to the 6 DUA zone should be made to recognize the prevailing structure type on parcels in this district, potentially including a higher density range (such as 12 or 15 DUA). Changes to MCSP R-6 could be considered to allow for narrower lot widths and to consider a higher density range (such as 8 or 10 DUA).

MCSP R-12 District

The MCSP R-12 district was created in 2020 as part of the MCSP rezoning. It allows small lot single family homes, townhomes, 2-4 plexes, and multi-family structures by right, and a variety of small (less than 5,000 square feet per parcel) commercial uses with a conditional use permit. The zone has a minimum density of 10 units per acre and a maximum density of 12 units per acre, although the Code allows for higher densities on parcels of one acre or larger.

The development standards in the R-12 district are similar to those in the MCSP R-6 zone. These standards include side setbacks ranging from 5' to 10', front setbacks ranging from 15' to 20,' and rear setbacks of 15 feet. The setbacks are similar to those applying in low density development areas and would not support a small lot subdivision, indicating that new projects would likely require Planned Development (PD) applications. Development is also subject to a 35' height limit, a 60 percent lot coverage limit, and FAR standards. The setback and frontage standards should be adjusted so that small lot development can be approved by right if it conforms to the adopted standards.

Table 5-1: Single Family Residential Zoning Requirements

Zone	Minimum Lot Area	Minimum Frontage	Minimum Front Yard(1)	Minimum Side Yard(1)	Exterior Side Yard (corner lots)	Minimum Rear Yard
1 DUA	30,000 SF	140’	25’	20’	25’	25’
2 DUA	20,000 SF	120’	25’	15’	20’	20’
3 DUA	10,000 SF	80’	20’	10’	15’	15’
Sanders Ranch/ Moraga Place (2)	10-14,999 SF	80’	20’	10’	15’	15’
	15-19,999 SF	100’	20’	10’	15’	20’
	20,000+ SF	120’	25’	15’	20’	20’

Source: Moraga Municipal Code, 2022

Notes:

(1) Properties built prior to November 1980 are subject to the front and side yard setbacks for the R-15 Zoning District, which is a County zoning designation that was in effect prior to adoption of the Town’s first Zoning Ordinance (Moraga Municipal Code SECTION 8.68.060).

(2) Separate standards for these two subdivisions were adopted through the PD process when they were first approved. A process for further reductions to the side yard standards was included.

Table 5-2: Medium and High-Density Residential Zoning Requirements

Zone	Minimum Lot Area	Minimum Frontage	Minimum Front Yard	Minimum Side Yard	Sum of Side Yards	Exterior Side Yard	Minimum Rear Yard	Minimum/ Maximum Density
6 DUA	10,000 SF	100’	25’	20’ [1]	40’	25’	20’ [1]	N/A
MSCP R-6	3,600 SF	50’	15’-20’[2]	5-10’[3]	N/A	10’ [1,2]	15’	4 DUA/ 6 DUA
MCSP R-12	3,600 SF	50’	15’-20’[2]	5-10’[3]	N/A	N/A	15’	10 DUA/ 12 DUA
R-20A and R-20B[4]	2-3 acre pre-development	200’	20’	20’	40’	15’	15’	16 DUA/ 20-30 DUA[5]

Source: Moraga Municipal Code, 2022

Notes:

(1) The side and rear setbacks in 6 DUA cannot be less than the height of the building, therefore, if the building height is greater than 20 feet the setback would have to be increased. (Moraga Municipal Code 8.32.060)

(2) Varies depending on unit type, proximity to scenic corridor, and other factors. Must allow for 20’ driveway. May be reduced for front porches.

(3) 20’ required for three story structures

(4) Additional requirements apply. See Table 5-3..

(5) 20 DUA max, except 30 DUA allowed for senior housing

The FAR standards in MCSP R-6 and R-12 are calculated on a "pre-subdivision" basis. In other words, the total floor area permitted in a development is calculated based on the gross area of a site, then applied to the individual lots that are created. The allowable FARs get larger as lot sizes get larger. The current FAR table should be revisited to ensure it is achieving the desired outcome, which is to allow "missing middle" housing types.[6] Because the existing parcels in these districts are larger than two acres, this has not been an issue—it could become an issue in the future depending on how these sites are subdivided.

R-12 standards appear in Table 5-2. Both of the parcels on which R-12 is currently mapped have areas of moderate to steep slopes. This further suggests that clustering will be proposed when they are developed, potentially through a discretionary PD process.

MCSP R-20 District

The R-20A and R-20B districts were created in 2010 when the MCSP was adopted. Prior to revisions to this zoning district approved by the Town Council on January 25, 2023, both districts had a maximum density of 20 units per acre, with 30 units per acre allowed for senior housing. A minimum density of 16 units per acre applied. Multi-family housing was permitted "by right" in the R-20A district, whereas it required discretionary review in the R-20B district.

The R-20A zone was mapped on 6.1 acres ~~R-20A applies to a 6.1 acre area~~ on the west side of Laguna Creek near the north end of School Street. The remaining 18~~12~~ acres of R-20 zoning was mapped as R-20B. ~~west of the creek is now R-20B. The other R-20B property is south of Country Club Drive and east of School Street. Collectively these parcels have the capacity for over 400 housing units. They are an essential part of Moraga's strategy to meet its RHNA.~~ Permitted uses in R-20 include all types of residential dwellings (including multi-family housing). Conditional uses include up to 5,000 cumulative square feet per lot of commercial floor space, provided the site is adjacent to a commercial or office district.

~~The distinction between the two lettered sub-zones (A and B) is that projects in Zone B require discretionary review while those in Zone A can be approved ministerially if they meet adopted development and design standards.~~

~~A minimum density of 16 units per acre applies in this zone, while the maximum is 20 units per acre. This may be exceeded for senior housing, which is subject to a 30 unit per acre maximum. The density figures exclude streets and are applied to net acres rather than gross acres (§8.34.040(A)). In other words, if two acres of a 10 acre site are dedicated to internal streets as part of a subdivision, the allowable number of units is calculated based on the remaining eight acres. This method of calculating unit yield is common in many Bay Area cities and towns.~~

[6] "Missing middle" refers to smaller multi-family and clustered housing types that are compatible with single family neighborhoods, such as duplexes, triplexes, fourplexes, bungalow courts, and row houses.

Basic R-20A and -B development standards are shown in Table 5-2. Table 5-3 shows additional development standards that are unique to the R-20 district. As with the R-6 and R-12 zones, it is important to consider the context for these zones when evaluating them. The R-20 zones ~~currently only~~ appli~~ed~~ed to two parcels. One was ~~is~~ the orchard west of Laguna Creek, where a parcel was ~~is~~ divided into R-20A and R-20B areas. The other was ~~is~~ in MCSP "Area 14" south of Country Club Drive. ~~All of these properties are larger than 6 acres. As such, the requirements for a 3-acre minimum parcel area and minimum of 60 units per project are not necessarily constraints, because they reflect "pre-subdivision" conditions and the expectation that these will be large scale multi-family projects.~~

Table 5-3: Special Development Standards for the R-20A / R-20B District

Standard	Requirement	Analysis Comments
Site Area	Minimum 3 acres	~~Clarify this is pre-subdivision; potentially r~~Reduce to 10,000 SF to match MCSP-OR and MCSP-RR.
Site Area for projects subject to ministerial review	Minimum 2 acres, provided that at least 50 units are proposed	~~Clarify to avoid conflict with requirement for 60 units (below)~~Eliminate
Number of Residential Units	Minimum 60	~~Consider reducing to 50 or lower~~Eliminate
Square Feet Per Residential Dwelling Unit	300 SF	
Square Feet Per Dependent Senior Residential Dwelling Unit	100 SF	
Average Site Width	200 feet	Reduce ~~Clarify this is pre-subdivision~~
Average Site Depth	200 feet	Reduce ~~Clarify this is pre-subdivision~~
Site Building Setback	20 feet from all site boundaries to any architectural projection on a building	
Creek Building Setback	50' from top of bank or 50' from edge of riparian vegetation that is protected by a state or federal agency, whichever is greater, to any architectural projection on a building.	Potentially change to match the standard that applies in the MCSP-OR and MSCP-RR zones
Pervious surface area (including natural or landscaped area)	30 percent of site area	Not needed, if impervious is also limited
Natural area or area landscaped area with living plants	20 percent of site area	

Table 5-3, continued		
Standard	**Requirement**	**Analysis Comments**
Private outdoor area for each Residential Dwelling Unit	Minimum: 20 sq ft attached or immediately adjacent to each dwelling unit with a minimum dimension of 4 feet in each direction.	Clarify how this standard relates to the 100 SF requirement listed below.
Private outdoor area for each unit	100 square feet attached or immediately adjacent to each unit with a minimum dimension of 6 feet in each direction. Private open space within 500' of a scenic corridor must be screened.	
Number of required parking spaces	1 space per studio or 1-bedroom 2 spaces per 2- or 3-bedroom 2.5 spaces per 4 or more-bedroom 0.3 spaces per Dependent Senior Residential Dwelling Unit(1)	Consider applying these standards in other zones
Height	3 stories/ 45'	
Lot Coverage	65 percent	
Impervious surface coverage	70 percent	
Floor Area Ratio	1.15 with enclosed parking; .85 with uncovered parking, plus another 0.35 for common facilities.	Clarify if buildings with enclosed parking also receive a 0.35 FAR allowance for common facilities

Source: Moraga Municipal Code, Barry Miller Consulting, 2022

Note: [1] *In senior housing projects, the minimum parking ratio provided shown above may be reduced by 25% for each passenger vehicle made available permanently for use by the residents of each 75 units, as long as at least 0.5 space per unit is still provided.*

On January 25, 2023, the Town Council removed the "A" and "B" suffixes from the R-20 district. The 12-acre parcel on the higher ground west of the creek became simply "R-20" while the two other R-20 areas were upzoned to "R-24", allowing 24 units per acre instead of 20 units per acre. Projects meeting the objective development and design standards adopted for this area in 2010 are permitted by right in both R-24 areas (totaling 12.3 acres).

A number of issues related to the R-20 development standards were raised during the 2023-2031 Housing Element Update process. Program 4 in the Housing Element commits to resolving these issues by 2024. They are summarized below:

- There are three R-20 sites. Section 8.34.040 (A) makes references to "net" density, which has created confusion about whether new internal streets should be subtracted out before calculating the potential unit yield on each site. This needs to be clarified. The number of units allowed is equal to the total area of the pre-subdivided parcel multiplied by the maximum zoning density, plus allowable density bonus units. (i.e., 6.135 acres x 24 units/acre = 147 units), plus allowable density bonus units.

- The minimum site area requirement of 3 acres is a potential constraint and should be reduced. In the nearby MSCP-RO district and the MCSP-RR district, the minimum site area is 10,000 square feet. A comparable standard should be applied in the R-20 zone. The minimum project size requirement also should be eliminated.
- The average site width and depth requirements (200' each) are intended for large-scale multi-family developments and could impede townhomes and other "missing middle" housing types. These should be replaced with more appropriate standards.
- The R-20 zone has different creek setback standards than the other MSCP zones, which also include creekside properties. A consistent standard should be used, and that standard should be compatible with the countywide standard.
- The open space standards should be clarified. One standard requires a minimum of 20 square feet of open space per unit, and another sets a maximum of 100 square feet.
- The Ordinance states that all R-20 land above the 525-foot elevation contour is subject to discretionary review. This provision should be deleted, as the zoning map already takes topography into account and the property owner has raised concerns about the accuracy of the contour data used by the Town. Moreover, the provisions requiring discretionary review for R-20 areas (vs R-24) should be deleted as the intent of this zone is to facilitate by right development. If needed, additional objective development and design standards should be developed for the upper R-20 parcel.

~~The standards should be monitored to ensure they are not impeding the ability to develop the R-20 properties. A smaller threshold (for example, 2 acres/48 units) might be sufficient. In addition, certain standards need clarification. For example, the standards require 3 acres for each development site, and a 60-unit project size. However, the standards also state that a 2-acre site is eligible for ministerial approval if it contains at least 50 units. There are also two sets of open space standards—one requiring a minimum of 20 square feet of open space per unit and another that sets a maximum of 100 square feet. The setbacks in the Ordinance are expressed as "maximum limits" but are listed as minimums.~~

The R-20/R-24 zone also has objective design standards, intended to facilitate by right approval of projects in the "A" sub-zone. These include conformance with grading and flood plain regulations, limits on retaining wall height, and a requirement that finished slopes not exceed 33 percent grade. In general, these standards are not constraints and support public safety. The standards also include special requirements for buildings within scenic corridors, which is covered in a later section of this chapter.

~~The base allowable density in this zone will be increased from 20 to 24 units per acre as part of adoption of this Housing Element. In addition, the Housing Element includes a program to reassess the R-20 district standards within two years of Housing Element adoption.~~

Mixed Use Districts (MSCP Mixed Office-Residential and MCSP Mixed Retail-Residential)

The MSCP area includes two mixed use zoning districts, one corresponding to Office-Residential (MSCP O-R) and the other corresponding to Retail-Residential (MCSP R-R). The Town has identified roughly 320 units of housing capacity in these districts in its site inventory, all of which would meet the "default density" requirements for lower income units. As such, these two zones provide an important resource in the Town's efforts to meet its affordable housing needs.

Development standards for the two mixed use zones are shown in Table 5-4. The standards are effectively the same in each zone, including a residential density range of 12 (minimum) to 20 (maximum) units per acre, a height limit of 45 feet and 3 stories, and no required setbacks. Both zones have an FAR maximum of 0.85, but this is applied only to commercial square footage. Residential and commercial density limits are additive, meaning a parcel may have both 0.85 FAR of commercial space, plus 20 units/acre of residential space. This provides an incentive for mixed use projects that include both uses. The minimum lot area in these districts is 10,000 square feet, which is considerably lower than the 3-acre minimum that applies in R-20. This reflects the fact that the MCSP mixed use zones include previously developed parcels, while R-20 applies only to large parcels that are vacant.

Overall, the standards in the two mixed use zones are supportive of multi-family residential uses, including small urban infill projects as well as larger-scale projects. Multi-family residential is a permitted use in both districts. Mixed use residential projects (combining residential and commercial uses) also are permitted. A program to be implemented concurrently with adoption of this Housing Element will increase the allowable density from 20 to 24 units per acre.

Most of the housing sites in these two zones fall within the Moraga Way and Moraga Road scenic corridors. Constraints associated with the scenic corridor designation are addressed in a later section of this chapter.

Table 5-4: Development Standards in Mixed Use Districts

Standard	MCSP Mixed Retail-Residential	MCSP Mixed Office-Residential
Density	Max: 20; Min: 12	Max: 20; Min: 12
Minimum lot area	10,000 square feet	10,000 square feet
Minimum lot width	30 feet	30 feet
Minimum lot depth	100 feet	100 feet
Minimum width	30 feet	30 feet
Minimum front yard setback:	0 feet (1)	0 feet (1)
Minimum side yard setback:	0 feet (1)	0 feet (1)
Minimum exterior side yard setback:	0 feet (1)	N/A
Minimum rear yard setback:	0 feet (1)	0 feet (1)
Minimum lot area	10,000 square feet	10,000 square feet
Maximum building height (primary)	45 feet (1)	45 feet
Minimum private open space (applies only to residential uses of development)	Greater than or equal to 5 percent of each dwelling unit floor area (minimum of 50 square feet and minimum dimension of 5 feet in each direction)	Greater than or equal to 5 percent of each dwelling unit floor area (minimum of 50 square feet and minimum dimension of 5 feet)
Minimum building separation for multiple 2-story buildings on a single lot	25 feet (2)	25 feet (2)
Minimum building separation for multiple 3-story buildings on a single lot	35 feet (2)	35 feet (2)
Maximum stories	3 stories	3 stories
Maximum lot coverage	60 percent	60 percent
Floor Area Ratio	0.85	0.85

Source: Moraga Municipal Code, 2022

Notes:

(1) Scenic corridor requirements may create additional setback requirements not shown here

(2) Where two different height buildings are adjacent, the taller building controls separation

Commercial Districts

There are several "commercial only" zoning districts in Moraga. These include the MCSP Commercial (MCSP-C) zone, the Suburban Office (SO) zone, the Community Commercial (CC) zone, and the Limited Commercial (LC) zone. The first of these districts is mapped in the Moraga Center Specific Plan area, while the latter three comprise the Rheem Park commercial district.

Residential uses are not listed as permitted or conditionally permitted in any of these zones. However, the zoning ordinance provides the Planning Commission with the discretion to permit "other uses" found to be "consistent with the purpose of the district" and comparable to other permitted or conditional uses. Since the 2002 General Plan and PD regulations support housing and mixed uses in the Rheem Park commercial area, the case could be made that housing is consistent with their purpose.[7]

Several actions will be taken concurrently with adoption of this Housing Element to create housing opportunities in these districts. Specifically, housing will become a permitted use (up to 24 units per acre) in the SO zone (to be renamed "Rheem Park Mixed Office-Residential), and the CC zone will be split into two districts, one of which allows multi-family residential (up to 24 units per acre). In addition, zoning map changes will move a number of properties from commercial zones into mixed use zones.

Other Districts

Other zoning districts in Moraga include two open space districts, an institutional district, a "Study" district, and two overlay districts.

The open space districts include the "MOSO Open Space District" and the "Non-MOSO Open Space District." MOSO is the Moraga Open Space Ordinance, approved by voters in 1986 to conserve hillsides, ridgelines, and other natural areas in the community. MOSO Open Space was specifically protected through the ordinance, while Non-MOSO open space includes land with similar qualities that was not covered by the ordinance. Single family residential development is conditionally permitted in both zones, but at very low densities. Density is either 5 acres per unit, 10 acres per unit, or 20 acres per unit. The allowable density is determined through a conditional use process, and usually through a planned development application that considers factors such as risk levels and natural resources. The PD application enables the allowable number of units to be clustered on smaller lots, with the residual areas retained as permanent open space. In addition to enabling open space protection, the clustering also allows for more efficient infrastructure and logical placement of development.

The Institutional district (also referred to as the "College" district) applies only to the St. Mary's College Campus. Other institutional uses in the Town, including schools and religious institutions, are typically zoned with residential designations.

The "Study" district applies to the 423-acre Bollinger Canyon area. The Town is in the process of eliminating this district and applying a combination of residential and open space designations to the

[7] The Town's PD regulations provide for densities of 10 DUA in Rheem Center

underlying parcels. Most of the land area will be designated Rural Residential (one unit per five acres) or Non-MOSO Open Space.

The two overlays are the Moraga Ranch Overlay and the Research and Development Overlay. In both cases, the underlying zone is Commercial, and housing is not currently a permitted use. The Moraga Ranch Overlay is intended to preserve the traditional character and potential historic resources on the ranch property in the heart of Moraga Center. The R&D Overlay applies to three parcels at the northwest corner of Rheem Boulevard and Moraga Road, including 2.5-acres owned by St Mary's College. This Overlay was created in 1997 to provide an opportunity for a technology campus. With the proposed rezoning of these properties to mixed use, the R&D Overlay should be rescinded.

5.2.4: Scenic Corridors

The Town of Moraga has designated Moraga Road, Moraga Way/Canyon Road, St. Mary's Road, Rheem Boulevard, Camino Pablo, Bollinger Canyon Road, and Upper Donald Drive as "scenic corridors." Each corridor extends 500 feet on either side of the roadway centerline (1000' total). Buildings that are visible from the scenic roadways in each corridor are subject to special standards above and beyond those in the base zoning districts. The corridors bisect both of the Town's major commercial districts and apply to a number of designated Housing Opportunity sites.

Guidelines have been adopted for projects within the corridors. These require a "compatible visual relationship with surrounding development," and building placement that avoids a "walled effect" along the corridor. Regardless of a parcel's size or dimensions, new buildings are required to maintain views of distant hills and ridgelines and be limited in scale to reduce visual dominance. The guidelines state that "manmade structures…should be secondary in importance to natural growth." They further state that "unnatural and conflicting aesthetic elements shall be eliminated to the extent feasible." Such elements must be screened when they cannot be eliminated.

These requirements require subjective evaluation. Moreover, the approval process for such projects requires review by the design review board (i.e., Planning Commission), who have the authority to disapprove the project after making written findings (§ 8.132.070). The Town has made the process more objective by adopting objective development and design standards for projects along scenic corridors in both the Moraga Center Specific Plan area and the Rheem Center area.

In the Moraga Center Specific Plan Area, objective standards ~~have been developed to~~ define what may be considered "compatible" in a scenic corridor. These include ~~:~~ 40-foot setbacks for building frontages that face Moraga Road and Moraga Way and requirements that any square footage above the first floor in such buildings be recessed 8 feet (i.e., a "stepback") to reduce perceived mass from the scenic road. In the Rheem Center, the scenic corridor setback from Moraga Road and Rheem Boulevard is 25 feet. This area must be landscaped and facades must be varied to avoid creating a walled effect. All facades facing the scenic corridor must be treated as though they are the primary façade.

Program 32 in the Housing Element recommends revisiting the scenic corridor setbacks on Housing Opportunity Sites in the MSCP area. A few of the sites are less than 200' deep and the a 40' front setback requirement could reduce their capacity for development. At least one of the sites has a steep slope to the rear, which may necessitate placing development closer to the road. In addition, the requirement to step back the building by eight feet above the first floor, or to recess a third floor, could increase project costs and affect feasibility. Locating parking in the front setback area might address these constraints but could conflict with the goals of the scenic corridor designation.

Program 32 also addresses potential constraints resulting from the scenic corridor requirements in combination with the R-20 zoning district requirements. Specifically, the R-20 district requires projects within 500 feet of a scenic corridor to set back the third floor by 50 percent more than the minimum otherwise applicable. This requirement should be revised to apply only to facades that actually front designated scenic roadways. As it is written, it could be misinterpreted to require upper story stepbacks on buildings that are not even visible from scenic corridors. In fact, only one R-20 property has any frontage on a scenic corridor (Canyon Road) and it represents only a small part of the parcel perimeter.

- ~~In the R-20 zone, projects in the corridors are subject to a requirement that any space above the second floor have setbacks that are 50 percent higher than the lower levels. This could also require "stepbacks" on upper floors, which could limit total floor area and unit yield.[8]~~

~~While similar standards have not been developed for the Rheem Park area, the MCSP standards could be referenced as the Commission makes findings for future residential projects in this area.~~

~~The Town is now considering allowing increased development for multi-family and mixed use sites that face Rheem Boulevard, Moraga Road, and Moraga Way. A few of the sites are less than 200' deep and a 40' front setback could reduce their capacity for development. At least one of the sites has a steep slope to the rear, which may necessitate placing development closer to the road. In addition, the requirement to step back the building by eight feet above the first floor, or to recess a third floor, could increase project costs and affect feasibility. Locating parking in the front setback area might address these constraints but could conflict with the goals of the scenic corridor designation.~~

While preserving scenic corridors is an important General Plan goal, it must be balanced with other goals such as meeting local housing needs on infill sites and creating community focal points at the shopping centers. ~~Variations from the corridor standards may be considered in the future and are addressed by a program in Chapter 6 of this Housing Element.~~

~~[8] Most of the R-20 land area is outside the scenic corridors, but both parcels partially fall within the 500-foot buffer.~~

5.2.5: Parking Standards

In a suburban setting like Moraga, parking is a necessary component of most development projects. The Town has minimal public transit and walking or bicycling may not be practical for many types of trips. Census data indicates that 76 percent of Moraga households have two or more vehicles.

At the same time, the way that parking is handled in residential development projects is changing, particularly for denser development in mixed use areas. Most communities no longer use a "one size fits all" approach to residential parking in such areas and have adopted standards that vary based on bedroom counts, unit type, and other factors. These types of adjustments are critical because parking is a significant part of the cost of new residential development and has a substantial impact on site planning and design. Parking structures can cost as much as $50,000 per space, and this cost is typically passed on to the buyer or renter.

Moraga currently requires two off-street parking spaces per residential unit. It applies the same standard to multi-family housing as single family housing, except in the R-20 zone where standards are scaled to reflect the number of bedrooms. The requirement for two spaces per unit for multi-family housing outside the R-20 zone is a potential development constraint. Effectively, the standards mean that a studio apartment and a three-bedroom apartment need to provide the same amount of parking--two spaces per unit. In addition, one guest parking space is required for every two units.

Table 5-5 shows multi-family parking standards in Moraga as of 2022. The table includes information on standards in Lafayette, Orinda, and Danville, three nearby communities with similar demographics and land use patterns. The other communities have adopted sliding scales for multi-family housing, with lower requirements for smaller units. For example, Orinda and Danville require one space for a studio and 1.5 spaces for a one-bedroom. These communities also have lower guest parking requirements than Moraga, with one space for 4 or 5 units, compared to one space per two units in Moraga.

Table 5-5: Comparison of Multi-Family Parking Standards in Moraga and Nearby Communities, 2022

City/Town	Spaces per Unit				Guest Parking
	Studio	1-Bedroom	2-Bedroom	3-Bedroom	
Moraga (except R-20)	2	2	2	2	1 per 2 units
Moraga R-20 zone	1	1	2	2	None stated
Orinda	1	1.5	2	2	1 per 4 units

Lafayette	N/A	1 to 1.2	1.2 to 1.5	1.5-2	1 per 5 units
Danville	1	1.5	2	2	1 per 4 units

Source: Town of Moraga, 2022

Other Bay Area cities have created ways to reduce parking requirements through measures that reduce parking demand or make more efficient use of existing parking spaces nearby. These include the provision of shared vehicles, bicycle parking, shared parking (i.e., agreements to use parking spaces on adjacent properties that are likely to be vacant during the evening and overnight hours). Projects near mass transit have greater opportunities to reduce demand. Although Moraga does not have a BART station, new projects could incorporate amenities that make it easier to use transit. Major employers such as Saint Mary's College can also help make transit more viable.

Data from the 2020 Census indicates that Moraga renters have fewer vehicles per household than homeowners, with 32 percent of renters owning one vehicle or less (compared to 22 percent for owners). Car ownership rates also tend to be lower for seniors and smaller households. Given the high cost of parking and the small number of multi-family units built in Moraga over the last 40 years, this Housing Element includes a program to revise the multi-family parking standards. Effectively, the program calls for applying the parking standards already in place for multi-family projects in the R-20 zone on a Town-wide basis. In addition, the Town recently adopted an Affordable Housing Ordinance which will enable most residential projects to use State Density Bonus Law parking standards. These standards are substantially lower than those now in place, reducing a potential constraint.

A second phase of this program would identify further parking reductions that could occur through transportation demand management measures, shared parking agreements, and other strategies that are commonly used to reduce parking costs and make housing more affordable. This includes "unbundling" parking from housing units so that an occupant has the option of buying or renting a parking space rather than having it automatically included in the sale or rental of a unit.

5.2.6: Environmental Protection Ordinances

Hillside and Ridgeline Ordinances

In 2018, the Town of Moraga adopted new regulations guiding the development of projects in hillside areas and near or on ridgelines. These include provisions to protect views of hillsides and ridgelines from other locations. Hillside areas are defined in Chapter 8.04 of the Municipal Code and include parcels with average predevelopment slopes of 20 percent of greater, or the portions of parcels within a development project with slopes greater than 20 percent. Ridgelines are mapped in the General Plan and are classified into different categories depending on their visibility and prominence.

Approval of development in hillside areas, including new homes, accessory buildings larger than 400 square feet, and additions over 500 square feet, typically requires a Hillside Development Permit (HDP). Subdivisions on sites over 20 percent slope also require HDPs. For planned developments and subdivisions, such permits can only be approved after the PD or subdivision permit is approved. HDPs can be issued administratively by the Planning Director if they only require a building permit. For projects that require discretionary review by the Planning Commission approval, the Commission also has jurisdiction over the HDP. In such cases, the decision to approve a permit is rendered after a noticed public hearing and findings that the project is consistent with the General Plan and is designed to minimize visual impacts, protect natural resources, minimize exposure to geological hazards, and achieve a natural appearance. Conditions of approval may be attached to the permit.

Most of the housing capacity identified in the 2015-2023 Housing Element—including all of the lower-income housing capacity—is on sites that are on slopes *less than* 20 percent, where the hillside regulations do not apply. Housing sites that are on hillsides have been designated for moderate- or above moderate-income housing, recognizing the additional cost of development on sloped sites, including grading, infrastructure, and design to avoid visual impacts.

The Town's ridgeline requirements were developed in tandem with the hillside requirements. Their purpose is to protect the Town's scenic natural setting and semi-rural feel, including limiting development along highly visible ridgelines that are now undeveloped. Most of these areas are designated as open space on the General Plan, and none of them have been identified as housing sites.

Creek Protection and Tree Protection Ordinances

The Moraga Center Specific Plan includes specific setback requirements for projects along Laguna Creek, including a Contra Costa County requirement for a 50-foot setback from the top of bank. The requirement is not a development constraint as it is mapped on parcels that are large, with ample developable areas outside the setback. The MCSP also envisions the setback as an area for walkways and recreational features, which would be amenities for new development.

The Town has also adopted tree preservation requirements (Chapter 12.12 of the Municipal Code). These requirements apply to private property as well as public rights of way. Special requirements have been developed for native trees, orchards, and trees of historic significance, with the latter group individually recognized through designation by the Town Council. A permit is required to remove native trees above a certain size, orchard trees, and trees of historic significance. These permits are administratively issued by the Planning Director, based on criteria such as the health of the tree, safety hazards, and impact on erosion and runoff.

For subdivisions and larger-scale developments, applicants are required to include provisions to protect trees, particularly where construction may encroach into the dripline. Arborist reports may be requested to develop tree protection measures or justify tree removal. Any trees to be removed must

be identified on applications and are subject to review by the Planning Director. Although several of the Town's development sites are on former orchards, the tree removal requirements are not expected to be a constraint. Preservation of individual trees could be incorporated in future development plans, but the orchards are generally inactive and not in agricultural use.

Hazard Mitigation and Water Quality Ordinances

The Town has adopted regulations to minimize public and private losses due to flood conditions in areas identified as flood prone or prone to mudslides and erosion. These areas correspond to flood hazard areas designate by the Federal Emergency Management Agency (FEMA). Structures within this area are subject to rules consistent with federal insurance requirements, including a requirement that development does not negatively affect the carrying capacity of floodways or the base flood elevation downstream. The Town Engineer serves as the floodplain administrator and has the responsibility for reviewing development permits to make sure they comply with these requirements. Various levels of certification are required for projects in flood plain areas.

Moraga's flood plain regulations include specific measures for floodproofing and hazard reduction. These include anchoring homes, using flood resistant materials for homes and utilities, designing HVAC systems to avoid flood damage, and elevating all new construction at least two feet above the base flood elevation in most instances. Special requirements are included for accessory structures, garages, and manufactured homes. More stringent requirements are required for floodways, as these areas have a higher velocity of water during floods. The Ordinance includes provisions for variances for projects that cannot meet the standards.

Most of the Housing Opportunity Sites have no flooding issues and are well above the flood plain. The Laguna Creek flood plain extends onto three of the housing sites in the MCSP area, but these are large parcels with ample developable acreage above the 100-year flood elevation. Flood-prone areas are shown as creekside open space in the Specific Plan itself and do not affect the ability of these sites to accommodate the yields described in this Housing Element.

Moraga also has adopted Fire Hazard Area Regulations, including maps of "high" and "very high" fire hazard severity zones recommended by the California Department of Forestry and Forest Protection (CalFIRE). The maps are also used for planning and development review purposes by the Moraga Orinda Fire District (MOFD). At the current time, only one of the housing sites is in a "very high" fire hazard severity zone (VHFHSZ). This is Indian Valley, which has been listed in this Element as an Above Moderate income site.

It is likely that new fire hazard severity maps will be adopted during the time horizon of this Housing Element. Preliminary maps indicate that the extent of the "very high" hazard zone will be expanded, potentially encompassing some of the Rheem Shopping Center area. This area is across the street from MOFD Station 42 on previously developed and disturbed land with multiple access roads leading in and out of Moraga. Including this area in the VHFHSZ would not preclude its use for higher density

housing. However, additional fire resilience measures would be required, which would increase construction costs.

Other local ordinances address grading and stormwater management. Title 14 of the Moraga Municipal Code requires a grading permit for any earth movement exceeding 50 cubic yards or greater, as well earth movement meeting other criteria (such as an area of 10,000 square feet or greater or the use of fill to support buildings). Larger grading projects require review by the Planning Director and Design Review Board (Planning Commission) to ensure they are consistent with the Town's Design Guidelines and General Plan. Such applications are subject to a noticed public hearing and an opportunity for appeal. Major grading applications, such as those needed to repair a landslide or modify slopes greater than 25 percent, are subject to approval by the Town Council. Once permits are issued, grading activities are subject to adopted specifications for earth movement and retention, observation and monitoring, security, and post-grading procedures.

Grading standards are not a constraint to development on the lower-Income housing sites designated in this Housing Element. However, some of the moderate- and above-moderate income housing sites may require grading permits and may need to incorporate the measures specified in the Municipal Code before they are developed. While these measures are common in Bay Area hillside communities and are necessary to protect public safety and water quality, they represent an additional cost for projects on hillside sites.

Projects in Moraga also must comply with stormwater management standards. These standards implement the Municipal Regional Stormwater NPDES permit and are an important part of the Contra Costa County Clean Water Program. They apply to all jurisdictions in Contra Costa County. Most development projects are required to prepare a Stormwater Control Plan (SCP). Each SCP identifies best management practices to limit water pollution and increases in runoff rates.

Density Transfers

The Town has adopted procedures to enable the transfer of allowable dwelling units from one parcel of land to another. This is referred to as "density transfer" or transfer of development rights and is primarily used as a tool to conserve open space in visually and environmentally sensitive areas. In such cases, there is a "sending" (transferor) parcel and a "receiving" (transferee) parcel. The parcels may be under common ownership or they may have different owners. Density may only be transferred off of parcels if they are zoned for residential or open space uses. Density transfers are only initiated at the request of property owners and are entirely voluntary.

The maximum number of units that may be transferred may not exceed 30 percent of the allowable density on the receiving parcel. This implies that parcels where residential uses are not allowed may not be receiving parcels. An action program in this Housing Element calls for an amendment so that all commercially zoned properties may be receiving sites. The Town could also consider incentives for density transfers, such as allowing a larger number of units on the receiving sites than are being transferred from the sending sites (i.e., a local density bonus).

5.2.7: Housing-Related Ordinances

Like all communities in California, Moraga has adopted a number of ordinances to support housing production and preservation. Relevant local housing regulations include the density bonus ordinance, the short-term rental ordinance, and the condo conversion ordinance. In December 2022, Moraga adopted an Affordable Housing Ordinance, requiring that 10 percent of all housing in new market-rate projects of more than five units be affordable to low- or moderate-income households. The Town also adopted a Density Bonus Ordinance, plus a supplemental local density bonus program concurrently with the Affordable Housing ordinance. These new implementation tools for creating affordable housing are described below.

The need for an Affordable Housing Ordinance is driven in part by the need for new tools to stimulate the production of affordable housing in the town. Moraga's most recent annual housing progress report found that the Town had satisfied its "above moderate" income housing assignment for the 2015-2023 period. However, the Town has produced zero very low-income units and only one low-income unit during the last six years. Many cities and towns use inclusionary zoning to narrow this gap.

Density Bonus Ordinance

The premise of a density bonus is that additional density (i.e., additional housing units above and beyond those permitted by zoning) may be added to a project in exchange for setting aside a certain percentage of the units as affordable. The bonuses are higher where deeper levels of affordability are provided. The additional units are an incentive for developers, in that they offset potential lost revenue from rent/sale of the affordable units by allowing more units to be built. State law requires that the jurisdiction offer waivers and concessions to developers using density bonuses, because other zoning standards may not accommodate the additional units.

On January 1, 2021, new State density bonus rules went into effect, expanding and enhancing these incentives. AB 2345 increased the maximum density bonus from 35 percent to 50 percent. To be eligible for a 50 percent bonus, a project must set aside:

- At least 15% of the units for very low-income households; or
- At least 24% of the units for low-income households; or
- At least 44% of the units (in a for-sale project) for moderate income households

Below the 50 percent maximum, bonus percentages are awarded on a sliding scale based on the percentage of affordable units. Density bonuses of 20 percent are also available for senior housing projects (even if they are market-rate) and to projects serving foster youth, disabled vets, and homeless persons. Density bonuses are not available for moderate-income for-rent units, since market-rate rents are often already in the moderate-income affordability range.

Density bonuses are particularly helpful in communities with inclusionary zoning requirements (see discussion in next section). When setting aside some of the units in a new project as "below market

rate" is made mandatory, rather than voluntary, there is a greater incentive to use the bonus to offset the reduced profit margin. Once a developer applies for a density bonus (a voluntary action), the jurisdiction is required to provide one or more incentives or concessions requested by the developer. Typical concessions include modifications to setbacks, parking standards, and design requirements. A jurisdiction must grant the concession unless it finds it would cause a health, safety, or environmental problem, compromise a historic resource, or be contrary to law.

Once concessions are determined, the jurisdiction is required to grant waivers of any development standard that would physically prevent the project being built at the increased density. The jurisdiction may not apply any standard which physically precludes the project from proceeding. Typical waivers include building height, lot coverage, and floor area ratio requirements.

In December 2022, the Town of Moraga amended its Municipal Code to include an updated density bonus ordinance that complies with all current State requirements and incorporates the State's standards by reference. Consistent with State law, the Ordinance also provides for reduced parking standards and development incentives and concessions for qualifying projects. As discussed in the next section, the Town has also adopted local incentives to supplement those required under State law.

Density Bonus requirements are not a development constraint in Moraga. To the contrary, they provide a strong incentive for housing production and the inclusion of affordable units.

Inclusionary Zoning/ Affordable Housing Ordinance

Inclusionary zoning refers to a locally adopted requirement that a certain percentage of units in future developments be reserved as affordable to lower- and/or moderate-income households. This technique is used throughout the United States to create affordable housing units in new market-rate residential developments. It is particularly effective in high-cost markets with a limited supply of affordable units. Nearby communities with inclusionary zoning requirements include Lafayette, Pleasant Hill, Walnut Creek, Danville, Clayton, Concord, and San Ramon.

In May 2022, the Town Council directed staff to explore options for inclusionary zoning in Moraga. An action to adopt an Inclusionary Zoning Ordinance within six months of Housing Element adoption was included in the Draft Housing Element submitted for HCD review on August 12, 2022. On August 24, 2022, the Town Council directed that an Ordinance be drafted for consideration concurrently with or prior to adoption of the 2023-2021 Housing Element. A draft ordinance was reviewed by the Planning Commission in November 2022 and adopted by the Town Council in December 2022. The Town has also adopted a policy resolution establishing local development incentives, including density bonuses above and beyond those required under State Density Bonus Law. Adoption of this Ordinance is an important milestone for Moraga, as it provides a legal tool for requiring affordable housing, affirmatively furthering fair housing, and creating housing opportunities for lower income residents, including seniors, students, and the Moraga workforce.

Key provisions of the new inclusionary housing requirements (adopted as Chapter 8.180, "Affordable Housing") are highlighted below:

- All new projects with more than five residential units are subject to the ordinance
- The ordinance applies townwide (and not just in the higher-density and mixed use districts)
- Rental projects must set aside 10% of the units as "lower income" and for-sale projects must set aside 10% of the units as "moderate income." Developers may propose alternative percentages if the units meet deeper levels of affordability (e.g., rental projects may set aside "very low-income" units at smaller percentages)
- The Ordinance includes alternative means of compliance, including developing affordable units off-site (at 1.5 times the percentage), acquiring and converting existing market-rate units to affordable (at 2.0 times the percentage), and providing assistance to an affordable housing developer for a project in Moraga. In addition, developers of projects in zones R-6 or lower (i.e., single family) are given the option of complying by including market-rate accessory dwelling units (400 square feet or more) in 25 percent of all dwelling units.
- When calculating the inclusionary requirement, fractional units may be rounded up to the nearest whole number or converted to an in-lieu fee that may be used to support housing programs or affordable housing development in the Town
- Inclusionary units should be distributed throughout the project and be similar in design to the market-rate units. They should have the same average number of bedrooms, but may be slightly smaller
- For-sale units must remain affordable for 45 years, while rentals must remain affordable for 55 years

The Town convened a developer roundtable in October 2022 to solicit feedback on inclusionary zoning and related topics. The feedback suggested that the State's 20 percent density bonus (for rental projects in which 10 percent of all units were affordable to low-income households) and 5 percent bonus (for for-sale projects in which 10 percent of all units were affordable to moderate-income households) were insufficient to offset the additional cost of below market rate units. In response, the Town proposed (and subsequently adopted) a local density bonus program to supplement the State bonuses. Effective December 14, 2022, the Town adopted the following "local" bonuses for projects meeting the inclusionary requirement on-site:

- A 5% local bonus is added to the State bonus for for-sale and rental housing.
- A 30% local bonus is added to the State bonus for senior housing and student housing

This effectively increases the allowable densities in the multi-family and mixed use districts to 30 units per acre (for rental units) and 26.4 units per acre (for for-sale units). It also increases the allowable densities for senior housing to 36 units per acre and for student housing to 39.6 units per acre. The local bonus program also includes the reduced parking requirements and incentives granted through State Density Bonus Law. Moreover, the Town is offering these bonuses for rental housing at 80% of AMI, rather than the 60% of AMI required under State Density Bonus Law. This aligns with the RHNA categories and reduces the developer subsidy required to develop lower income units.

The new Ordinance becomes effective in January 2023, so its impact on housing production has yet to be seen. The Town anticipates an increase in development activity on its housing opportunity sites, and significantly higher yields given the higher densities that will be permitted. It also anticipates a portfolio of below market rate units, both for-sale and for-rent, that will move the Town toward meeting its low and moderate income RHNA targets. The Town has included a program in this Housing Element to ensure the Ordinance is achieving its intended goals, and to revisit the provisions of the Ordinance and the policy incentives before the end of 2024.

Short Term Rentals

In some communities, short term rentals may be a housing constraint because they remove potential rental housing units from the market. Property owners may find it more profitable to offer such properties for short stays rather than renting them to long-term tenants. Moraga addressed this issue in 2020 by adopting a short-term rental policy and adding provisions to its Municipal Code. The provisions prohibit "non-hosted" rentals (i.e., the rental of an entire home without an owner on-site). Rentals of two nights or longer are permitted where the space is "hosted." A review of the AirBNB website in May 2022 indicated 14 rentals in Moraga, all of which were individual rooms or "guest suites." None of the listings were rental apartments or entire homes.

Condominium Conversions

Moraga has adopted provisions limiting the conversion of existing multi-family rental housing to condominiums. One of the purposes of these rules is to reduce the displacement of renters and provide assistance in the event that relocation is required. Another is to maintain a supply of rental housing for low- and moderate-income persons. All condominium conversions are subject to public hearings before the Planning Commission.

Prior to converting rental units to condominiums, a report on the physical elements of each structure must be completed, including a list of necessary repairs and required upgrades. A list of covenants, codes, and restrictions (CC&Rs) also is required, addressing maintenance, safety, and similar topics. Condominiums are also required to meet certain standards for private open space and parking.

Applicants must disclose information on the existing tenants, including signed statements from tenants acknowledging they have been notified of the proposed conversion. Tenants are also provided with a first right of refusal to purchase their units, as well as the option of remaining in their units for up to 180 days along with relocation assistance equal to two times the monthly rent. There are also provisions for senior renters to remain in their units indefinitely, and for qualifying low-income renters to remain in their units for up to three years. The Ordinance also includes no net loss provisions to limit the loss of the Town's rental stock.

5.2.8: Design Guidelines

The Town of Moraga has adopted a comprehensive set of design guidelines to inform the review of new development, additions, and alterations by staff, the Planning Commission (in their capacity as

the Town's Design Review Board), and the Town Council. The Guidelines express Moraga's design philosophy and indicate design review procedures. Design review priorities include maintaining the Town's semi-rural character, protecting hillsides and ridgelines, complementing existing landscaping, enhancing scenic corridors, minimizing the impacts of development, promoting commercial centers as community gathering places, and thoughtfully designing new single family and multi-family residential neighborhoods. A separate section of the guidelines provides more focused direction for the Moraga Center Specific Plan (MCSP) Area.

The Guidelines are rooted in the Community Design Element of the General Plan and use that Element as their organizing framework. They are intended to provide flexibility and positive examples rather than exact models of what is required. The Guidelines themselves state that "there is no formula for good design" and further state that "compliance with the Guidelines does not guarantee approval." The Guidelines also give the Planning Commission the discretion to modify or approve projects when they do not conform.

Several provisions have been identified as potentially subjective and should be evaluated for objectivity. These include:

- A guideline that two (2) two-story single-family homes should not be placed side-by-side if they are visible from the street. The requirement limits second story additions for many homeowners and creates an inequitable system for the owners of one-story homes adjacent to homes with previously approved or existing second story additions.
- A guideline limiting the height of buildings on padded (e.g., graded) lots to 28 feet for two story homes and 19 feet for single story homes. This guideline conflicts with the 35-foot height limit established by the zoning code.
- Additional requirements regarding the visibility of structure(s) from off-site (SFR 2.6).
- Design requirements for stormwater management systems, which are already regulated by a federal clean water (NPDES) permit and Contra Costa County.
- In multiple areas, the Planning Commission (acting as the Design Review Board) is granted additional subjective authority, such as the ability to require a larger side yard than is required by code or modify the allowable floor area ratio on a property.

The guidelines for multi-family housing are brief and address topics such as the screening of air conditioning units and siting of trash enclosures and parking. The guidelines for multi-family projects within the MCSP area are more extensive. They recognize the intent of the Specific Plan to encourage denser development and are supportive of the building typologies described in this Housing Element. The MCSP guidelines strongly support a diversity of housing types, multi-family and mixed-use building forms, and a less auto-centric development pattern. Since they were prepared recently, they also incorporate objective standards. The MCSP Guidelines also provide direction for landscaping, street character, open space, and civic space.

The appendix to the Design Guidelines contains a table listing the allowable floor area ratio (FARs) on single family residential lots of varying sizes. A sliding scale is used, with FARs decreasing as lot sizes

get larger. On a 5,000 square foot lot, the maximum FAR is 0.38, enabling a home size of 1,900 square feet. On a one-acre (43,560 square foot) lot, the maximum FAR is 0.13, enabling a home size of 5,500 square feet. Lots smaller than 5,000 square feet and larger than one acre are not subject to an FAR requirement but have a maximum home size of 1,900 square feet and 5,500 square feet respectively. Lots within Planned Developments are exempt from these requirements, as the FAR is established through the PD process.

While the FARs themselves are not a development constraint, their location in an appendix to the Design Guidelines makes them harder to apply as objective standards. The Town should consider moving the standards into the Municipal Code (Title 8) for clarity. Consideration also should be given to simplifying the standards by applying a mathematical formula rather than having a unique FAR specified for each lot using increments of 1,000 square feet.

5.2.9: Standards for Different Housing Types

The next section of the Constraints Analysis evaluates standards for special housing types in Moraga. Table 5-6 indicates the permitting requirements for different housing types in zoning districts where residential uses are permitted or conditionally permitted.

Table 5-6: Housing Types Permitted By Zoning District

Structure Type	Institutional	MOSO and Non-MOSO Open Space	1, 2, 3 DUA	6 DUA	MCSP R-6	MSCP R-12	R-20	MSCP-OR and MCSP R-R
Single Family Dwelling	-	C	P	C	P	P	-	P
Two-Family Dwellings	-	-	-	P	P	P	P	P
Multi-Family Dwellings	-	-	-	C	P	P	P	P
Multi-Family Dwellings above Commercial Space	-	-	-	-	C	C	C	P
Live/Work Space	-	-	-	-	-	-	-	(1)
Manufactured Home on Foundation	-	-	(1)	(1)	(1)	(1)	-	(1)
Congregate Care	-	-	-	-	-	-	P	P
Small Residential Care Home	-	-	(1)	(1)	(1)	(1)	(1)	(1)
Large Residential Care Home	-	-	-	--	--	--	P	P
Accessory Dwelling Unit	-	C	P	P	P	P	P	P
Single Room Occupancy (SRO) Hotel	-	-	-	-	-	-	-	-
Transitional Housing	-	C	(1)	(1)	P	P	P	(1)
Supportive Housing	-	C	(1)	(1)	P	P	P	(1)
Low Barrier Navigation Center	-	-	-	-	-	-	-	-
Emergency Shelter	P(2)	-	-	-	-	-	-	-

Source: Moraga Municipal Code

P=Permitted; C=Conditional Use Permit; "-" = Not Permitted

Notes: (1) Use is allowed but not expressly listed as a permitted use in the Municipal Code
(2) Specific development standards apply

Accessory Dwelling Units (ADUs) [9]

ADUs provide a source of housing that is "affordable by design" by virtue of lower construction costs and typically smaller unit sizes. They create less demand on infrastructure and services than larger-scale apartment developments, make efficient use of space on existing lots, and often consume less energy than new housing. In mature neighborhoods such as those in Moraga, they provide an opportunity to meet local housing needs in a way that disperses units and is compatible with neighborhood quality and character.

ADUs also provide an important housing resource for certain segments of the population, including extended family members, college students, young adults, seniors, and care givers. They also provide rental income for homeowners, helping to off-set mortgage costs and making homeownership more affordable and viable.

In April 2021, the Moraga Town Council adopted new regulations for Accessory Dwelling Units (ADU). The regulations were reviewed by the State Department of Housing and Community Development prior to adoption and confirmed to be fully compliant with State law.

ADUs and Junior ADUs (JADUs) are permitted in all residential zoning districts in Moraga.[10] They are allowed "by right," with a building permit approved by the Planning Director provided they meet the standards established in the Municipal Code. These standards generally correspond to State law and include:

- An ADU may be created entirely within the envelope of the primary unit (or another existing legally constructed accessory building on the lot) if it has exterior access independent from the primary unit. An addition of up to 150 square feet is permitted for ingress and egress purposes.
- Multiple ADUs may be added to multifamily buildings through the conversion of space that is not currently habitable (such as storage rooms and garages), provided the number of ADUs does not exceed 25 percent of the number of existing units
- A JADU is permitted provided the owner occupies the principal unit or JADU, the interior space is less than 500 square feet and has an efficiency kitchen and an exterior entrance, and the JADU is not sold as an independent dwelling or used as a short-term rental.
- A new detached ADU can be created if it meets front yard setback standards, has side and rear setbacks of at least 4 feet, is not more than 800 square feet, and is no taller than 16 feet.

ADUs that do not meet the streamlining criteria above are considered "standard" ADUs. These units are subject to additional standards but may still be approved ministerially by the Planning Director without discretionary review, public hearings, or further design review.

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[9] An ADU is a residential dwelling unit attached or detached from a primary unit, or entirely enclosed within an existing building, which provides complete independent living facilities for one or more persons. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary unit.

[10] A JADU is an Accessory Dwelling Unit that is (1) no more than 500 square feet in size; (2) contained entirely within an existing or proposed single-family primary unit; (3) has its own bathroom or shares a bathroom with the primary unit; and (4) includes an efficiency kitchen.

The interior living area of standard ADUs must be at least 150 square feet and not more than 850 square feet for one-bedroom units, and up to 1,000 square feet for units that are more than one-bedroom. For attached ADUs, the square footage may not exceed 50 percent of the pre-existing living area of the primary unit. If the unit will result in an exceedance of the allowable FAR for the property, it may have an interior floor area of no more than 800 square feet. Standard ADUs are subject to 4' side and rear setback requirements (except where the unit converts an existing garage in the setback), a 19' height limit (16' within 10 feet of the property line), and other requirements related to slopes, tree removal and grading. An off-street parking space is required, unless the unit meets specific exemption criteria established by the State of California such as proximity to public transit. ADUs created through from garage conversions are also exempt from the parking requirement, per State law.

Standard ADUs are also subject to a number of objective design standards. These include colors that are compatible with the primary unit, downward exterior lighting, landscaping of blank facades, and specific provisions for the treatment of windows, decks, and stairways. The Planning Director has the discretion to approve adjustments to the standards, including a 10 percent increase in the allowable height, a reduction in the dimensions of a required parking space, an increase in the size of an allowable deck, and the use of non-permeable parking materials.

Additional procedures have been established for ADUs that do not meet the design standards, and thus do not qualify for ministerial review. This increases the opportunity for units to be developed in Moraga, even when they require discretionary review. Such projects require a conditional use permit.

In addition to the above requirements, ADUs may not be rented for a term of less than 30 days (to limit their use as short-term rentals) and may not be sold separately from the primary unit. While owner occupancy is required for Junior ADUs, other ADUs are exempt from this requirement. These limitations must be included in deed restrictions for all ADUs and JADUs and apply to future owners in the event the property is sold. The deed restrictions may be removed if the ADU is eliminated.

The Town has created further incentives for ADUs by granting them relief from the impact fees that are charged for new single-family homes. No impact fee is required for an ADU that is less than 750 square feet in floor area. Units larger than 750 square feet are charged fractional impact fees based on the size of the ADU relative to the primary unit. The units are also not required to have new or separate utility connections, eliminating the need for a connection fee or capacity charge.

The revisions to the standards have made it much easier to develop an ADU in Moraga and resulted in a gradual uptick in ADU production. However, ADU entitlements are not as robust as they could be and average just 3 or 4 units a year. A program in this Housing Element calls for expanded outreach and education to homeowners to generate additional interest.

Manufactured Housing

Manufactured housing is treated the same as other housing types in Moraga and is allowed on a permanent foundation wherever housing is permitted. The General Plan has an implementation program (IP-B1) allowing manufactured housing when placed on permanent foundations and consistent with the Town's Design Guidelines. However, manufactured housing is not explicitly addressed in the Municipal Code. **An action program in the Housing Element recommends adding a definition of manufactured housing to the Code and affirmatively stating that it is permitted in all residential zones.**

Residential Care Facilities (Group Homes)

The Town of Moraga allows residential care facilities with fewer than six persons "by right" in all single family zones, as required by State law (Lanterman Act). However, small residential care facilities are not explicitly listed in the Municpal Code as a permitted use in single family districts. **An action program in the Housing Element recommends clarifying that these uses are permitted and are not subject to use permits or other special permitting or design requirement**s. There are no special restrictions or limits on either small or large residential care facilities (with more than six residents). Congregate care facilities such as nursing homes are permitted by right in the R-20 and Mixed Use districts in the MCSP area. The action program described above also recommends that allowances for large residential care facilities be made in other zoning districts. This could include the adoption of objective standards that facilitate the permitting process for facilities with more than six residents.

Supportive and Transitional Housing

Supportive housing refers to housing occupied by a target population that is linked to on-site or off-site services that help the resident retain their housing, improve their health, or maximize their ability to live and work in the community. Transitional housing serves a similar purpose but includes a fixed term of assistance, which may vary from six to 24 months. Supportive and transitional housing is sometimes provided in single family homes that are operated by non-profits and social service providers.

As required by State law (SB2), the Moraga Municipal Code expressly states that supportive and transitional housing are subject to the same requirements and restrictions that apply to other residential uses of the same type in each zoning district. In other words, a residence used for transitional housing in a particular zoning district is subject to the same rules as a residence used by any other household in that district. The current Code is fully compliant with State law.

Emergency Shelter

Senate Bill 2 (SB2), which took effect on January 1, 2008, requires cities, towns, and counties to identify at least one zoning category in which emergency shelter can be located without discretionary approval from the local government. Cities are permitted to apply objective standards that regulate the number of beds or persons served, the size and location of client intake areas, the provision of on-

site management, the proximity to other shelters, length of stay and security. These provisions are found in Chapter 8.164 of the Moraga Municipal Code and were approved in 2014.

Shelters are permitted by right in the Institutional zoning district provided they meet the following standards:

- A maximum of 20 beds
- Maximum term of stay is six months during any consecutive 12-month period
- Conformance with all applicable state and local housing and building codes
- On-site security must be provided during all hours when the shelter is open
- Exterior lighting on pedestrian pathways and parking lot areas must be provided.
- Secure areas must be provided for personal property.
- The shelter may not exceed 50 percent of the total floor area used for a religious, college or institutional facility
- Two parking spaces per facility for staff, plus one space per six occupants allowed

Shelters are also subject to programmatic requirements addressing the maximum length of residency per client, transportation provisions for clients, appropriate State licensing, standards for food preparation, and other operational characteristics. Shelters are also required to complete a management plan, which must be approved by the Planning Department, Building Department, and Moraga-Orinda Fire District (MOFD). The Plan must address good neighbor issues, transportation, client services, food services, and other management issues, and include a floor plan.

~~The Institutional zoning district includes 403 acres of land and is largely comprised of property owned by Saint Mary's College, who was supportive of the amendment at the time it was adopted. The 2020 point-in-time homeless count identified four (4) unhoused persons in Moraga; the currently zoned acreage and sites are sufficient to meet this need.~~

The State of California recently limited the ability of local governments to base parking requirements for emergency shelters on the number of beds in the shelter. Under Government Code 65583(a)(4)(A), parking may only be required for staff working in the shelter. As such, the current requirement to provide one space per six occupants must be changed. A program in this Housing Element calls for this amendment.

Requirements for emergency shelter planning were modified by AB 2339, which became effective in 2023. AB 2339 requires that the Town verify that it has sufficient land capacity to meet the unmet need for shelter in the areas where such uses are permitted by right. A multiplier of 200 square feet per unsheltered resident is used by the State to make this determination. This equates to 800 square feet for Moraga (0.02 acres) based on the latest Point-in-Time count of four unhoused persons in the town.

Yellow highlighted text added on 6/29/23 per HCD guidance

The Institutional ("I") Zone has adequate capacity to accommodate 800 square feet of shelter, either on vacant land or through adaptive reuse of existing structures. The zone includes 403 acres, largely

corresponding to the Saint Mary's College campus. The developed portion of the campus is approximately 100 acres and includes a variety of buildings and structures that serve the academic, religious, professional, residential, athletic and logistical needs of the Christian Brothers, students, faculty and staff.

Yellow highlighted text added on 6/29/23 per HCD guidance

According to the Campus Master Plan, Saint Mary's includes 68 buildings totaling 9 69,000 gross square feet, along with 1,576 residence hall beds and 2,139 parking spaces. Within the developed part of campus, there are numerous vacant sites and athletic facilities, as well as large lawn areas and undeveloped sites with infill potential. The Campus Master Plan only identifies a handful of these sites for future improvements; most are uncommitted and could be developed as a shelter. According to the Campus Master Plan, the College does not envision major increases in enrollment during the next 15 years, but does anticipate improving and modernizing its facilities to meet evolving space needs.

Beyond the developed part of the campus, there are over 300 acres of undeveloped land within the Institutional Zone. While most of this area is hillside open space, there are many areas on the perimeter that could be improved for shelter.

Vacant sites at Saint Mary's are close to amenities and served by transit, making them viable locations for shelter. The campus is roughly a mile from Moraga Center and 1.6 miles from Rheem Center. These two mixed use districts include supermarkets, pharmacies, health care facilities, and a variety of social services. A pedestrian/bike trail connects the campus to Moraga Center. The campus is also accessible by public transit, including the County Connection #6 bus to the Town's commercial districts and the Lafayette and Orinda BART stations. Saint Mary's also has a partnership for shared ride subsidies with ride-hailing service Lyft.

AB 2339 further requires that the zones identified as appropriate for emergency shelter also allow residential uses or are otherwise suitable for housing based on their physical attributes and proximity to transit and other services. Because Moraga does not currently allow residential uses in the "I" zone, Program 37 of this Housing Element includes an action to amend the Institutional zone to permit residential uses by right. Residential uses already exist in this zoning district in the form of residence halls. The campus and environs do not have hazardous material issues or other constraints that would make them unsuitable for residential uses.

AB 2339 also requires that any standards for emergency shelters are "objective" and further requires local governments to maintain the capacity to meet the need for shelter throughout the eight-year planning period. Moraga meets the first part of this requirement through Municipal Code Chapter 8.164, described above. Program 37 addresses the second part of the requirement and includes a commitment to maintain adequate capacity for shelter through the planning period. Program 37 also updates the definition of emergency shelter to ensure that it meets current statutory requirements.

Housing for Persons with Disabilities

Persons with disabilities have a number of special housing needs related to the accessibility of dwelling units; access to transportation, employment, and commercial services; and alternative living arrangements that include on-site or nearby supportive services. Moraga's current policies and regulations support these needs and do not constrain the development of housing for persons with disabilities. The Town accommodates requests for special structures or appurtenances (e.g. access ramps or lifts) serving disabled persons on a ministerial basis. There are no additional zoning, building code, or permitting procedures other than those allowed by State law.

Both the Federal Fair Housing Act and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. For example, it may be reasonable to accommodate requests from persons with disabilities to waive a setback requirement or other standard of the Zoning Ordinance to ensure that homes are accessible for the mobility impaired.

Chapter 8.168 of the Municipal Code specifically addresses reasonable accommodation for disabled persons. Any person with a disability or their representative may request reasonable accommodation when a zoning requirement or other Town requirement becomes a barrier to fair housing opportunities. This request may cover modifications or exceptions to rules related to housing or housing-related facilities in order to provide a disabled person with equal opportunity to the housing of their choice.

The Town has established an application process and form, including information on the basis for which reasonable accommodation is requested. The request is reviewed by the Planning Director and a decision is rendered within 45 days of the application being deemed complete. The decision to grant or deny the request is based on specific factors related to the necessity of the modification, the impact on the town, the physical attributes of the property, the potential impact on surrounding uses and similar factors. The decision may be appealed.

Although the requirements for reasonable accommodation are compliant with State Law, the requirement that the modification consider its potential impact on surrounding uses is subjective. It could result in an essential modification being denied due to its visual effects, or it could result in changes to the request that make it more expensive or less feasible. A program in this Housing Element recommends changing the ordinance to add more objective language and ensure that requests are not denied unless they would create a health or safety hazard.

Family Housing

The Town's Municipal Code includes a definition of "family" as follows:

> *"Family" means: (i) Two or more persons related by birth, marriage, or adoption, or (ii) An individual or a group of persons living together who constitute a bona fide*

housekeeping unit in a dwelling unit, not including a fraternity, sorority, club, or other group of persons occupying a hotel, lodging house, or institution of any kind.

This is an inclusive definition that does not distinguish between related and unrelated persons and is consistent with California case law.

Low Barrier Navigation Centers (LBNCs)

LBNCs are low-barrier, temporary service-enriched shelters that help homeless individuals and families quickly obtain permanent shelter. Assembly Bill (AB) 101 established requirements for local jurisdictions to allow LBNCs as a permitted use in certain zoning districts, provided they meet specific criteria. These criteria include such features as allowing pets, providing privacy, giving residents the ability to store possessions, use of a coordinated entry system, and providing access to permanent housing. They must be allowed by right in mixed use and non-residential zoning districts where multi-family housing is permitted. LBNCs are not currently addressed in the Moraga Municipal Code, as AB 101 only recently became effective.

Single Room Occupancy (SRO) units

Single room occupancy (SRO) units provide housing opportunities for extremely low-income residents, including those at risk of homelessness or transitioning out of homelessness, persons with disabilities, and seniors. They are typically comprised of individual rooms, sometimes with private kitchen and bathroom facilities and sometimes with shared facilities. Units are rented on a monthly basis or longer and are usually 150 to 400 square feet. SROs are not expressly defined in the Moraga Municipal Code and are not listed as a permitted or conditional use in any of the Town's zoning districts. An action program in this Housing Element directs the Town to adopt objective standards and list SROs as a permitted or conditional use in at least one zoning district.

5.2.10: Cumulative Effects of Land Use Controls

Taken individually, many of the requirements and standards described in this analysis do not constrain the Town's ability to provide a variety of housing types or achieve the maximum densities allowed by zoning. However, the cumulative effect of these requirements has the potential to reduce the number of buildable units or affect a project's financial feasibility. Developers and property owners participating in the Housing Element Update identified several land use controls that, when considered cumulatively, could impede maximum housing yields. These have been identified throughout this chapter and are summarized below. Programs in Chapter 6 direct the Town to mitigate these constraints through specific zoning text and map changes.

Cumulative constraints include:

- R-6 zoning densities and development standards do not reflect "on the ground" conditions on most of the parcels where this zone is mapped (e.g., in the Ascot Drive area). Most of the structures in this zone were built in the 1960s and 1970s and do not conform to the R-6 density standards. In

addition, multi-family housing requires a CUP in this zone even though it is the predominant housing type.

- The R-6 standards for the MCSP area allow small lots and lot coverage limits that are conducive to medium-density housing but have lot width and setback requirements as well as an overall density limit, that could make it difficult to develop small lots. There is also a need to clarify how FAR standards are applied, and to potentially adjust the FAR standards themselves.
- The MCSP R-12 standards have setbacks that are typical of single-family neighborhoods, including a 50' lot width requirement; this could make it difficult to do small lot development without a Planned Development (PD) application. There is also a need to clarify in how FAR standards are applied, and to potentially adjust the FAR standards themselves.
- The R-20 standards are geared toward "pre-subdivision" conditions, including requirements for 2-3-acre development sites, minimum site width and length dimensions of 200 feet, and at least 60 units per project. The standards should be revised to allow for subdivision into smaller development parcels, and to accommodate development types such as townhomes without requiring a Planned Development (PD) application.
- Scenic corridor requirements in the MCSP area result in setback and stepback requirements that exceed those associated with the base zoning district and reduce the developable area of several housing sites.
- Parking standards do not differentiate between small apartments and single family homes; in the future, standards consistent with State Density Bonus Law will apply to most multi-family projects

Programs in this Housing Element have been included to address these constraints. In addition, the Town has been actively working with property owners to identify constraints throughout the Housing Element Update and is creating density bonuses, objective standards, new zoning districts, and revisions to its permitting processes to facilitate future high-density residential construction.

The cumulative effect of the various environmental regulations cited in this chapter (2018 Hillside and Ridgeline Ordinance, creek protection and tree protection requirements, etc.) also was raised during the Housing Element Update. These regulations affect site planning on some of the larger hillside properties designated for low-density or rural residential development. The Town has addressed this potential constraint through provisions for density transfers and planned developments. These provisions, which are considered best practices in land use planning and applied throughout California, enable the allowable number of units on a site to be transferred to areas with lesser environmental sensitivity. Clustering has the potential to reduce housing and development costs and allows for a greater diversity of housing products than conventional single family zoning. In addition, the Town is actively working to revise its Planned Development (PD) processes to reduce the number of steps required for applicants and make the process work more efficiently for applicants. This is addressed by a Program in this Housing Element. The local environmental regulations do not affect sites identified in this Housing Element as having the potential for low- or moderate-income units.

During the Housing Element Update, the Town also received a comment that the proposed replacement of a "Study" designation for Bollinger Canyon area with new zoning and General Plan designations could be considered a potential housing constraint. The Town initially applied the "Study" designation to this 423-acre area in its first General Plan and zoning ordinance in 1979, requiring that private landowners prepare a "study" prior to development on the site. While the Town has not counted this area as a housing opportunity site, it is moving forward with zoning and General Plan amendments to designate the area as 1 Dwelling Unit Per Acre (DUA), Rural Residential, and non-MOSO Open Space. The proposed designations would create the opportunity for the development of 51 new low-density housing units in this area, an opportunity that does not exist today. Rather than constraining development, the proposed designation would facilitate opportunities for an appropriate number of units in an environmentally sensitive area with limited road and infrastructure access.

Finally, the regulations listed above do not conflict with the Housing Crisis Act of 2019 (SB 330), which became effective on January 1, 2020. Consistency with SB 330 is being addressed through separate correspondence from the Town Attorney's office.

5.2.11: Local Processing and Permitting Procedures

Processing and permitting procedures can become a housing constraint when they add significantly to the time required for development approval. Constraints can also occur when the required permits must be obtained sequentially (i.e., one at a time) rather than concurrently, and when the findings for issuing a permit are vague or subjective. Increased time, additional meetings, and multiple appeal opportunities can mean increased cost and uncertainty. This is particularly true for projects in environmentally sensitive areas, which may also require permits from state and federal resource agencies. Large projects on undeveloped sites may also require environmental impact reports. In such instances, it is not uncommon for approval to take several years. This is true for all communities in the Bay Area and is not unique to Moraga. Smaller projects and urban infill projects can be processed more quickly.

In Moraga, building permitting and inspection is performed by the Contra Costa County Department of Conservation and Development. This is more cost-effective and efficient for applicants than the Town maintaining its own building department. Most interior residential alterations can be processed with a simple building permit. Minor exterior alterations such as window and door replacement require Administrative (staff) Review. This requires noticing of neighbors, which extends the review period and increases the potential for appeals or modification requests. More significant alterations and additions may require design review, although in many cases this is still an administrative process performed by staff.

Larger projects such as subdivisions and planned developments require review by the Planning Commission and/or Town Council. All new single family homes likewise require review by the Planning Commission. Many project types are also subject to plan checking and review by the Moraga-Orinda Fire District and the Central Contra Costa Sanitary District (Central San).

All projects are subject to the requirements of the State's Permit Streamlining Act (PSA). This requires that a formal decision be made on planning applications within 60 days after they are deemed complete. Actual processing time is typically shorter than 60 days. However, it is not uncommon for applications to be found incomplete on the first submittal, which can extend the review time. Projects requiring Planning Commission approval typically require a month's lead time to be scheduled for a hearing once an application is deemed complete. Most planning decisions are subject to a 10-day appeal process.

The Town also facilitates environmental review as required by the California Environmental Quality Act (CEQA). Many projects are categorically exempt from CEQA but some projects may require a Negative Declaration, Environmental Impact Report, or other form of CEQA documentation. Under PRC 21080.1 & 21080.2, a lead agency must determine if a housing development is exempt from CEQA within 30 days of receiving a complete application. If a project is deemed exempt, this triggers the 60-day approval requirement described in the previous paragraph. While Moraga complies with this requirement, it does not issue a formal determination of CEQA exemption within 30 days of an application being deemed complete. Program 28 in this Housing Element recommends a change in development processing procedures to issue such determinations.

Table 5-7 shows the typical permit processing times for applications in 2022. A building permit is typically processed by one to two days by the Town (excluding County processing time), while most Administrative Design Review applications are processed within 45 days. Projects requiring Planning Commission review are typically approved within 90 to 150 days. The longest review times are associated with planned development applications. The process is designed to take 12 to 24 months for full approval and permitting. However, public opposition and appeals on recent projects have resulted in approval timelines that are significantly longer—in some cases, over four years.

Table 5-7: Typical Permit Processing Times

Type of Permit/ Approval	Typical Timeframe
Building Permit, No Design Review	1-2 days (for Town, excludes County processing)
Building Permit with Administrative Design Review	45 days
Minor Subdivision/ Site Plan Review	150 days
Use Permit	120 days
Major Subdivision/ Tentative Map	12-24 months
Planned Development (based on recent projects)	24-48 months (*)

Source: Town of Moraga, 2022, based on recent projects. Excludes delays that may result from incomplete submittals.
(*) Process is designed to take 12-24 months, but recent projects have taken 2.5 to 4.5 years, with an average of 10 public meetings

Figure 5-1 illustrates the plan review process for several different types of applications. Four specific processes are highlighted below: approval of a single family home, approval of a multi-family (R6) project, approval of a subdivision, and approval of a Planned Development (PD).

Figure 5-1: : Typical Processing Procedures by Project Type

Single Family Home (in a single family zone)

Multi-family Development in an R6 Zone

Subdivision less than 10 acres

Planned Development

Planned Development Process

The Town has established procedures to allow variations from zoning standards through the planned development (PD) process. Generally, PDs provide opportunities for cohesive design on larger sites and allow projects that have a more harmonious relationship to site conditions. They can also accommodate variation in lot size and housing type, as well as the dedication of larger areas as open space.

The Moraga General Plan requires that development on any property larger than 10 acres and all parcels zoned R-6 must be processed as a PD. Projects in all other zoning districts and on all sites smaller than 10 acres do not require a PD. However, applicants may choose to use the PD process to propose variations from zoning standards.

All land uses are permitted in PD zones, including housing. Creation of a PD is a discretionary process involving multiple steps. PDs are subject to a unique set of standards for lot sizes, including allowances for smaller lots than are allowed in the base zoning district. While the number of units on a site is set by the base zoning density, the siting of these units can vary. Density in PDs is effectively "transferred" from one part of a pre-subdivided property to another, with housing clustered in areas where construction has less impact or is more feasible.

Site-specific development standards for each PD are developed through a series of Planning Commission hearings. These standards may cover lot coverage, density, building design and arrangement, setbacks, parking, circulation, access, lighting, fencing, landscaping, screening, and other project features. The PD standards are oriented toward single family subdivisions, although they apply to all housing types. A commercial PD process has been developed for commercial and mixed use projects. The current PD process was adopted from the County's regulations when the Town incorporated in 1974 and is over 48 years old.

There are three stages of development plan approval required in the PD district:

- First, a conceptual development plan (CDP) is required. This includes a site plan showing topography, land uses, proposed grading, and the general distribution of buildings, circulation features, and open space as well as an evaluation of fiscal costs and public facility needs. Environmental review also occurs at this stage. A Planning Commission hearing to consider the application is conducted, and specific findings must be made before the Commission can approve the application. Additional findings must be made for hillside projects.

- Second, a general development plan (GDP) is required. Additional requirements apply, such as requirements for a property survey, including tree locations, and a project phasing plan and statement of design principles. Engineering feasibility studies also may be required. This plan is again subject to a Planning Commission hearing and approval.

- Third, a precise development plan (PDP) is required. This includes more specific site planning detail, grading and engineering plans, utility plans, floor plans, and exterior elevations. These are subject to a final Planning Commission hearing.

At each step, Planning Commission decisions may be appealed to the Town Council. In addition, the Commission may impose conditions and requirements at each step, if it finds it necessary to carry out the purpose and intent of the district. Building permits may only be issued after the third stage of this process has been completed.

The decision-making criteria used to approve a PD include a series of discretionary findings, summarized as follows[11]:

- The development can exist as an independent unit, capable of creating an environment of sustained desirability and stability
- Streets and thoroughfares are adequate to carry anticipated traffic
- Development other than single family residential is consistent with the general plan
- The exceptions are warranted by the design and amenities in the plan
- Utilities are adequate for the densities proposed
- The project meets hillside development and MSCP requirements, if applicable

Some of these findings could be considered subjective, particularly the first bullet which calls for an "environment of sustained desirability and stability." Moreover, the third bullet suggests a different standard be applied to development that is not single family residential. These should be revisited as the PD process is revised.

The number of steps and hearings required for the PD process are potential development constraints. Many decisions about project design are made during the CDP phase, making it difficult to modify the plan once this phase has been completed. This includes environmental review, which is costly to redo in the event the applicant wishes to change their plans. The PD process needs to be better aligned with Moraga's General Plan goals and policies. The Town is revising the process concurrently with the Housing Element update and intends to adopt a revised procedure in tandem with the General Plan Update in 2023 and 2024. Program 26 in this Housing Element acknowledges that the PD process needs to be updated and commits to carrying this out by 2024. This includes revising the findings to be more objective, reducing the number of hearings and rounds of review required, and allowing for concurrent review and approval of other permits (including hillside development permits) during PD approval.
~~The findings cited above will be reviewed as part of this process and revised as necessary. The goal of the revisions is to align the General Plan goals and policies with the PD zoning district, while reducing the number of hearings and rounds of review required, thus reducing the processing costs and lengthy approval procedures for applicants.~~

None of the sites identified in this Housing Element as having the potential for lower-income units would require PD zoning. In other words, all of the lower-income sites are smaller than 10 acres and

[11] Findings are at 8.48.100 of the Municipal Code. They are paraphrased here for brevity.

none are in the R-6 zone.[12] Developers of the lower-income sites could voluntarily choose to apply for PD zoning if they wished to propose variations from adopted zoning standards. This will become less likely in the future, due to the adoption of new mixed use zoning standards for the Rheem Park area, ~~and the~~ modifications to the MCSP zones described in Chapter 6 of this Housing Element, and the recent adoption of objective design and development standards that allow by right approval of multi-family development in the R-24 and mixed use zoning districts.

Design Review Process

Chapter 8.72 of the Municipal Code establishes requirements for design review in Moraga. The intent of these requirements is to protect the health, safety and welfare of the town by regulating the appearance of open spaces, buildings, and structures. Design review is required in all land use districts and applies to additions and alterations as well as new construction. Certain projects are exempt such as routine maintenance, remodeling that does not change the exterior of a building by more than 10%, replacement of existing features with similar features, minor changes to windows and doors, changes in roof material, demolition of most outdoor features, and minor changes to approved plans. As stated previously the 10% threshold is a constraint for projects such as on window replacement, door replacement and garage door updates.

Responsibility for design review applications is assigned to the Planning Director, who serves as the Town's "design review administrator." Most applications related to single family homes may be approved administratively if they meet the Town's design review standards – or denied if they do not.

Certain types of projects require review by the Town's design review board (DRB). These include new single family residences and subdivisions, as well as new multi-family and mixed use projects. In 2020, the Town Council combined the DRB and the Planning Commission, so the same seven-member board now has design review and planning review authority. The merger was an efficiency measure to reduce the time required for approval or number of hearings required. Because the Planning Commission and DRB are now the same body, design review permits can be issued concurrently with other Planning Commission permits and do not require additional hearings.

The DRB/ Planning Commission considers factors such as height, bulk, mass, fences, walls, screening, landscaping, colors, safety, and the relationship to surround properties in their review. The Town has developed design guidelines to help inform this process. In single family districts, the DRB/ Planning Commission considers if the project will "contribute to the character and image of the town as a place of beauty, spaciousness, balance, taste, fitness, broad vistas, and high quality." It further considers the effect of the project on property values, and the potential for the project to discourage the maintenance and improvement of surrounding properties. Special design requirements apply to homes with elevated building pads.

[12] The Town has followed HCD guidance and not identified sites larger than 10 acres for lower income housing. R-6 sites are ineligible to be counted as lower income sites as they only allow 6 units per acre.

Different standards have been developed for multi-family, mixed use, and commercial zones. These zones have their own set of exempted projects (also covering most maintenance and renovation projects). All new multi-family or mixed use construction requires design review by the DRB/Planning Commission. Applicants are required to submit a site plan and architectural drawings and may be asked to provide additional information such as photographs, story poles, and supplemental analyses. Applications are reviewed based on their overall height, mass and bulk; special features such as walls and towers; exterior colors; concealment of mechanical equipment; landscaping; and relationship to existing and proposed adjoining development. The standards used to evaluate applications are similar to those for single family homes but may include additional factors such as noise and vibration.

The DRB/Planning Commission has the authority to approve design review applications following a public hearing. Such hearings are subject to various noticing requirements and procedures. Decisions are appealable to the Town Council. Similarly, design review applications that are administratively approved by staff may be appealed to the DRB/ Planning Commission. A program in this Housing Element proposes revisions to the design review process to make the process less subjective and allow a larger number of projects to be processed ministerially.

SB 330 and SB 35 Expedited Processing Procedures

Senate Bill (SB) 330 was approved by the State legislature in 2019 to provide an expedited review and approval process for new housing. The process enables developers to submit a "preliminary application"—essentially a checklist and questionnaire that shields the project from subsequent fee increases or changes in regulations once the application is deemed complete. All residential projects are eligible for SB 330 unless the square footage or unit count increases by 20 percent or more after the preliminary application is completed. A full application must be submitted within 180 days of the preliminary application. Decisions on housing projects submitted under SB 330 must be rendered after no more than five total public hearings.

The Town of Moraga has developed an SB 330 preliminary application form and has posted the required procedures on it website. This option can potentially lead to expedited approvals.

The Town also has developed on-line application materials and information for projects eligible for processing under Senate Bill (SB) 35. SB 35 became effective in 2018 and requires cities and towns to use a streamlined "by right" review process for multi-family projects that comply with objective planning standards, provide specified levels of affordable housing, and meet other specific requirements. Proposed projects in Moraga with more than 10 units of housing must reserve at least half of the units for lower income households to be eligible. There are additional requirements related to the payment of prevailing wages to construction workers. Qualifying projects are subject to lower parking standards but must otherwise comply with all adopted development standards and plans.

Impacts of Processing and Permitting Procedures on Housing Production

Requirements for discretionary approval by the Planning Commission and/or Town Council have the potential to impact the number of units in a project, as well as the cost, timing, and feasibility of

development. Some of these approvals are based on findings related to visual compatibility, impacts on property values, and other factors that are inherently subjective. The Town is in the process of replacing many of its design *guidelines* with more objective design *standards*, allowing more predictable outcomes and reducing the length of time required for approval. As noted above, a program in this Housing Element also recommends revisions to the Planned Development (PD) process to reduce the number of steps required and the length of time for project review.

The processing and permitting procedures described here affect projects in lower density zones and sites larger than 10 acres. They do not generally affect the sites identified in this Element for lower- and moderate-income housing. The MCSP includes objective standards for projects in the R-20, MCSP-RR, and MCSP-OR zoning districts. The Town is also adopting objective standards for projects in the two new Rheem Park area mixed use zones. These standards are intended to reduce the need for PDs and other permit types requiring discretionary approval.

The Town also recognizes that processing and permitting procedures may also affect the ability to expand and improve existing homes. Specifically, requirements for neighborhood notification for design review applications for minor home improvements should be streamlined. These processes add an element of uncertainty to home remodels and additions and add to the time and cost required for such projects. As noted earlier in this chapter, design guidelines and review procedures have been used to limit second story additions in some cases, despite a 35-foot height limit in single family zoning districts. A program in this Housing Element recommends changes to existing design review guidelines and procedures to address such constraints.

Multi-family housing and mixed use projects in Moraga are permitted "by right" in the R-24, MCSP-RR, MCSP-OR, RMCR, RMOR zoning districts. The Town has adopted objective development design standards for all of these districts to reduce the number of permits and hearings required. Projects in the MCSP zones are **exempt** from Hillside Development Permit (HDP) requirements, and projects in the Rheem zones would not trigger such requirements as the topography in those zones is flat. This provides a significant advantage for multi-family housing relative to single family housing. Single family subdivisions are typically on undeveloped properties, whereas multi-family housing is typically located on urban infill sites that are relatively flat.

There are no specific permits related to development in a scenic corridor, although conformance with scenic corridor design standards and guidelines is considered in the issuance of a design review permit. Design review permits are required for most new residential construction, and the review authority varies depending on the size and scope of the project. The Municipal Code should be clarified to indicate the authority of the Planning Director (vs the Planning Commission/Design Review Board) to issue design review permits for projects eligible for ministerial review. In either case, the review authority focuses only on conformance to design standards, and not approval of the project itself (since it is allowed by right).

Single family subdivisions in Moraga typically take longer to process than multi-family and mixed use projects, as they often are processed as PD applications and occur on sloped sites where Hillside

Development Permits and grading permits are required. As noted earlier, HDPs and grading permits can be issued concurrently with planning and design review permits, but the three-step PD process tends to result in long approval processes and multiple hearings. Grading permits require findings of consistency with the Town's design guidelines and hillside regulations, as well as findings that the grading will not be detrimental to public safety or stormwater runoff, minimize soil displacement and the need for retaining walls, and maintain natural contours. This has not presented a constraint in the past, though the limits on retaining wall height and finished slopes should be evaluated as part of the revision to the PD process.

Several recent examples illustrate the Town's commitment to processing applications for permits concurrently rather than in sequence. For instance, the 10-unit Los Encinos subdivision was approved in 2019 through a single resolution that covered the grading permit, design review approval, and the Vesting Tentative Map modification. The 7-unit Hetfield Estates planned development was approved in 2022 through a resolution that covered the Precise Development Plan (the final permit required in the PD process), the grading permit, and the design review permit.

A number of programs in Chapter 6 of this Housing Element have been included to support continued streamlining of development review procedures. These include Program 26 to revise the Planned Development process, Program 28 to streamline development review timing and CEQA, and Program 30 to streamline design review.

5.2.12: Building Codes and Code Enforcement

Moraga has adopted the 2019 California Building Standards Code. The Code includes the 2019 California Building, Residential, Green Building, Electrical, Plumbing, Mechanical, and Existing Building Codes. The codes are enforced by the Building Inspection Division of the Contra Costa County Department of Conservation and Development, which also provides building inspection services to the Town. While building codes impact the cost of housing, they are also essential to ensure the safety of occupants.

Health and Safety Code Sections 17958.5 and 18941.5 authorize a jurisdiction to modify State Building Codes and establish more restrictive standards if the jurisdiction finds that the changes are needed due to local climatic, geological, or topographical conditions. Contra Costa County has adopted a number of such amendments, responding to earthquake, fire, landslide, and other hazards, and those apply in Moraga. Local (County) amendments include special requirements for smoke detectors, fire-treating of wood shake or shingle roof and wall materials, special inspections for concrete (for seismic safety), and more restrictive electric vehicle charging standards. These amendments do not significantly increase the cost of construction relative to other Bay Area communities.

Code enforcement is not a development constraint in Moraga and is an important part of sustaining the Town's existing housing stock. Enforcement is complaint-based, with some calls initially received by the Town's Planning Department and others filed via a mobile app (Mobile Moraga). Because

Moraga does not have a Code Enforcement Division, it works with the County Building Department and other County Departments to resolve and respond to cases relating to illegal construction, unsafe building conditions, or hazards. Complaints are relatively uncommon, as the Town's housing stock is in excellent condition.

5.2.13: Site Improvement Standards and Requirements

New development is responsible for completing on-site improvements such as curbs, gutters, sidewalks, street tree planting, and utility connections. Larger projects are responsible for providing onsite drainage systems as well as water and sewer lines in the rights-of-way. New roads that are internal to subdivisions and planned developments are typically constructed by the developer and dedicated to the Town as public streets. In some instances, off-site improvements such as traffic signals, turning lanes, and sewer replacement, may be required to address external project impacts.

The Town's site improvement standards are established by the Subdivision Ordinance. These include a 52 foot right of way requirement for local public streets, with a curb-to-curb width of 36 feet (two 10-foot travel lanes and two 8-foot parking lanes). Larger rights-of-way are required for collector streets, arterials, four-lane streets, and streets with medians. Narrower rights-of-way are permitted for private streets, but a 36' curb to curb width is still required. The Subdivision Ordinance also establishes maximum slopes for different street types, as well as standards for pavement and pavement management. In addition, State fire codes establish requirements for access points into subdivisions, including a requirement that subdivisions with over 25 lots must have two access points. Central San and the Moraga Orinda Fire District may identify additional requirements and improvements to protect water quality and ensure fire safety and emergency access.

5.2.14: Development and Permitting Fees

The Town of Moraga is in full compliance with Government Code Section 65940.1(a)(1). This section of the Government Code requires local governments to post "a current schedule of all fees, exactions, and affordability requirements" on its website, as well as fee studies and fee schedules for five prior periods. As required by State law, the Town also posts zoning ordinances and development standards on its website. This information is regularly updated as zoning ordinances change and as fees are updated or added.

Table 5-8 shows the development fees that would be charged for a hypothetical new single family home in Moraga. The total is almost $80,000, which represents approximately 14 percent of the permit valuation of $582,000. More than 75 percent of the total is associated with impact fees. These include a school fee ($9,854), a sanitary district connection fee ($9,300), a general government fee ($7,710), and two park-related fees totaling about $23,000 per unit. There is also a Lamorinda Fee and Financing Authority charge of $8,472 per unit to offset traffic impacts, which is collected under a joint powers agreement between Moraga, Orinda, and Lafayette.

The Table assumes a project location outside the MCSP area. Residential uses within the MCSP area are subject to a Specific Plan recovery fee, which ranges from $412/unit for senior housing to $1,185

for a conventional single family home. Other impact fees cover storm drain impacts and public safety. Most of the impact fees are collected a per unit (house) basis but a few are based on square footage.

Entitlement fees cover costs such as design review and study sessions. These are based on the actual cost of staff time to process the permits, which is calculated using an hourly rate. Deposits are collected at the time of application submittal. The Planning Department collects the balance based on staff's equivalent hourly rate, as the Town's services are performed on a cost recovery basis. The amount shown for design review in Table 5-8 is for the deposit, which is often less than the full amount required to complete an application. Since 2021, the Town also has collected a 10 percent advanced planning fee to fund the cost of long-range planning activities. Building permit fees vary based on construction value. In the hypothetical example in Table 5-8, they are about $12,800 for a $582,000 project.

Table 5-9 provides similar information for a hypothetical 100-unit apartment building, including an estimate of the total cost per unit. In this instance, the impact fees make up an even larger share of the total cost. Based on the assumptions shown in the Table, about 85 percent of the permitting cost would be impact fees. Unit costs are generally lower for multi-family homes than for single family homes, but in a 100-unit project (with units valued at $500,000 each) they would still be about $50,000 a unit. The entitlement fees shown in would likely be higher than the amounts shown in the table, given the cost of staff reports and preparation for Planning Commission/ Design Review hearings. The total amount paid in fees represents about 10 percent of the estimated construction costs.

Table 5-10 compares fees for a hypothetical single family project in Moraga with fees for single family homes in other cities and towns in Contra Costa County. This analysis was performed by the Contra Costa Collaborative, a technical support initiative funded by ABAG to help local governments in Contra Costa County with their housing element updates. While it is only intended to convey "order of magnitude" differences, it provides a helpful comparison between cities.

Moraga's fees are somewhat higher than the countywide average. This is primarily due to impact fees, some of which are set by other agencies. All of the Town's fees are set to cover the actual cost of delivering services. Because Moraga is a residential community, its ability to cover development costs through other municipal revenues such as sales taxes and commercial property taxes is very limited.

The Town's park impact fees are somewhat higher than park fees in nearby communities. For single family homes, Moraga's fees are 12 percent than Lafayette's and six percent higher than Orinda's. For multi-family homes, Moraga's fees are 20 percent higher than Lafayette's and roughly the same as Orinda's. On a per-unit basis, the park fee in Moraga is 35 percent lower for multi-family housing than it is for single family housing. It is 50 percent lower for senior housing. This fee structure recognizes that multi-family and senior housing units are usually smaller than single family homes, and the households themselves are also smaller.

Despite the reductions for higher-density housing, there may be more equitable ways to calculate parkland acquisition and improvement fees. A fee based on the number of bedrooms or square

footage could result in substantially lower fees for studios and one-bedroom units than for three- and four-bedroom units. The City of Fremont has taken this approach in its fee structure, with the park fee for a studio apartment representing just 30 percent of the park fee for a four-bedroom house. Moraga should consider a similar approach in its next park impact fee nexus study, creating incentives for multi-family housing and other special needs housing types. Program 29 (Chapter 6) provides guidance on fee deferrals and new metrics for calculating fees to address this issue.

Table 5-8: Permitting Fees for a Hypothetical Single-Family Home

(based on a 3,100 square foot home with a permit valuation of $582,800)

	Multiplier	Per	Cost (*)
Entitlement Fees			
Design Review (*)	$5,000	Dep	$5,000.00
Advanced Planning Fee	10% of planning fees		$500.00
Fire Dept Design Review	$339	Set	$339.00
Sub-Total Entitlement Fees			$5,839.00
Building Fees			
Building Permit Fee	Based on Valuation		$540.13
Building Plan Check Fee	Based on Valuation		$3,215.06
Construction Inspection Fee	Based on Valuation		$3,733.66
Energy Compliance	Based on Valuation		$1,148.26
Access Compliance	Based on Valuation		$2,183.26
Electrical Inspection	Based on Valuation		$364.04
Mechanical Inspection	Based on Valuation		$364.04
Plumbing Inspection	Based on Valuation		$364.04
Planning Review	$215	Set	$215.00
Fire Review	$544	Set	$544.00
SMIP Fee	0.013%	Val	$75.76
CA Building Standards Fee	$1 per $25K valuation		$23.31
Sub-Total Building Fees			$12,770.58
Impact Fees			
School District Fee	$3.79	SF	$9,854.00
CCC Sanitary District Connection Fee	$9,300.00	Unit	$9,300.00
General Government Impact Fee	$7,710.00	Unit	$7,710.00
Public Safety Impact Fee	$851.00	Unit	$851.00
Park Development Impact Fee	$9,581.00	Unit	$9,581.00
Storm Drain Impact Fee	$419 per 1k SF of Impervious Surface		$1,298.90
Parkland Development In-Lieu Fee	$13,933.00	Unit	$13,933.00
Lamorinda Fee and Finance Authority	$8,472.08	Unit	$8,472.08
Total Impact Fees			$60.999.98
Total Project Fees			**$79,609.56**

Source: Contra Costa County Housing Collaborative, 2022. Town of Moraga, 2022.

(*) Cost shown for design review is the deposit only. The actual cost may be substantially higher.

Table 5-9: Permitting Fees for a Hypothetical 100-unit Multi-Family Housing Development

(based on a 100-unit project with 800 square foot units with a permit valuation of $50,000,000)

	Multiplier	Per	Cost
Entitlement Fees			
Study Session- New Construction	$3,000	Dep*	$3,000.00
Design Review	$5,000	Dep*	$5,000.00
Land Use Permit	$3,500	Dep*	$3,500.00
Advanced Planning Fee	10% of planning fees		$1,000.00
Fire Dept Design Review	$339	Set	$339.00
Sub-Total Entitlement Fees			$12,839.00
Building Fees			
Building Permit Fee	Based on Valuation		$86,019.00
Building Plan Check Fee	Based on Valuation		$269,085.00
Land Development Fee	Based on Valuation		$212,052.00
Energy Compliance	Based on Valuation		$43,009.00
Access Compliance	Based on Valuation		$62,006.00
Electrical Inspection	Based on Valuation		$23,000.00
Mechanical Inspection	Based on Valuation		$23,000.00
Plumbing Inspection	Based on Valuation		$23,000.00
Drainage Plan Review	Based on area		$1,000.00
Earthquake Fee	0.013%	Val	$6,500.00
CA Building Standards Fee	$1 per $25K valuation		$2,000.00
Sub-Total Building Fees			$750,671.00
Impact Fees			
School District Fee	$3.79	SF	$303,200.00
CCC Sanitary District Connection Fee	$9,300.00	Unit	$930,000.00
General Government Impact Fee	$5,727.00	Unit	$572,700.00
Public Safety Impact Fee	$631.00	Unit	$63,100.00
Park Development Impact Fee	$7,118.00	Unit	$711,800.00
Storm Drain Impact Fee	$481 per 1k SF of Impervious Surface		$24,050.00
Parkland Development In-Lieu Fee	$10,350.00	Unit	$1,035,000.00
Lamorinda Fee and Finance Authority	$6,191.00	Unit	$619,100.00
Total Impact Fees			$4,258,950.00
Total Project Fees			**$5,022,460.00**
Cost Per Unit			**$50,224.60**

Source: Contra Costa County Housing Collaborative, 2022; Town of Moraga, 2022; Contra Costa County Department of Conservation and Development

(*) The amounts shown here are for deposits. The actual costs would likely be higher, as they are based on actual staff costs associated with processing each permit.

Table 5-10: Comparison of Average Permit Costs in Contra Costa County Jurisdictions

	Permitting Cost for a Single Family Home
Antioch	$22,146.24
Danville	$62,489.24
Lafayette	$68,946.25
Hercules	$64,064.99
Clayton	$39,160.00
Pinole	$56,665.77
Brentwood	$113,158.84
Concord	$47,248.07
El Cerrito	$57,356.24
Moraga	$79,606.56
Martinez	$58,701.86
Oakley	$70,088.22
Orinda	$64,627.76
Pittsburg	$60,830.46
Pleasant Hill	$30,927.67
Richmond	$45,694.42
San Pablo	$29,498.69
San Ramon	$100,495.59
Walnut Creek	$31,004.88
Average Cost	*$58,327.09*

Source: Contra Costa County Housing Collaborative, 2022

5.3: Non-Governmental Constraints

A variety of non-governmental constraints impact the maintenance, improvement, and development of housing in a community. These constraints could include market-related conditions, such as the availability of financing and land and construction costs, as well as community opposition to new development.

5.3.1: Availability of Financing

The availability of financing can have an impact on the supply and cost of housing. There are generally two types of financing used in the housing market: (1) capital used for initial site preparation and construction; and (2) capital used to finance the purchase of units by homeowners and investors. Interest rates substantially impact home construction, purchase, and improvement costs. A small fluctuation in rates can make a dramatic difference in the annual income needed to qualify for a loan. Interest rates have increased during 2022, following a period of record lows. However, they remain relatively low in historical terms. In general, financing is available for new construction, rehabilitation, and refinancing.

While financing is available for market-rate development, limited availability of funding to subsidize affordable projects is an impediment to the construction of affordable housing. This is true not only in the Bay Area, but throughout California and the U.S. Most affordable housing developments require several sources of financing to become feasible, including bank loans as well as federal, State, local, and philanthropic funding. Major sources of funding include low-income housing tax credits, Affordable Housing and Sustainable Communities funding, HOME funds, and Community Development Block Grant (CDBG) funds.

Low-income housing tax credits are issued to the State of California by the federal government. The State awards the tax credits to developers of affordable rental projects on a competitive basis. Developers sell the credits to private investors to obtain funding for their projects. These investors can then claim the tax credit deduction over a 10-year period. Currently, State formulas for allocating tax credits favor “high-resource” areas, as these areas have historically had the most limited opportunities for lower income households. All three of the Lamorinda area cities are in the highest resource category. However, the supply of tax credits overall remains very limited.

5.3.2: Cost of Land

Land is one of the largest components of housing development cost. It is influenced by many factors including location, lot size, zoning, accessibility, availability of services, and existing infrastructure. There have been relatively few sales of vacant land in Moraga in recent years, and therefore there is limited information on the cost of land in the Town. Among recent sales, prices ranged from approximately $25,000 per acre to approximately $3.5 million per acre. Some of these sites were zoned for open space or for residential development at very low densities. Land prices could be significantly higher for sites with more significant potential for residential development.

Land costs in the Bay Area often exceed $200,000 per single family unit, while land costs for multifamily units can range from $25,000 per unit to over $100,000 per unit, depending on the location. While there is limited data on land cost in Moraga specifically, it represents a significant component of total housing costs and constraint to affordability.

5.3.3: Construction Costs

Construction costs have increased substantially over the past several years and are often cited as a key barrier to the production of housing. Causes for the increase in construction costs include increases in the cost of materials as well as increases in labor costs. In recent years, several factors have increased cost of materials, including global trade patterns and federal policy decisions, such as tariffs, as well as state and local regulations, such as building codes. Most recently, the elevated construction demand due to wildfire reconstruction has been compounded by the COVID-19 pandemic in influencing the cost and availability of construction labor and materials. California has also seen a severe tightening in the construction labor market, especially for workers trained in specific construction trades. The lack of an available labor force drives up the cost of labor and leads to project delays as workers are either unavailable or lost to more profitable projects.

According to construction cost data published by RS Means, the per square foot cost of single-family construction in Moraga is approximately $289 per square foot, not including site improvement costs. Site improvement costs may be over $50,000 per lot; this can vary substantially due to contributing factors such as the size of the lot, availability of water and sewer connections, soil conditions, and other conditions that could impact costs. In total, construction costs for a single-family Moraga home would likely exceed $630,000 for a 2,000 square foot single family home, before including the cost of land. With the addition of financing costs, permits and fees, other soft costs, and a builder profit of approximately ten percent, the cost to a homebuyer would almost certainly exceed one million dollars.

For multifamily development, RS Means indicates that per square foot construction costs in Moraga would be approximately $278 per square foot. Assuming an average of 1.5 parking spaces per unit, the cost of podium parking could add $75,000 or more to the per-unit construction cost. After factoring in $25,000 in site improvement costs per unit, financing costs, permits and fees, and other soft costs totaling approximately 30 percent of hard costs, the development cost for a 900 square-foot multifamily unit could be approximately $475,000, before including the cost of land.

Information provided in low-income housing tax credit applications submitted to the California Tax Credit Allocation Committee (TCAC) suggests that the typical cost to construct a new affordable unit (i.e., total development costs) in Contra Costa County is approximately $550,000 to $600,000 per unit, including the cost of land. This may be an underestimate of the typical cost in Moraga because the TCAC applications include lower-cost areas of the County, where land costs are lower than would be typical in the Lamorinda area.

Within the 6th Housing Element Cycle, the Town of Moraga will seek to mitigate some of the impacts of high development costs in part by increasing development capacity on rezoned sites, as discussed in the Housing Sites Analysis and Housing Plan chapters of the Housing Element. The figures provided

above demonstrate that the cost to construct a multifamily unit is significantly lower than the cost to construct a single-family unit. Therefore, rezoning to allow for more multifamily development will facilitate the production of housing that is more affordable "by design" as well as housing that is formally affordable due to the use of subsidy and tax credit programs.

The Housing Plan also includes a program that will reduce parking requirements for studios and one-bedroom units, which will help to lower multifamily development costs. In addition, the Town will take actions to streamline the development process, including approving multifamily development by right, and establishing objective design standards which can help to reduce time and uncertainty in the development process and lower overall development costs.

5.3.4: Time Between Approval and Building Permits

In most cases, the time between project approvals and the issuance of building permits in Moraga is relatively short. However, there are three residential projects in Moraga that were approved at least five years prior to the preparation of this Housing Element Update, and which have not yet been constructed. This could be due to a number of factors, including funding constraints, construction labor shortages, increases in construction costs that could lead to unexpected cost increases after project approval, and time needed to finalize project design. In addition, some property owners seek to entitle projects and plan to sell the entitled property to a developer and may struggle to find developer interest for the specific project that is entitled on the site.

The Housing Plan chapter of this Housing Element Update includes a program that states that Town staff will meet with developers, homeowners, and other applicants on an annual basis to identify ways to reduce developer costs, increase the feasibility of projects, and address potential barriers to housing construction. These meetings would be an opportunity for developers to discuss any issues that are preventing construction of approved projects and seek opportunities to work with the Town to overcome barriers to construction.

5.3.5: Projects Developing Below Maximum Allowable Densities

Another potential non-governmental constraint is that developers may propose projects that are below the densities allowed by zoning. This includes building single family homes on sites zoned for multi-family housing. It also includes subdivisions with larger lots and thus fewer units than were anticipated in local housing plans. In the Moraga Center Specific Plan (MCSP) area, the Town has adopted "minimum densities" as well as "maximum densities," reducing the potential for "underdevelopment" of higher-value sites. For instance, the R-20 zone established a minimum density of 16 units per acre while the MCSP mixed use zones include minimum densities of 12 units per acre.

Recent data for residential projects shows that most are developing close to their General Plan and zoning designations. However, most of these designations were assigned through Planned Development applications. Examples include:

- Moraga Town Center Homes, which include 36 units on 3.06 acres (11.7 units per acre). This is very close to the 12 unit/acre density approved when the site was rezoned from Suburban Office to Planned Development.
- Harvest Court, which included 26 units on an 8.7 acre site (excluding 2.5 acres dedicated as a park). The density is 3 units per acre, which is equal to what was allowed by zoning.
- Via Moraga, which included 17 units on a 1.9 acre site (8.9 units per acre). This is close to the 10 unit/acre density approved when the site was rezoned from Limited Commercial to Planned Development.
- Bella Vista, which included 27 units on 179 acres, equivalent to a density of 1 unit per 6.6 acres. In this instance, the site had open space planning and zoning designations. The allowable number of units was determined through a PD process, and ultimately resulted in 27 units on 27 acres, or a density of one unit per acre. The remaining 152 acres was dedicated as permanent open space.
- Los Encinos, which included 10 lots on a 7-acre site, equivalent to a density of 1.4 units per acre. Zoning allows 3 units per acre, but the development site was originally part of a 65-acre parcel designated as open space.
- Hetfield Estates, which included 7 lots on a 58-acre site, equivalent to a density of one unit per 8.2 acres. However, this was originally an open space parcel, and the lots themselves are all 15,000-25,000 square feet (or about 2 units per acre)

More recent pre-application plans for sites in the MCSP area have been close to the maximum density allowed by zoning. This is expected to continue in the future, given the minimum density requirements and the high cost of land and construction.

5.3.6: Community Opposition

The State of California recognizes community opposition as a factor in impacting the cost and viability of construction. Although opposition may lead to improvements in the quality of development and projects that are more compatible with surrounding uses, it can also increase the cost of development. This can result from additional processing time and the required number of hearings, the cost of appeals and legal challenges, and the cost of making changes to projects that reduce the number of units or add new amenities. The Town strongly encourages preapplication meetings, neighborhood meetings, study sessions, and other methods to identify community concerns early on and address them proactively. As required by State law, it has also developed expedited procedures for projects meeting objective development and design standards. These steps may not be sufficient to address community concerns, which are often passionate and rooted in concerns about traffic, wildfire hazards, and the loss of valued open space and community character.

Red font indicates initial changes made by Town after receiving HCD's March 27, 2023 findings letter. These were provided to HCD on May 9. Blue font indicates additional changes made by Town after receiving HCD's feedback on June 14.

CHAPTER 6: HOUSING PLAN

This chapter presents the Town of Moraga's Housing Plan for the 2023-2031 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 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 as 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. They are tailored to be achievable within the Housing Element planning period, given the Town's financial and staffing resources. Each program includes a specific objective, a timeframe, and a responsible party. As appropriate, the programs also identify the ways in which they will affirmatively further fair housing (AFFH). AFFH actions are broadly categorized as follows:

- **Housing Mobility Strategies** consist of removing barriers to housing in areas of opportunity and strategically enhancing access to housing
- **New Housing Choices and Affordability in Areas of Opportunity** consist of actions that promote housing supply, choices, and affordability in areas of high opportunity
- **Place-Based Strategies** include actions that support community conservation and revitalization, such as targeted investment in specific areas, preserving existing housing, and improving infrastructure, transportation, and community amenities
- **Displacement Prevention** strategies are intended to protect lower- and moderate-income residents and preserve housing choices and affordability

In accordance with State AFFH requirements, some of the programs have been "geographically targeted" to specific locations in Moraga. However, the entire town is designated by the State as a "highest resource" area.[1] As such, *any* affordable housing or improved housing opportunities for lower- and moderate-income households in Moraga will help advance AFFH goals. Importantly, this includes opportunities for new housing in lower-density high-income neighborhoods (through accessory dwellings, lot splits, home sharing, "missing middle" housing, etc.) as well as multi-family housing in commercial and mixed use districts.

[1] *"Highest resource" areas are defined by HCD as the places in the region that currently have the strongest economic, environmental, and educational outcomes for residents. They are based on specific numeric indicators for each census tract in the State. Locating affordable housing in these areas can reduce regional segregation and offer new economic opportunities to lower income households. This is an important part of affirmatively furthering fair housing.*

6.1: Goals, Policies, and Programs

The Town of Moraga's goals, policies, and programs for the 2023-2031 Housing Element planning period are as follows:

6.1.1: Goal 1: Maximize Opportunities for the Development of Housing

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, densities, and affordability levels 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, affordable and 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 housing needs for all segments of the community as reflected in the Town's Regional Housing Needs Allocation.

H1.4 **Infill Housing Opportunities.** The Town shall continue working with property-owners in the Moraga Center and Rheem Park 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 Center and Rheem Park areas.

Programs

Program 1: General Plan Update. The Town will complete an 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 the 2023-2031 Housing Element. Phase Two includes additional amendments as needed to keep the Plan current, internally consistent, and compliant with all State laws.

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

a) Align residential land use categories to recognize existing patterns of development and opportunities for higher density and mixed use development in the Rheem Park and Moraga Center areas. Clearly define all land use categories shown on the General Plan Map in the Land Use Element.

b) Review and amend the Land Use Element to improve the capacity for "missing middle" housing in lower-density areas that are close to the Town's commercial centers. Missing middle housing includes townhomes, smaller single family housing units, and 2-4 unit buildings. Moraga has many examples of this type of housing, including the Moraga Country Club, Miramonte Gardens, and the Villa Moraga townhomes, but most of it was built before incorporation in 1974. The Town will review its land use categories and corresponding zoning districts to seek opportunities for additional "missing middle" housing, as it tends to be more affordable "by design" than large lot single family housing. The geographic target for this action should be areas with a "Medium Density Residential" General Plan designation and R-6 zoning; these areas are located in highest-resource neighborhoods throughout the town.

c) Continue to direct more dense multi-family housing ~~the Town's growth~~ to the Rheem Park and Moraga Center areas, consistent with Plan Bay Area 2050, while respecting low-density neighborhoods in a way that is consistent with State law.

d) Address circulation, traffic, and parking issues associated with new housing growth, while working to lower vehicle miles traveled.

e) 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.

f) Address the need for additional infrastructure, community services, parks, and public facilities associated with population growth.

Objective:	*Updated General Plan, with 2040 horizon* *Produce at least 172 units of "missing middle" (moderate income) housing townwide, including ADUs, market-rate rental apartments, townhomes, 2-4 unit buildings, and other housing that is "affordable by design"*[2]
Timeframe:	*Complete by end of 2024*
Responsibility:	*Planning Department*
Potential Funding Sources:	*SB2 grants, General Fund, American Rescue Plan Act funds, Impact fees*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity, Place-Based Strategies*

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, 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 "Rheem Mixed Office-Residential" (RMOR) 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 "Rheem Mixed Commercial-Residential" zone and apply this designation to selected parcels in the Rheem Park 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 and mixed-use projects in the Rheem Park 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."

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[2] *Equivalent to the moderate income RHNA*

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:	*(a)-(d) by January 31, 2023 (concurrently with adoption of the Housing Element and conforming General Plan Amendments)* *(e)-(f) by April 2023*
Responsibility:	*Planning Department, Planning Commission, Town Council*
Potential Funding Sources:	*Comprehensive Advanced Planning Initiative (underway)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

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

a) Rezone all parcels zoned "Suburban Office" in the Rheem Park area to "Rheem Mixed Office-Residential."
b) Rezone the northern half of the Rheem Shopping Center and the commercially zoned area north of Rheem Boulevard from "Community Commercial" to "Rheem Mixed Commercial-Residential." (see Chapter 4)
c) Rezone APN 256-070-012, 256-070-013, and 256-070-028 (southwest corner of Lucas Drive and Moraga Road) from Limited Commercial to Rheem Mixed Commercial-Residential.
d) 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.
e) 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 Retail-Residential.
f) Rezone APN 255-321-013 (1405 Moraga Way) from MCSP Commercial to MSCP Retail-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:	*Comprehensive Advanced Planning Initiative (underway)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

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

a) Amend the 6 DUA zoning district to increase housing mobility and create opportunities for "missing middle" housing in low density, higher-income areas. Missing middle housing includes duplexes, triplexes, fourplexes, townhomes, and similar housing types. While these housing types are permitted in the 6 DUA zone, the maximum density of six units per acre makes their construction challenging. Part of affirmatively furthering fair housing is to create such opportunities in lower density zones, including higher-income neighborhoods such as those located throughout Moraga. As such the 6 DUA zone should be renamed as R-12 or R-15, with allowances for 12 to 15 units per acre. This reflects the prevailing density of properties in this zoning district, most of which were developed before Moraga incorporated. In addition to increasing the allowable density in this zone, the Town will adjust other development standards to facilitate "missing middle" housing types in highest-resource areas.

b) The MSCP 6 DUA zoning regulations are a separate zoning district from the Townwide 6 DUA regulations. This zoning district also presents an opportunity for missing middle housing that should be recognized through changes to existing standards. The Town will revise MCSP-6 DUA to ~~Amendments to the MCSP 6 DUA regulations to~~ allow narrower lots, clarify FAR requirements, and implement other changes that facilitate missing middle housing ~~development~~ in this zone.

c) 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 allowances for smaller and narrower lots and re-evaluating the FARs that currently apply in this zone.

d) Amendments to the development standards in the R-20/R-24 district, consistent with the analysis in Chapter 5 of the Housing Element. ~~applicable to the R-20A (to be renamed R-24) and R-20B (to be renamed R-20) zoning districts, including a reduction of the requirement for a minimum 3 acre, 60 unit development size.~~ This should include working with property owner(s) to modify existing zoning standards to ensure that the top end of the density range is achievable on all three parcels with this designation.

e) Rescind the Research and Development Overlay District, which is currently mapped on one of the housing sites.

f) Analyze the Town's residential FAR standards, ensure they are objective, and consider moving them from the Moraga Design Guidelines to the Municipal Code.

g) In addition to implementing (a) through (f) above by 2025, the Town will review residential development constraints, including but not limited to minimum lot sizes, setbacks, and other standards, every two years and will revise its ordinances as needed if constraints are identified.

Program for By-Right Approval on Carry Over Sites

In addition to the actions listed above, California Government Code 65583.2(c) includes special requirements for all non-vacant sites included in the last Moraga Housing Element and all vacant sites included in the last *two* Moraga Housing Elements that have not yet been approved for development but are being counted as housing opportunities in the current Housing Element. Such sites may only be deemed adequate to accommodate a portion of the current lower-income housing need if they are zoned at a density of at least 20 units per acre and allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households. As indicated in Chapter 4, there were no non-vacant sites included in the 2015-2023 Housing Element and there are two vacant sites (D1 and D2) that are being carried over to the 2023-2031 Housing Element. The requirements of §65583.2(c) shall apply to these sites, which are labeled D1 and D2 in Appendix B. Per the provisions of Moraga Municipal Code Section 8.34.080 (Ministerial Review) and 8.34.070 (Objective Design Standards), residential and mixed use projects on these sites in which at least 20 percent of the units are affordable to lower income households shall be approved by right. This State-mandated provision will be expressly stated as part of the Moraga Municipal Code amendments.

Objectives:	*(a) Removal of constraints to developing higher density housing* *(b) 10 units of new moderate-income "missing middle" housing in the 6 DUA zone by 2030. This zone occurs in multiple census tracts, all of which are classified by the State as "highest resource" areas.* *(c) 219 housing units, including lower and moderate-income units, on Sites D1 and D2 by 2031 through "by right" approval*
Timeframe:	*Complete amendments to MCSP regulations by December 2023* *Complete other amendments, including amendments to the 6 DUA zone to accommodate "missing middle" housing, by January 2025*
Responsibility:	*Planning Department*
Potential Funding Sources:	*General Fund/ Potential planning grants/ Staff function*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 5: Moraga Center and Rheem Park Development Activity. 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 Park areas. The update should consider input from property owners and developers who have completed projects or expressed interest in development in the area. Depending on the level of development activity, consider additional zoning changes midway through the planning period. 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.[3]

Objective:	*Achievement of RHNA target over planning period*
Timeframe:	*Annual, with mid-term evaluation in 2027*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

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 zoning 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 sufficiently zoned 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:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

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

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[3] *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:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

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*

6.1.2: Goal 2: Provide a Variety of Housing Types and Affordability Levels

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 zoning for new residential development provides 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: Density Bonuses. This program has two components:

a) Use 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.
b) Adopt by resolution a local density bonus program that supplements the State Density Bonus Law and helps developers achieve densities that improve the economic feasibility of their projects. The local density bonus program will include higher densities for senior housing and student housing, recognizing the need for these housing types in Moraga. Once adopted, local density bonuses should be periodically revisited to ensure they are achieving desired outcomes.

The Town will inform developers of the opportunity to apply for State and local density bonuses early in the review process, including the number of additional units possible, and the opportunity for waivers and concessions of development standards that may be available to make the additional units economically feasible.

Objective:	*Creation of ~~150~~ 100 market-rate units through density bonuses (resulting from the on-site inclusion of low- and moderate-income units in highest-resource census tracts throughout Moraga)*
Timeframe:	*(a) Adopt updated Moraga Municipal Code (State) density bonus provisions so that they are effective at start of planning period (January 31, 2023)* *(b) Adopt new local density bonus program so that it is effective at the start of planning period (January 31, 2023)* *(c) Revisit local density bonus program by December 2024 and adjust as needed*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

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

Objective:	*Production of at least 501 units affordable to low/very low-income households in high-resource areas to improve residential mobility*
Timeframe:	*By December 2025*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 11: Facilitate Access to Affordable Housing Subsidies. The Town shall facilitate access to Federal, State, and County financial assistance for affordable housing in Moraga through the following actions:

a) Partner with the County Housing Authority to increase the number of households in Moraga that receive Section 8 subsidies if rental dwelling units can be located that are within Federal fair market rent guidelines.
b) Assist 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.
c) Support the use of existing provisions in Lamorinda Fee and Financing Authority (LFFA) Impact Fee allowing waivers for affordable housing development.
d) Support local application of County programs aimed at affordable housing.

Objectives:	*(a) Increase the number of households in Moraga that receive Section 8 housing assistance* *(b) Facilitate access to subsidies necessary to produce at least 501 units affordable to low/very low-income households to the extent that these units are not provided through private development of inclusionary units, ADUs, or other units that are affordable by design*
Timeframe:	*(a) Meet with the County Housing Authority to identify strategies for increasing the use of Section 8 subsidies in Moraga by December 2025. If feasible strategies are identified, begin implementation in 2026.* *(b) Provide technical assistance and support for tax credit application to developers of affordable and special-needs housing as applications are processed by the Town*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 12: Saint Mary's Partnership. Work collaboratively with Saint 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 Saint 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 at least 50 units of low- and moderate-income housing serving Saint Mary's students, faculty, and/or staff*
Timeframe:	*Initiate in 2023, continue through planning period*
Responsibility:	*Planning Department, Town Manager*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

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 Saint Mary's students. They can also provide an affordable housing option for older adults.

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/ Potential planning grants/ Staff function*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

6.1.3: Goal 3: Ensure 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 **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.

H3.2 **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.

H3.3 **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.

H3.4 **Affordable Housing in Areas of Opportunity.** The Town shall support the provision of affordable housing in areas that provide access to opportunity, including by encouraging inclusionary housing, ADUs, and room rentals in existing and new single family and multifamily communities.

H3.5 **High-Resource Neighborhoods.** The Town shall foster the development of housing, particularly affordable housing, in areas with services, high-quality schools, and other resources.

H3.6 **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.

H3.7 **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.

H3.8 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.

H3.9 Public Transportation to Housing Sites. Encourage additional public transportation service to the Town's two commercial districts to improve travel options for residents and reduce potential increases in traffic.

Programs

Program 14: 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.

As part of this program, the Town will support and facilitate the upgrading of fire safety and protection facilities, particularly Station 41 and the MOFD training facility on Moraga Way. Creative opportunities to improve or replace older facilities will be encouraged, potentially through partnerships with the Moraga Unified School District and the Town. In the event facilities are relocated, or land exchanges occur, the Town will support opportunities to incorporate housing for teachers, public safety personnel, and other low- and moderate-income wage earners working in Moraga. The Town estimates that up to 25 low-moderate income housing units could be created through such a program, in the event it is deemed feasible.

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*

Program 15: Adoption of an Affordable Housing (Inclusionary Zoning) Ordinance. Adopt an inclusionary housing ordinance by the start of the 6th Cycle planning period so that the Town can achieve a substantial portion of its RHNA through the inclusion of Below Market Rate (BMR) units in new market-rate development projects. The ordinance should require that 10 percent of all units in future market-rate development townwide 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 shall 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 dedication of land, conversion of existing market rate units to affordable housing, and partnerships with affordable housing developers.

This program should be accomplished in two phases: the initial phase should be completed by April 2023 and should include adoption of the Ordinance, adoption of development incentives for projects including affordable housing units (See Program 9), and adoption of a fee resolution for "fractional" units and projects in very high fire hazard severity zones. The second phase should be completed no more than 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 townwide, including in lower-density areas* *40 low- and moderate-income units in lower-density areas to provide new housing choices in areas of opportunity and support housing mobility (through the Affordable Housing Ordinance)*
Timeframe:	*(a) Adopt ordinance by January 2023* *(b) Adopt fee resolution by April 2023* *(c) Evaluate the ordinance and adjust as needed no later than April 2025 to meet RHNA goals*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Comprehensive Advanced Planning Initiative (underway)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 16: ADU Production. The Town shall take the following actions:

a) Streamline ADU Approvals.
b) ~~Provide~~ Implement a proactive outreach campaign through direct mailers and by developing a website page dedicated to the ADU permit process. These materials should ~~to~~ inform property owners of ADU development standards, permitting procedures, and construction resources, as well as the benefits of ADU construction.

c) As part of a community outreach event on housing, provide information on developing ADUs in Moraga
d) Designate a member of Town staff to serve as the Town's ADU specialist
e) Maintain State-mandated fee reductions and waivers for ADUs (this action is encompassed in Program 29)
f) In single family zoning districts (R-6 or lower), allow developers to meet inclusionary housing requirements by including ADUs in at least 25 percent of all new single-family homes
g) Develop a fair housing fact sheet, including information on source of income protections for households using housing choice vouchers, and provide the fact sheet with ADU application materials and on the Town's ADU webpage

Objective:	*~~32~~48 new ADU units in high~~est~~-resource neighborhoods (1-DUA, 2-DUA, and 3-DUA zoning) to improve residential mobility in lower density neighborhoods*[4]
Timeframe:	*Items (a), ~~and~~ (b), and (g) by December 2024.* *Items (c) and (d) in 2023—See Program 29 for item e.*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 17: 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:	*(a) Meet with staff in the Contra Costa County Department of Conservation and Development by December 2025 to identify strategies for bringing ADUs into compliance* *(b) Legalize at least six (existing but not registered) ADUs by the end of the planning period in 2031*
Responsibility:	*Planning Department, Contra Costa County Department of Conservation and Development*
AFFH Program Areas:	*Displacement Prevention, Place-Based Strategies*

[4] Exceeds the RHNA estimate for ADUs, as the Town is setting an aspirational goal of increasing ADU production to a level that is 50 percent higher than the RHNA target for low-density neighborhoods. As indicated in Program 18, the Town's objective is that at least 40 of the 48 units will be affordable to lower or moderate-income households, consistent with the income distribution shown in Table 4-3. The 48 units shown here are the same as those shown in Program 18.

Program 18: ADU Tracking. The Town shall maintain a list of existing ADUs within Moraga 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. This information shall be tracked throughout the planning period.

Objective:	*~~32~~48 new ADU units in high-resource neighborhoods, at least 40~~27~~ of which are affordable to extremely low-, very low-, low-, or moderate-income households to improve residential mobility in lower density neighborhoods (these are the same units listed in Program 16)*
Timeframe:	*Revise application materials to collect data on use and rents by 2024*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 19: SB 9 Projects. The Town shall develop and implement a process, including objective standards, for SB 9 applications consistent with State law. This may include public information materials or links to existing resources prepared by ABAG or other organizations to provide property owners with information on SB 9 development standards and permitting procedures. The Town's public materials that provide information on SB 9 development procedures will include information on source of income protections under California State law.

Objective:	*(a) Adopt SB9 Ordinance and Objective Standards to increase "missing middle" housing options and housing mobility in high-resource areas, including lower-density neighborhoods* *(b) Five (5) SB9 applications by 2031, located in the 1 DUA, 2 DUA, or 3 DUA zoning districts*
Timeframe:	*Develop and implement a process for SB 9 applications by the end of 2024*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 20: Shared Housing. Participate in Eden Council for Hope and Opportunity Housing's Shared Housing Program or a 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 a community where every census tract is considered a "highest resource area.". A shared housing program ~~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:	*(a) Develop an outreach program and connect with ECHO to establish a program* *(b) Connect 10 lower-income Moraga residents with shared housing program participants* *(c) Focus shared housing efforts on single family neighborhoods, all of which are considered high-income, highest-resource areas*
Timeframe:	*End of 2023*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity, Displacement Prevention*

Program 21: 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 Saint Mary's to proactively inform students of this housing opportunity.

Objective:	*Provide information on room rental regulations*
Timeframe:	*Publish information annually in the Town newsletter*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 22: Rheem Park Public Realm Plan. Seek grant funding to prepare a Public Realm Plan for the Rheem Park area (as defined on the General Plan Map) 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 Park area as a community focal point, shopping, indoor and outdoor dining and entertainment area, and opportunity for new mixed density, mixed income housing.

Objective:	*Completed Public Realm Plan, facilitating Rheem Park development*
Timeframe:	*2026*
Responsibility:	*Planning Department*
Potential Funding Sources:	*State/regional planning grants, Development Fees*
AFFH Program Area:	*Place-Based Strategies*

Program 23: Allow Family-Supportive Services By Right in High-Density Residential and Mixed Use Zones. The Town shall update the Zoning Ordinance to allow community services such as childcare and community gathering spaces by right on the ground floor of mixed use and multi-family residential buildings.

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/ potential planning grants, staff function*
AFFH Program Area:	*Place-Based Strategies*

Program 24: Participate in and Publicize 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, in the "About Town" newsletter, at Town buildings, and at public events.

Objective:	*Enable 12 low-income Moraga households to access County home repair and modification resources to reduce displacement among underserved populations*
Timeframe:	*(a) Post information to the Town website and at Town buildings by June 2023* *(b) Confirm program eligibility criteria and other program requirements annually and update the information the Town website as needed* *(c) Provide information in the "About Town" newsletter on an annual basis* *(d) Provide information at public events as events occur*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Displacement Prevention, Place-Based Strategies*

Program 25: First-Time Home Buyers. The Town shall publicize information for first-time homebuyers, including resources for first-time home buyer counseling and education and information on the Mortgage Credit Certificate program, mortgage revenue bonds, and the Contra Costa County First-Time Homebuyer Program. The Town will make information available on the Town website, at Town buildings, in the "About Town" newsletter, and at public events.

Objective:	*(a) Make information more readily available to first-time homebuyers to facilitate access to Moraga's high-resource neighborhoods* *(b) Connect 10 eligible low- and moderate-income households with first-time homebuyer assistance* *(c) Focus first-time buyer opportunities in the MCSP and Rheem Center areas but consider such opportunities in all parts of the town*
Timeframe:	*(a) Provide information about mortgage revenue bonds, mortgage tax credit programs, and the Contra Costa County First-Time Homebuyer Program on the Town website and in Town buildings by 2024; update annually as needed* *(b) Provide information in the "About Town" newsletter on an annual basis* *(c) Provide information at public events as events occur* *(d) Co-sponsor a first-time homebuyer workshop with other Contra Costa County jurisdictions by 2026*
Responsibility:	*Planning Department*
Potential Funding Sources	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, Displacement Prevention*

6.1.4: Goal 4: Eliminate Undue 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:

(a) reduce the number of hearings and submittal cycles and the associated cost and time delays to applicants.
(b) apply more objective approval findings.

Projects may 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. In addition, the Town is modifying its mixed use and higher-density zoning regulations so that a greater share of projects can be approved without relying on the PD process.

Green highlighted text added and posted on July 10, 2023 in response to public comment letter

Objective:	*Reduce the length of Planned Development process so that projects are approved within two years after an application is deemed complete. Monitor approvals to determine if this objective is being met and adopt modifications if it is not. Amend the process ~~and amend~~ to be consistent with the General Plan.*
Timeframe:	*By end of 2024*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Planning grants/ staff function*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

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. In addition, the Town will encourage the use of State Density bonus parking standards for projects that include affordable housing units, as permitted by the Moraga Municipal Code.

Objective:	*Reduced parking requirements for multi-family residential development*
Timeframe:	*Phase One: June 2023; Phase Two: by end of 2024*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Comprehensive Advanced Planning Initiative (underway)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 28: Development Review and Processing. Improve development review procedures to minimize the time required for review and project approval. At least once during the planning period, 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, or home improvements.

In addition, the Town shall initiate a standard operating procedure wherein the Planning Director determines if a project is exempt from CEQA within 30 days after deeming a development application complete. The 30-day timeframe is required by Public Resources Code 21080.2. In

the event a project is found to be exempt from CEQA, then provisions of the Permit Streamlining Act shall apply and the application shall be processed within 60 days (Gov. Code 65950(a)(5)).

Objective:	*Reduce permit processing times relative to current levels*
Timeframe:	*(a) Conduct a fee review annually, starting in 2023; implement any identified feasible changes on an annual basis* *(b) Meet with developers, homeowners, and other applicants by 2026; based on input from applicants, identify and implement feasible changes to review procedures by 2027*
Responsibility:	*Planning Department, Contra Costa County Building Department*
Potential Funding Sources:	*Staff function, Permit fees*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 29: Fee Deferrals and Calculation Methods. The Town will develop and adopt a fee deferral policy for qualifying affordable housing developments and ADUs serving lower-income households. Priority for fee deferrals will be provided for extremely low-income housing, housing for persons with disabilities, or housing that serves other special-needs groups. 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.

In addition, the Town will review park impact fees and revise the fees as needed in the event constraints to multi-family and special needs housing are identified. By 2027, the Town will update the ~~Upon its next~~ AB 1600 nexus study for its park impact fee. By 2028, it will make revisions to the fee structure as appropriate. As part of this process, the Town will evaluate the potential benefits of shifting to a fee calculated based on the number of bedrooms or the square footage of dwelling units, rather than on unit type. While the fee structure already provides lower rates for multi-family and senior housing, a fee based on bedroom count or unit size could incentivize studio and one-bedroom units, which are more affordable by design than larger units. Other strategies and criteria for reducing the fee burden on multi-family housing will be explored.

Objective:	*Reduce residential development costs without placing a financial burden on the Town, with priority for reducing costs for affordable and special-needs housing*
Timeframe:	(a) *Prepare feasibility analysis and establish eligibility criteria for deferred fees by January 2024* *(b) Based on the findings from the feasibility analysis, implement fee deferrals starting in 2025*

	(c) Update the nexus study for park fees by 2027 and make changes by 2028. Consider shifting ~~Shift~~ to a per bedroom or per square foot fee basis (or other metric) if the analysis indicates this will result in substantially lower construction costs for multi-family, senior, and other special needs housing.
Responsibility:	*Planning Department & Town Council*
Potential Funding Source:	*Staff function (no supplemental funding required); General Fund resources will be identified to offset fee deferrals if needed based on the results of the feasibility analysis.*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 30: Streamlined Review Process. The Town shall streamline the residential development and design review processes by allowing by-right approvals for multifamily projects that meet objective standards and enabling the approval of minor home additions over the counter.[5] Existing Residential Design Guidelines will be simplified and streamlined to remove or substantially reduce potentially subjective provisions ~~revised as necessary to ensure that they are objective~~ and ensure consistency~~t~~ with the Moraga Municipal Code and General Plan. Design review procedures (including neighborhood notification requirements for minor home improvements) will be revised to enable more predictable outcomes, encourage improvement of the Town's existing housing stock, and reduce the length of review time. In addition, the Town will amend the Municipal Code as needed to clarify the circumstances under which the Planning Director (rather than the Planning Commission) can issue design review permits for multi-family and mixed use projects eligible for ministerial review (e.g., "by right" approval).

Objective:	*Reduce permit processing times relative to current levels*
Timeframe:	*~~By December 2023~~Municipal Code Amendments in 2023-2024*
Responsibility:	*Planning Department*
Potential Funding Source:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 31: Infrastructure Grants. The Town will actively pursue grant funding for infrastructure that supports development in the Moraga Center and Rheem Park areas. Grant applications that facilitate the development of housing that is affordable to extremely low-income households, other lower income households, and special needs households will be prioritized.

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[5] *The Town adopted Objective Design and Development Standards for MCSP in November 2020. It adopted Objective Design and Development Standards for the Rheem Center in April 2023.*

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*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity, Place-Based Strategies*

Program 32: Scenic Corridor Regulations. Review the Town's Scenic Corridors regulations (Chapter 8.132 of the Municipal Code) adjacent to Housing Opportunity Sites in the Rheem Park area and Moraga Center area to consider modified setbacks and possible waivers of upper story stepback requirements on designated housing opportunity sites. The specific criteria for reduced setbacks would be consistent with State law and would include objective standards. 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. In addition, the Town will modify provisions of the R-20 zone that require special upper story setbacks for projects within 500 feet of a scenic corridor; these requirements should only apply on frontages that are adjacent to the scenic road.

Objective:	*Ensure that realistic site capacity estimates can be met on Housing Opportunity Sites*
Timeframe:	*Conduct a review of Scenic Corridor regulations adjacent to Housing Opportunity Sites in the Rheem Park area and Moraga Center area and implement changes by 2025 to ensure that capacity estimates can be met*
Responsibility:	*Planning Department*
Potential Funding Sources:	*General Fund, Planning Grants*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity, Place-Based Strategies*

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, and to address property owner concerns about existing MCSP development standards.
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 and in the Moraga Shopping Center. 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 or partnering with local market-rate developers.

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.

~~In addition, as stated in Section 4.6.9 of this Housing Element, projects on sites D1 and D2 listed in this Housing Element are subject to the "carry over" provisions of Government Code Section 65583.2, subdivision (c). Sites on these two sites are subject to the ministerial ("by right") review provisions listed in Section 8.34.080 of the Municipal Code. These provisions allow for Planning Director approval of projects meeting adopted objective development and design standards, which are codified at Section 8.34.070 of the Municipal Code.~~

Objective:	*Increased development feasibility on all sites in the MCSP area* ~~*Produce 219 housing units on Sites D1 and D2 by 2031 through "by right" approval*~~
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*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity, Place-Based Strategies*

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*
Timeframe:	*Annually*
Responsibility:	*Planning Department, Contra Costa County Building Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*

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:	*Comprehensive Advanced Planning Initiative (underway)*

6.1.5: Goal 5: 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

H5.1 **Environmental Sustainability.** The Town shall promote cost effective sustainability, energy efficiency, water conservation, and waste reduction in new construction and renovations to existing homes.

H5.2 **Energy Efficiency in New Construction.** The Town shall require that 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 36: Sustainable Residential Development. To the extent financially feasible, the Town will continue to promote sustainable residential development and measures to improve energy efficiency and reduce utility costs in residential buildings. These include:

a) Coordinating with the Contra Costa County Department of Conservation and Development to adopt new building codes and 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) Requiring water-efficient landscaping in accordance with the Model Water-Efficient Landscaping Ordinance (MWELO) to reduce home water costs and meet water conservation goals.
d) Coordinating with Recycling Smart on programs to reduce impacts to landfills by 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 (see available programs in Housing Element Section 4.8).
f) Considering an ordinance that requires energy efficiency retrofits for homes at point of sale.
g) Implementing requirements for electric vehicle charging stations.
h) Implementing climate action measures, including composting, water bottle refilling stations, EV chargers, and similar programs.

Objective:	*Reduced greenhouse gas emissions and home energy costs*
Timeframe:	*(a) Adopt as new County building codes and CALGreen building and energy efficiency requirements are adopted* *(b) Meet with MCE to identify opportunities for funding by December 2024* *(c),(d),(e),(g), and (h) are ongoing* *(f) Analyze point-of-sale energy retrofit ordinance and present options to Town Council by December 2025*
Responsibility:	*All*
Potential Funding Sources:	*General Fund, grants, private investment, staff function*

6.1.6: Goal 6: Provide Housing to Address 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

H6.1 **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.

H6.2 **Support Aging in Place.** The Town shall assist older adults in adapting their residences to facilitate aging in place.

H6.3 **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.

H6.4 **Housing for People with Disabilities.** The Town shall encourage housing that is adaptable and accessible and responds to the needs of people with disabilities.

H6.5 **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.

H6.6 **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~~ It will 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.

H6.7 **Emergency Shelters by Right.** The Town shall continue to allow emergency shelters by right in the Institutional District.

H6.8 **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.

H6.9 **Extremely Low-Income Housing Needs.** The Town will proactively support the siting, production, rehabilitation, and preservation of housing for extremely low-income households.

Programs

Program 37: Allowances for Special Housing Types. Amend Title 8 of the Moraga Municipal Code to define and include provisions for the following specific housing types, as required by State law:

a) **Manufactured Housing**. A definition of "Manufactured Housing" should be added to the definitions section of the Moraga zoning regulations. The definition should clearly state that such housing is treated the same as other types of housing in each zoning district. This is State law and applies to all California jurisdictions.

b) **Group Homes.** A barrier-free definition of "Group Homes" should be added to the definitions section of the Municipal Code. The definition should allow not distinguish group homes by size (e.g., number of occupants) but should simply allow them as a permitted use in every zone that allows residential uses, subject to the same requirements that apply to other housing of the same type in each zone. In other words, a single family house used as a group home in a low-density residential district would be subject to the same zoning requirements as a single family home occupied by a traditional family. The lists of permitted uses for each zoning district that allows housing should be amended to add group homes. This is State law and applies to all California jurisdictions.

c) **Residential ~~c~~Care ~~F~~facilities**. A barrier-free definition of "Residential Care Facilities" should be added to the zoning regulations. Currently, there is no definition. Consistent with State law, the definition may distinguish between small facilities (-with six or fewer persons) and large facilities (with seven or more persons). The Code should be amended to state that small facilities are permitted by right in every zone where housing is allowed, ~~(~~subject to the same requirements as other housing units of the same type in the same zone. It should further be amended to establish objective development and design standards for larger group homes, allowing these uses "by right" in multi-family and mixed use zones if they meet the standards.

~~a)~~d) **~~s~~Supportive and ~~T~~transitional ~~H~~housing~~, which~~**. Supportive and transitional housing are already defined in the Moraga Municipal Code and are listed as permitted uses in each of the residential zoning district. ~~residential zones~~The Code expressly states that these uses are subject to the same requirements as the other housing types permitted in each zone~~)~~. The Code does not explicitly list supportive and transitional housing as permitted uses in the MCSP and Rheem mixed use districts, although it implies that they are permitted because "all residential uses" are permitted and the definition indicates supportive and transitional housing are residential uses. The Code should be amended to expressly list these housing types in the MCSP-RR, MCSP-OR, RMCR and RMOR zoning districts.

~~b)~~e) **Employee and farmworker housing.** This includes compliance with the Employee Housing Act (Health and Safety Code § 17000 et seq.), including:

i. Section 17021.5, which requires employee housing for six or fewer employees to be treated as a single-family structure and permitted in the same manner as other dwellings of the same type in the same zone.

ii. Section 17021,6, which requires employee housing consisting of no more than 12 units or 36 beds to be permitted in the same manner as other agricultural uses in the same zone.

~~e)~~f) **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 will:

Yellow highlighted text added on 6/29/23 per HCD guidance

g) Implement the following provisions related to **emergency shelters**:

i. Amend Moraga Municipal Code Chapter 8.56 to indicate that residential uses are permitted in the Institutional zoning district. This is necessary to comply with the AB 2339 requirement that the zone where emergency shelters are permitted also allows residential uses.

ii. Update the MMC definition of "emergency shelters" as necessary to comply with the State of California's statutory requirements.

iii. Modify the parking standards for emergency shelters in Section 8.164.030(F) of the Moraga Municipal Code to eliminate the portion of the parking requirement that is based on the number of beds. As required by recent state law, the requirement may only be based on the number of employees.

iv. Monitor the bi-annual Point-in-Time Count to ensure that the Town retains sufficient capacity to meet the local need for emergency shelter throughout the planning period.

~~d)~~h) Develop objective standards for **Single Room Occupancy (SRO)** units and allow SROs as a permitted or conditionally permitted use in at least one mixed use zoning district.

~~e) Develop objective standards for group homes and residential care facilities with seven or more residents and consider provisions to allow these uses by right in the R-6 and R-12 zones.~~

~~f)~~i) 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:	*(a) through (f~~d~~) in 2024~~3~~*
	(g~~e~~) through (i~~g~~) in 2025
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

Program 38: 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. The Town will also make information available at Town buildings, in the "About Town" newsletter, and at public events.

Objective:	*Provide Information*
Timeframe:	*(a) Provide information on the Town website and in Town buildings by December 2023; update annually as needed* *(b) Provide information in the "About Town" newsletter on an annual basis* *(c) Provide information at public events as events occur*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Area:	*Housing Mobility*

Program 39: 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. Partnering with County agencies and relevant nonprofit organizations, the Town shall make information available on temporary housing resources, assistance, and facilities for extremely low-income households and persons or families faced with the prospect of homelessness. In addition to these actions, Program 43 includes partnering with a fair housing service provider to provide fair housing and landlord/tenant services, which can assist with preventing displacement that can lead to homelessness.

Objective:	*Provide information and referrals*
Timeframe:	*Provide information on the Town website and in Town buildings by December 2023; update annually as needed*
Responsibility:	*Planning Department*
Potential Funding Sources:	*Staff function (no supplemental funding required)*
AFFH Program Area:	*Displacement Prevention*

Program 40: 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	*Staff function (no supplemental funding required)*

Program 41: Housing and Services for Persons with Disabilities. This program includes two parts:

a) Coordinate with the Regional Center of the East Bay to implement an outreach program to inform residents of housing and services available for persons with developmental disabilities. The Town shall develop web-based information about the Regional Center for local residents. The Town will also meet with disability service providers, including the Regional Center, to assess whether there is unmet demand for housing and services for persons with developmental disabilities in Moraga and identify additional opportunities for the Town to support service providers in serving residents with disabilities.

b) Amend the Town's Reasonable Accommodation Ordinance to eliminate language that could result in the denial of applications for modifications that are necessary to provide equal access to housing. Findings for granting reasonable accommodation should focus on public health and safety rather than subjective criteria such as compatibility with surrounding uses.

Objectives:	*(a) Connect residents with developmental disabilities and their families to resources* *(b) Ensure equal access to housing for persons with disabilities*
Timeframe:	*(a) Meet with service providers at least annually throughout the planning period and follow up on specific agreements and action items to advance housing and services for persons with developmental disabilities* *(b) Amend Reasonable Accommodation provisions by December 2023* *(c) Develop informational materials by December 2024*
Responsibility:	*Planning Department*
Potential Funding Source:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, Displacement Prevention*

Program 42: Priority Processing and Technical Assistance for Housing for Extremely Low-Income Households. The Town will develop and implement a procedure for providing priority processing for development applications that include units for extremely low-income households and provide technical assistance to applicants. Program 29 also provides priority for fee deferrals for projects that provide units for extremely low-income households.

Objective:	*Development of units affordable to extremely low-income households*
Timeframe:	*Develop and implement a procedure for providing priority processing by December 2024*
Responsibility:	*Planning Department*
Potential Funding Source:	*Staff function (no supplemental funding required)*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity*

6.1.7: Goal 7: 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

H7.1 **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.

H7.2 **Equal Housing Coordinator.** The Town shall ensure fair housing issues are addressed and illegal or arbitrary housing criteria are minimized.

H7.3 **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.

H7.4 **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 43: 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. Additionally, the Town commits to implement Government Code Section 8899.50(b) which requires the administration of housing and community development programs in a manner that affirmatively furthers fair housing and takes no action that is materially inconsistent with this obligation. As a highest-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 'housing mobility and housing choice in high-opportunity areas. The Town's actions that will cumulatively contribute to affirmatively further fair housing include but are not limited to:

a) 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).
b) Programs to reduce or remove constraints to residential development, including removing constraints to the development of affordable and special-needs housing (see Programs 11, 26, 27, 28, 29, 30, 31, and 32).
c) 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, and 41).
d) Adoption of an inclusionary housing ordinance (see Program 15) and implementation of the State Density Bonus (see Program 9).
e) Programs for production of ADUs (see Program 16) and SB 9 projects (see Program 19).
f) Programs to reduce displacement (see Programs 20 and 24).
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 on equal housing opportunities 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 as well as affirmative marketing plans for affordable units.
j) Partner 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. This training will ensure that the Town continues to administer its programs and activities relating to housing and community development in a manner that affirmatively furthers fair housing.

In addition to the 11 measures listed above, the Town will seek equitable service delivery practices and outcomes in its operations and capital improvement spending. Funds for infrastructure repair and maintenance, new parks and capital facilities, services for youth and seniors, and other Town programs will be directed in a fair way that ensures that all neighborhoods benefit. While the entire Town is considered a "highest-resource area", the Town will still strive to avoid public investment decisions that favor some neighborhoods over

others, and will consider the potential impacts of its decisions on the viability of housing on the designated opportunity sites.

Objective:	*(a) through (f): refer to relevant programs* *(g) and (j): Respond to 100% of complaints received* *Include nondiscrimination clauses in 100% of rental agreements and deed restrictions for affordable housing*
Timeframe:	*(a) through (f): refer to relevant programs* *(g) through (i): ongoing* *(j) identify costs and potential resources by June 2023; enter into an agreement with a provider by December 2023* *(k) identify costs and potential resources by December 2023. Conduct first annual fair housing training for Town staff by December 2024*
Responsibility:	*(a) through (f): refer to relevant programs* *(g) through (k): Planning Department*
Potential Funding Sources:	*(a) through (f): refer to relevant programs* *(g), (h), (i): Staff function (no supplemental funding required)* *(j) and (k): General Fund, inclusionary housing in-lieu fees*
AFFH Program Areas:	*Housing Mobility, New Housing Choices and Affordability in Areas of Opportunity, Displacement Prevention, Place-Based Strategies*

6.2: Quantified Objectives

State Housing Element Law requires that each jurisdiction establish quantified objectives for the 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 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 24, 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. Instead, the conservation objective is based on the Town's goal to achieve no net loss in multifamily rental units in Moraga. Based on ACS data collected between 2015 and 2019, there are an estimated 571 households living in multifamily rental units in Moraga. Based on data from Costar on rental rates for existing multifamily properties in Moraga, approximately 25 percent of multifamily rental units are estimated to be affordable to very low-income households, 40 percent are estimated to be affordable to low-income households, and 35 percent are estimated to be affordable to moderate-income households. These percentages were applied to the total estimated 571 multifamily rental units to establish the quantified objectives shown below.

Table 6-1: Quantified Objectives, 2023-2031

Income Category	New Construction	Rehabilitation	Conservation
Extremely Low	159	4	0
Very Low	159	4	143
Low	183	4	228
Moderate	172	0	200
Above Moderate	445	0	
All Income Categories	**1,118**	**12**	**571**

Source: Town of Moraga, 2022.

Town of Moraga

2023-2031 Housing Element

Appendices

Adopted January 25, 2023

includes tracked change
revisions to Appendix B in
response to State comments

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APPENDIX A: ASSESSMENT OF FAIR HOUSING

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Introduction

With the adoption of AB 686, all Housing Elements completed January 1, 2019 or later must include a program that promotes and affirmatively furthers fair housing throughout the community for all persons, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, disability, or any other characteristics that are protected by the California Fair Employment and Housing Act (FEHA), Government code Section 65008, and all other applicable State and federal fair housing and planning laws. Under State law, affirmatively furthering fair housing means "taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics."[1]

The law also requires that all Housing Elements completed as of January 1, 2021 or later include an Assessment of Fair Housing (AFH) that is consistent with the core elements of the federal Affirmatively Furthering Fair Housing (AFFH) Final Rule from July 2015. The following section summarizes key findings from this Assessment of Fair Housing, which was completed in accordance with current HCD guidance regarding the application of the new AB686 requirements, as well as a detailed reading of the California Government Code.[2] The assessment of fair housing includes the following components: a summary of fair housing issues and assessment of the Town's fair housing enforcement and outreach capacity; an analysis of segregation patterns and disparities in access to opportunities; an assessment of contributing factors; and identification and prioritization of fair housing goals and actions. The analysis must address patterns at a regional and local level and trends in patterns over time for the purposes of promoting more inclusive communities. In addition, the Housing Element is required to include a sites inventory that accommodates all income levels of the Town's share of the RHNA that also serves the purpose of furthering more integrated and balanced living patterns, as discussed in Chapter 5 of the Housing Element Update. The Housing Element must also include responsive housing programs that affirmatively further fair housing, promote housing opportunities throughout the community for protected classes, and address contributing factors identified in the assessment of fair housing. These programs are included in Chapter 6 of this Housing Element Update.

Sources of Information

The main sources of information for the following analysis are the U.S. Census Bureau (including the Decennial Census and the American Community Survey), the HCD AFFH Data and Mapping Resources Tool, the California Department of Fair Employment and Housing (DFEH), HUD Office of Fair Housing and Equal Opportunity (FHEO), the State Tax Credit Allocation Committee (TCAC),

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[1] California Government Code § 8899.5 (a)(1)

[2] Olmstead, Z. (April 23, 2020). AB 686 Summary of Requirements in Housing Element Law Government Code Section 8899.50, 65583(c)(5), 65583(c)(10), 65583.2(a).

the Contra Costa County Analysis of Impediments to Fair Housing Choice, and local knowledge from the Town of Moraga staff.

Local Data, Knowledge, and Other Relevant Factors

As discussed in the introduction to this Housing Element Update, Moraga incorporated as a town in 1974, at a time when the area was transitioning from a rural and agricultural area in the 1950s to a suburban area with considerably more residential development. At the time of incorporation, residents sought to slow down what many viewed as unsustainable levels of growth. When the Town adopted its first zoning ordinance in 1980, the County zoning in many areas was replaced with lower density districts. This reflected both a desire to preserve the area's semi-rural character and a growing concern about the effects of growth on traffic, the environment, school capacity, and local services.

The Town's first General Plan and Zoning Ordinance created three basic residential districts—corresponding to densities of one, two, and three units per acre. A multi-family district was created but its density was six units per acre. Initial plans aspired to retain Moraga's semi-rural character and preserve its open spaces. While the plans were well-intentioned and reflective of public sentiment, they limited opportunities for higher density housing and made it more difficult for lower-income households to move to the town. This also occurred in other nearby towns incorporating during this era, including Lafayette (inc. 1968), Danville (inc. 1982), and Orinda (inc. 1985).

These early land use decisions shaped the way the town appears today. Moraga has two commercial (more recently "mixed use") districts, located in the MCSP and Rheem Center areas. The rest of the Town is designated for single family use, open space, and St. Mary's College. This zoning pattern responds to a number of factors that limit opportunities for multifamily development outside of the MSCP and Rheem Center areas. The community is surrounded by grassy and forested hillsides, providing topographical challenges and increasing the risk of wildfire and other natural hazards. Moraga is one of the only communities in the East Bay that has no direct freeway access. There are two primary roads in and out of town, both which pass through other cities before reaching the regional transit and freeway network. Most neighborhoods have limited access to transit and are car-dependent. In addition, the public overwhelmingly supports the preservation of the area's semi-rural character, open spaces, hillsides, and ridgelines. The 2022 Housing Element survey found that even those who acknowledged the need for new housing were concerned about traffic, the risk of wildfire, evacuation, and other issues.

The net effect of these conditions is that Moraga has added very little housing in the last 20 years and has seen almost no true multifamily construction in the last 40 years. The lack of housing production has had several consequences, including longer commutes for those who work in Moraga or attend Saint Mary's College, insufficient housing choices for young adults who

grew up in Moraga, and few options for older adults who wish to downsize. The absence of new multifamily housing production has contributed to higher housing costs that preclude many low- and moderate-income households from finding housing in Town. As discussed in more detail below, Moraga is a high-resource community. The shortage of housing for low- and moderate-income households in Town contributes to regional imbalances in access to opportunity. These imbalances have a disproportionate impact on non-White residents, seniors, persons with disabilities, and single-parent households, many of whom are disproportionately likely to have low or moderate incomes.

Moraga has taken a number of actions in recent years to facilitate the production of multifamily housing in Town and is furthering these efforts through this Housing Element Update. In 2002, Moraga adopted a new General Plan that 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. In 2010, the Town adopted the Moraga Center Specific Plan (MCSP) and created the Town's first high-density (R-20) zoning districts. In 2020, the Town adopted new mixed use zoning districts for the MCSP area, creating additional opportunities for high-density housing development, as well as incentives, streamlined processes, objective design standards, and "by right" approval opportunities for new housing.

Actions that the Town will take as part of this Housing Element Update will further increase allowable densities in the MCSP area and rezone the Rheem Center area to allow for multifamily residential uses. In addition, the Housing Element includes actions that will reduce parking requirements, create local density bonuses, streamline the development process, and allow multifamily development by right through objective design standards. These actions will help the Town in its efforts to affirmatively further fair housing by increasing housing choice and mobility and improving access to opportunity.

Fair Housing Enforcement and Outreach

Data on fair housing enforcement and complaints can be used as an indicator of the overall magnitude of housing complaints, and to identify characteristics of households experiencing discrimination in housing. Pursuant to the California Fair Employment and Housing Act [Government Code Section 12921 (a)], the opportunity to seek, obtain, and hold housing cannot be determined by an individual's "race, color, religion, sex, gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, familial status, source of income, disability, veteran or military status, genetic information, or any other basis prohibited by Section 51 of the Civil Code." Federal Law also prohibits many kinds of housing discrimination.

Fair housing enforcement is presently handled on a case-by-case basis. The State of California has an Office of Fair Housing and Equal Opportunity (FEHO) that enforces the Fair Housing Act and other civil rights authorities that prohibit discrimination. In the event a fair housing complaint is received by the Town, the involved party would be referred to FEHO for investigation. Housing discrimination complaints can also be directed to HUD's Office of Fair Housing and Equal Opportunity (FHEO). In Contra Costa County, local housing, social services, and legal service organizations include the Fair Housing Advocates of Northern California (FHANC), Eden Council for Hope and Opportunity (ECHO) Fair Housing, Bay Area Legal Aid, and Pacific Community Services.

Fair housing issues that may arise in any jurisdiction include but are not limited to:

- housing design that makes a dwelling unit inaccessible to an individual with a disability
- discrimination against an individual based on race, national origin, familial status, disability, religion, sex, or other characteristic when renting or selling a housing unit
- disproportionate housing needs including cost burden, overcrowding, substandard housing, and risk of displacement.

There are currently no local fair housing laws in the Town, but Moraga complies with all applicable state and federal laws. These include:

- The federal Fair Housing Act, Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 et seq., which the Town complies with by ensuring that housing is available to all persons without regard to race, color, religion, national origin, disability, familial status, or sex.
- The federal Americans with Disabilities Act (ADA), which the Town complies with through its building code, permit review procedures, and reasonable accommodation procedures. This Housing Element includes a program to revise the Town's reasonable accommodation procedures to remove barriers to housing for persons with disabilities.
- The California Fair Employment and Housing Act, which the Town complies with through its protocols for hiring, decision-making, staff training, advertising, and legal counsel.
- Government Code Section 65008 and 11135, which guide the Town's procurement protocols, provide preferential treatment for affordable housing, provide equal access to housing assistance, and ensure that multi-family housing is treated fairly relative to single family housing.
- Government Code Section 8899.50, which specifies AFFH requirements.
- Government Code Section 65913.2, which precludes excessive subdivision standards.
- Government Code Section 65302.8, which precludes certain types of municipal growth control laws.
- Government Code Section 65583, which includes the requirement to have a housing element.

- Housing Accountability Act, which is implemented through the Town's development review and zoning procedures

Due to the small size of the Town's staff, there is not a formal fair housing training program and there is limited expertise on fair housing issues. An action program in this Element states that the Town will 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. In addition, this Housing Element includes a program that states that the Town will establish an agreement with a third-party, nonprofit agency to provide fair housing services, first-time home buyer counseling, and tenant/landlord services.

Only two complaints have been filed and resolved with FHEO in Moraga since 2013. The Town is not aware of any fair housing cases that may have occurred without being formally reported and has not received complaints or inquiries from residents. A no cause determination was made for one complaint related to discrimination by race or national origin, and one complaint based on discrimination by family status was settled or conciliated. In Contra Costa County, a total of 246 complaints were filed and resolved between 2013 and 2020, including 97 complaints that were settled or withdrawn by the complainant after resolution. The remaining complaints in the County included 123 complaints that were dismissed for no cause, 17 complaints that were withdrawn without resolution, and nine other types of complaints (see Table A-1).

Table A-1: FHEO Fair Housing Complaints by Resolution Type

	Town of Moraga		Contra Costa County	
Resolution	**Total, 2013-2021**	**Percent of Total**	**Total, 2013-2020**	**Percent of Total**
ALJ consent order entered after issuance of charge	0	0%	1	0.4%
Complainant failed to cooperate	0	0%	7	2.9%
Conciliation/settlement successful	1	50.0%	73	29.8%
No cause determination	1	50.0%	123	50.2%
Unable to locate complainant	0	0%	1	0.4%
Withdrawn after resolution	0	0%	24	9.8%
Withdrawn without resolution	0	0%	17	6.9%
Subtotal, Closed Complaints	**2**	**100.0%**	**246**	**100.0%**

Sources: HUD, Office of Fair Housing and Equal Opportunity, 2022; BAE, 2022.

In addition to data from the FHEO, this analysis also reviewed data for Moraga from the California Department of Fair Employment and Housing (DFEH). As shown in Table A-2, this source also indicates very few fair housing complaints have been filed in Moraga.

Table A-2: DFEH Fair Housing Complaints

Basis Type (a)	Year Resolved 2018	2019	2020	2021	Total, 2018-2021 (YTD)	Percent of Total
Disability	3	0	2	1	6	54.5%
Familial Status	1	0	1	0	2	18.2%
Marital Status	0	0	1	0	1	9.1%
Race	0	0	1	0	1	9.1%
Source of Income	0	0	1	0	1	9.1%
Total, All Basis Types	**4**	**0**	**6**	**1**	**11**	**100.0%**
Discriminatory Practice (a)						
Denied equal terms and conditions	0	0	1	0	1	11.1%
Denied reasonable accommodation	3	0	0	0	3	33.3%
Denied reasonable accommodation for a disability or medical condition	0	0	0	1	1	11.1%
Denied rental/lease/sale	1	0	1	0	2	22.2%
Evicted	0	0	1	0	1	11.1%
Subjected to restrictive/covenant	1	0	0	0	1	11.1%
Total, All Practices	**5**	**0**	**3**	**1**	**9**	**100.0%**
Resolution						
No cause determination	1	0	2	1	4	66.7%
Settled by Legal: Post-civil Complaint	2	0	0	0	2	33.3%
Total, All Resolutions	**3**	**0**	**2**	**1**	**6**	**100.0%**

Note:
(a) Each complaint may involve more than one basis type or discriminatory practice, but there is only one resolution per complaint.
Sources: California Department of Fair Employment and Housing, 2022; BAE, 2022.

Moraga Fair Housing Services

According to the Town's website,[3] the following fair housing resources are available in the Town of Moraga:

- Information on senior housing, equal housing, and homeless resources are available on the County's website
- For fair housing services, the County directs tenants to contact either Bay Area Legal Aid (BALA) or ECHO Housing.
- The Housing Authority of the County of Contra Costa provides information on multiple housing programs available in the County, including Section 8.
- The Neighborhood Preservation Program is available to low income homeowners in Moraga in need of assistance to eliminate poor property conditions.
- The Regional Center of the East Bay provides resources where people with developmental disabilities can seek guidance and assistance with housing and more.

[3] https://www.moraga.ca.us/196/Housing-Resources

Eden Council for Hope and Opportunity (ECHO) Fair Housing

ECHO Fair Housing is a HUD-approved housing counseling agency that aims to promote equal access in housing, provide support services to aid in the prevention of homelessness, and promote permanent housing conditions. The organization provides education and charitable assistance to the general public in matters related to obtaining and maintaining housing in addition to rental assistance, housing assistance, tenant/landlord counseling, homeseeking, homesharing, and mortgage and home purchase counseling. In Contra Costa County, ECHO Fair Housing provides fair housing services, first-time home buyer counseling and education, and tenant/landlord services (rent review and eviction harassment programs are available only in Concord).

Integration and Segregation Patterns and Trends

Segregation is defined as the separation or isolation of a race/ethnic group, national origin group, individuals with disabilities, or other social group by enforced or voluntary residence in a restricted area, by barriers to social connection or dealings between persons or groups, by separate educational facilities, or by other discriminatory means. To measure racial and ethnic segregation in a given jurisdiction, the US Department of Housing and Urban Development (HUD) recommends the dissimilarity index and the isolation index as further discussed below.

Race and Ethnicity

Moraga shows a race and ethnic mix somewhat different from the two-county East Bay Region. As shown in Table A-3, while their numbers and proportion have declined since 2000, White Non-Hispanic persons still make up a majority of the local population, while for the region they were already slightly below half the population, and have declined to make up less than one-third of the total population in 2020. In Moraga, the Black Non-Hispanic population increased between 2000 and 2010, but has since declined somewhat, but not to 2000 levels. Regionally, this group has declined gradually as a share of population and in absolute numbers (while the overall population was increasing), from 12.5 percent to 9.0 percent of the total, and from 297,975 to 257,493. The Asian Non-Hispanic population has increased substantially. The number of persons identifying as Some Other Race or Two or More Races (non-Hispanic) and the Hispanic population have also increased both in absolute numbers and as a proportion of the overall population. As illustrated in the table below, the other categories have very limited populations in the town.

Table A-3: Moraga and East Bay Region by Race and Ethnicity, 2000 - 2020

	Town of Moraga									
	2000		2010		2020		Change, 2000-2020		Change, 2010-2020	
Not Hispanic nor Latino by Race	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
White	12,760	78.3%	11,509	71.9%	10,440	61.9%	(2,320)	-18.2%	(1,069)	-9.3%
Black or African American	161	1.0%	258	1.6%	197	1.2%	36	22.4%	(61)	-23.6%
Native American Indian and Alaska Native	10	0.1%	16	0.1%	13	0.1%	3	30.0%	(3)	-18.8%
Asian	2,010	12.3%	2,371	14.8%	3,143	18.6%	1,133	56.4%	772	32.6%
Native Hawaiian and Other Pacific Islander	14	0.1%	24	0.1%	39	0.2%	25	178.6%	15	62.5%
Some other race alone	41	0.3%	43	0.3%	70	0.4%	29	70.7%	27	62.8%
Two or more races	519	3.2%	672	4.2%	1,316	7.8%	797	153.6%	644	95.8%
Subtotal, Not Hispanic nor Latino	**15,515**	**95.2%**	**14,893**	**93.0%**	**15,218**	**90.2%**	**(297)**	**-1.9%**	**325**	**2.2%**
Hispanic or Latino	**775**	**4.8%**	**1,123**	**7.0%**	**1,652**	**9.8%**	**877**	**113.2%**	**529**	**47.1%**
Total, All Races	**16,290**	**100.0%**	**16,016**	**100.0%**	**16,870**	**100.0%**	**580**	**3.6%**	**854**	**5.3%**

	Alameda and Contra Costa Counties									
	2000		2010		2020		Change, 2010-2020		Change, 2010-2020	
Not Hispanic nor Latino by Race	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
White	1,140,504	47.7%	1,015,482	39.7%	927,698	32.6%	(212,806)	-18.7%	(87,784)	-8.6%
Black or African American	297,975	12.5%	277,730	10.9%	257,493	9.0%	(40,482)	-13.6%	(20,237)	-7.3%
American Indian and Alaska Native	8,954	0.4%	7,173	0.3%	6,684	0.2%	(2,270)	-25.4%	(489)	-6.8%
Asian	395,354	16.5%	539,405	21.1%	755,031	26.5%	359,677	91.0%	215,626	40.0%
Native Hawaiian and Other Pacific Islander	11,615	0.5%	16,313	0.6%	18,929	0.7%	7,314	63.0%	2,616	16.0%
Some other race alone	7,312	0.3%	7,313	0.3%	18,806	0.7%	11,494	157.2%	11,493	157.2%
Two or more races	89,157	3.7%	100,431	3.9%	154,990	5.4%	65,833	73.8%	54,559	54.3%
Subtotal, Not Hispanic nor Latino	**1,950,871**	**81.5%**	**1,963,847**	**76.7%**	**2,139,631**	**75.1%**	**188,760**	**9.7%**	**175,784**	**9.0%**
Hispanic or Latino	**441,686**	**18.5%**	**595,449**	**23.3%**	**708,649**	**24.9%**	**266,963**	**60.4%**	**113,200**	**19.0%**
Total, All Races	**2,392,557**	**100.0%**	**2,559,296**	**100.0%**	**2,848,280**	**100.0%**	**455,723**	**19.0%**	**288,984**	**11.3%**

Sources: U.S. Census Bureau, Decennial Census 2000 SF1 Table P8, 2010 SF1 Table P8, and 2020 PL 94-171, Table P2; BAE, 2022.

Historic Patterns of Racial Discrimination

The Town of Moraga incorporated in 1974. By that time, overt legal discrimination in housing had largely disappeared, due to the US Supreme Court making neighborhood covenants restricting occupancy to certain races unenforceable in 1948, and the enactment of the California Fair Employment and Housing Act of 1959, the California Fair Housing Act in 1963 (upheld by the US Supreme Court in 1967 following attempts to nullify it), and the federal Fair Housing Act in 1968. However, prior discrimination in housing has set a pattern that still exists today in the region, and other forms of housing discrimination still result in housing segregation in the region.

"Roots, Race, and Place: A History of Racially Exclusionary Housing in the San Francisco Bay Area"[4] provides an overview and history of the discriminatory housing practices in the Bay Area from the arrival of the first Europeans to current times. Key racially exclusionary policies and practices over portions of historic times include the following:

- State violence and dispossession
- Extrajudicial and militia violence
- Racially restrictive covenants and homeowner association bylaws
- Implicitly racial zoning
- Explicitly racial zoning
- Racial steering and blockbusting
- Racialized public housing policies
- Urban renewal
- White flight and municipal fragmentation

As discussed in this report, many of these practices prevented minority families from building the equity in their homes that would have allowed them to consider new housing options even absent overt and non-overt discrimination. For example, a recently released report, "Identifying Bias and Barriers, Promoting Equity: An Analysis of the USPAP Standards and Appraiser Qualifications Criteria."[5] discusses the impacts of racial bias in the appraisal process, where minority applicants face implicit and explicit bias on the part of appraisers leading to undervaluation of their homes. As a result, minority homeowners have had less ability to grow the equity in their existing homes, limiting the ability to "trade up" to higher-value homes in suburban communities such as Moraga. While not necessarily facing overt discrimination

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[4] Moore, Eli, Nicole Montojo, and Nicole Mauri. "Roots, Race, and Place: A History of Racially Exclusionary Housing in the San Francisco Bay Area." Haas Institute for a Fair and Inclusive Society, University of California, Berkeley. October 2019. haasinstitute.berkeley.edu/rootsraceplace.

[5] Yap, Maureen, Morgan Williams, Lisa Rice, Scott Chang, Peter Christensen, Stephen M. Dane. "Identifying Bias and Barriers, Promoting Equity: An Analysis of the USPAP Standards and Appraiser Qualifications Criteria." The Appraisal Subcommittee of the Federal Financial Institutions Examination Council, January 2022. https://www.asc.gov/Documents/OtherCorrespondence/2022-01-14%20NFHA%20et%20al_Analysis.pdf.

inMoraga's local housing market, minority households may be underrepresented due historic regional and national discriminatory practices.

Dissimilarity Index

The Dissimilarity Index is one of two key metrics recommended for use in fair housing analysis as part of the federal AFFH rule. It measures the evenness with which two groups are distributed across the geographic units that make up a larger area, such as Census block groups within a city or town. The index can range from zero to 100, with zero meaning no segregation, or spatial disparity, and 100 indicating complete segregation between the two groups. The index score can be interpreted as the percentage of one of the two groups that would have to move to produce an even distribution. According to HUD, an index score above 55 is considered high, while 40 to 54 is considered moderate, and below 40 is considered low.[6] The sub-jurisdiction analysis, including the calculation of both the dissimilarity and isolation indexes, relies on the use of block group level data from 2010 and 2020 from the U.S. Census Bureau.

Dissimilarity index scores by race/ethnicity are generally low in Moraga (see Table A-4). For 2020, the scores range from 7.6 for non-Hispanic persons of two or more races to 50.0 for non-Hispanic Native Hawaiian and Pacific Islanders. It should be noted that, as discussed above, some minority groups make up a very small proportion of the Town's population; their higher dissimilarity index scores may in part reflect their limited numbers. Most of the groups show a decrease in the dissimilarity index between 2010 and 2020, indicating a trend of increasing integration.

Table A-4: Dissimilarity Index, Moraga, 2010 and 2020

	Dissimilarity Index	
Racial and/or Ethnic Group	**2010**	**2020**
Black or African American alone	38.0	23.8
American Indian and Alaska Native alone	24.4	23.7
Asian alone	11.6	9.7
Native Hawaiian and Other Pacific Islander alone	48.0	50.0
Some other race alone	37.2	18.9
Two or more races	9.7	7.6
Hispanic or Latino	22.5	16.6

Sources: U.S. Census Bureau, 2010 Decennial Census SF1 Table P9 and 2020 Decennial Census PL 94-171 Table P2, BAE, 2022.

Isolation Index

The other key metric recommended under the federal AFFH rule is the Isolation Index, which compares a group's share of the overall population to the average share within a given block

[6] Cloud Nine Technologies and Brent Mast, (2017). *Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation*. HUD Office of Policy Development and Research, and Massey, D.S. and N.A. Denton. (1993). *American Apartheid: Segregation and the Making of the Underclass*. Cambridge, MA: Harvard University Press.

group. Ranging from 0 to 100, the isolation index represents the percentage of residents of a given race or ethnicity in a block group where the average resident of that group lives, correcting for the fact that this number increases mechanically with that group's share of the overall study area's population. Using Hispanic or Latino residents as an example, the isolation index of 0.9 in 2020 indicates that the average Hispanic or Latino resident lives in a block group where the Hispanic or Latino share of the population exceeds the overall townwide average by only 0.9 percent. Isolation index values close to zero indicate that members of that minority group live in relatively integrated neighborhoods.[7] [8]

As illustrated in Table A-5, the isolation indexes in Moraga are extremely low for all groups in both 2010 and 2020. The data indicate that most racial and ethnic subpopulations live in areas with high degrees of racial and ethnic integration. The isolation indexes showed some limited change over the 2010 to 2020 period, but none of the scores indicate isolation is an issue for any group.

Table A-5: Isolation Index, Moraga, 2010 and 2020

	Isolation Index	
Racial and/or Ethnic Group	**2010**	**2020**
Non-Hispanic White	1.2	1.1
Black or African American alone	1.9	0.3
American Indian and Alaska Native alone	0.05	0.03
Asian alone	1.0	0.6
Native Hawaiian and Other Pacific Islander alone	0.2	0.2
Some other race alone	0.2	0.1
Two or more races	0.1	0.2
Hispanic or Latino	2.1	0.9

Sources: U.S. Census Bureau, 2010 Decennial Census SF1 Table P9 and 2020 Decennial Census PL 94-171 Table P2, BAE, 2022.

Geographic Distribution of Residents by Race and Ethnicity

Figure A-1 through Figure A-18 below illustrate the geographic concentrations of the overall non-White population and the non-Hispanic populations of White, Black, Native American/Alaska Native, Asian, Pacific Islanders, Some Other Race, and Two or More Races, and Hispanic or Latino residents by Census block group, for both the Town of Moraga and a comparison region, referred to here as the "East Bay Region" and defined as Alameda and Contra Costa Counties combined.

[7] HUD. (2013). *AFFH Data Documentation*. Available at: http://www.huduser.org/portal/publications/pdf/FR-5173-P-01_AFFH_data_documentation.pdf

[8] Glaeser, E. and Vigdor, J. (2001). *Racial Segregation in the 2000 Census: Promising News*. Washington, DC: The Brookings Institution, Center on Urban and Metropolitan Policy. Available at: http://www.brookings.edu/es/urban/census/glaeser.pdf

It should be noted that neither Census block group nor tract boundaries align well with the Town's boundary, and the block groups and tracts shown in this analysis include portions of surrounding areas, particularly Orinda and Lafayette. These communities are demographically similar to Moraga. Additionally, the maps here only highlight the portions of block groups and tracts that are within Moraga.

As shown in Table A-3 above, approximately 38 percent of Moraga's total population is other than White non-Hispanic. The proportion of this population varies from 29.5 percent to 44.1 percent by Census block group, as shown in Figure A-1. The higher minority concentrations are in the block groups in the center of Moraga. The East Bay Region shows areas of higher minority concentration than are found in Moraga, particularly in the older communities along the Bay and the cities along the Highway 4 corridor. Regionally, the non-White concentrations by block group range from 13.6 percent to 100 percent.

The percentage of non-Hispanic White population by block group ranges from 55.9 percent to 70.5 percent in Moraga (see Figure A-3). The geographic pattern is the reverse of that above, with the highest concentrations found in the north and south ends of Moraga. In the two-county region, the concentrations range from zero to 86.4 percent; the highest concentrations of non-Hispanic White persons are found in the State Highway 24 corridor east of the Oakland Hills and the central portion of the Interstate 680 corridor, as shown in Figure A-4.

The largest minority population in Moraga is the non-Hispanic Asian population, at 18.6 percent of the town-wide total as of 2020. By block group, the percentage varies modestly, from 12.8 percent to 21.6 percent (see Figure A-5). Regionally, the proportion for this group ranges from 3.8 percent to 89.3 percent. The largest cluster of block groups with high proportions of non-Hispanic Asians is found in the Fremont area in southwestern Alameda County (see Figure A-6).

The next largest category is Hispanic/Latino population, at 9.8 percent of the town-wide population as of 2020. By block group, the percentage ranges from 6.3 percent to 13.6 percent, indicating a lack of concentration for this group in any particular area of the town (see Figure A-7). Regionwide, the lowest concentrations (from zero to ten percent) are in the center of the region in the State Highway 24 corridor east of Oakland and the Interstate 680 corridor from Walnut Creek south, as shown in Figure A-8. The highest proportions, from 50.0 to 88.7 percent, are found in the Bay Point, Richmond, Oakland, and Hayward areas.

The non-Hispanic Black population in Moraga is extremely small and not clustered anywhere in the town, accounting for just 1.2 percent of the townwide population as of 2020 and with no block group exceeding 1.85 percent of the overall population. In the East Bay Region, the range varies widely by block group, from zero to 57.6 percent, as shown in Figure A-10. The lowest concentrations are found in central and southeast Contra Costa County and in southeast Alameda County, with the highest concentrations found along the eastern and northern Bay shoreline, in part reflecting historic segregation patterns.

The Non-Hispanic Hawaiian Native/Pacific Islander, Native American, and Some Other Race Alone populations in Moraga and the East Bay Region are extremely small, none constituting even one percent of the town-wide or regionwide population as of 2020 (see Figure A-11 through Figure A-16). There are no block groups in Moraga for any of these groups where the concentration exceeds 1.2 percent. Regionally, there are greater concentrations, but no block group has more than ten percent of its population in one of these racial/ethnic categories.

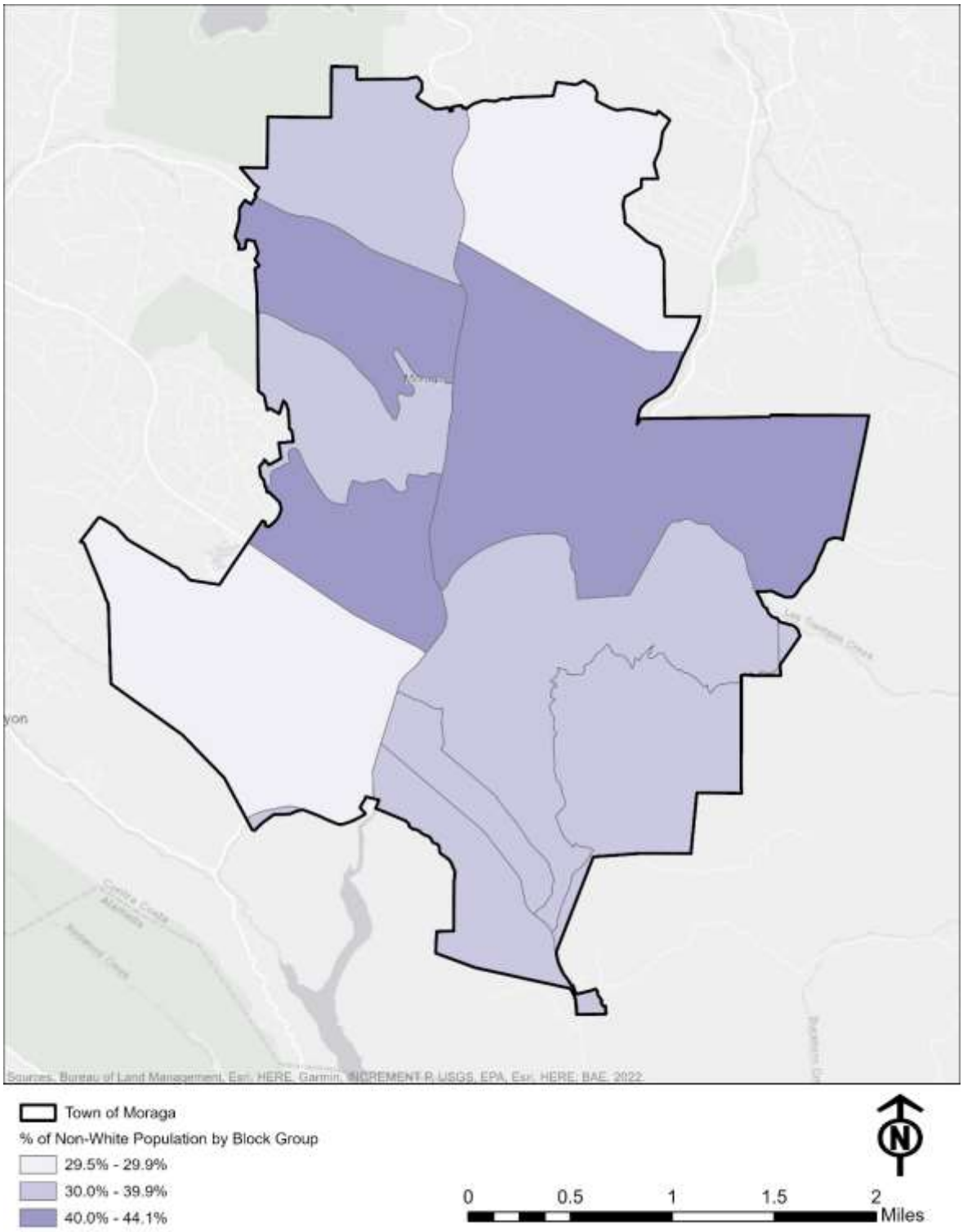
According to 2020 Census data, non-Hispanic persons of two or more races make up approximately 7.8 percent of the town-wide population. The concentration by block group only ranges from 5.9 percent to 9.7 percent, as illustrated in Figure A-17) Regionally the percentage by block group ranges from 1.8 percent to 40 percent. The highest proportions are clustered along the inner East Bay shoreline and nearby block groups, from Oakland north through El Cerrito (see Figure A-21).

Summary of Geographic Distribution of Residents by Race and Ethnicity. The data discussed above and illustrated in the following figures highlight that Moraga's population is predominantly non-Hispanic White, with small populations of individuals belonging to other racial and ethnic groups. Non-Hispanic White residents comprise the majority of the population in all Census block groups in Moraga. While Moraga is somewhat similar to neighboring areas in terms of the racial and ethnic composition of the population, the Town is significantly less diverse than the broader region. The high cost of housing in Moraga, coupled with significant wealth and income gaps between racial and ethnic groups, is likely a key factor contributing to differences between the Town and the surrounding region in the racial and ethnic composition of the population

The Housing Plan chapter of the Town's Housing Element Update includes key actions that the Town will take during the Housing Element planning period to facilitate the production of housing that will be affordable by design and deed-restricted affordable in Moraga. These actions will help to affirmatively further fair housing in Moraga by helping to support residential mobility and access to opportunity. Key programs 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, 14, 26, 27, 28, 29, 30, 32, and 37)
- Programs to work with developers and other stakeholders to facilitate residential development, particularly multifamily housing, affordable housing, and special needs housing (see Programs 10, 12, 33, and 41)
- Adoption of an inclusionary housing ordinance (see Program 15) and implementation of the State Density Bonus (see Program 9)
- Programs to promote the production of ADUs (see Program 16) and SB 9 projects (see Program 19)

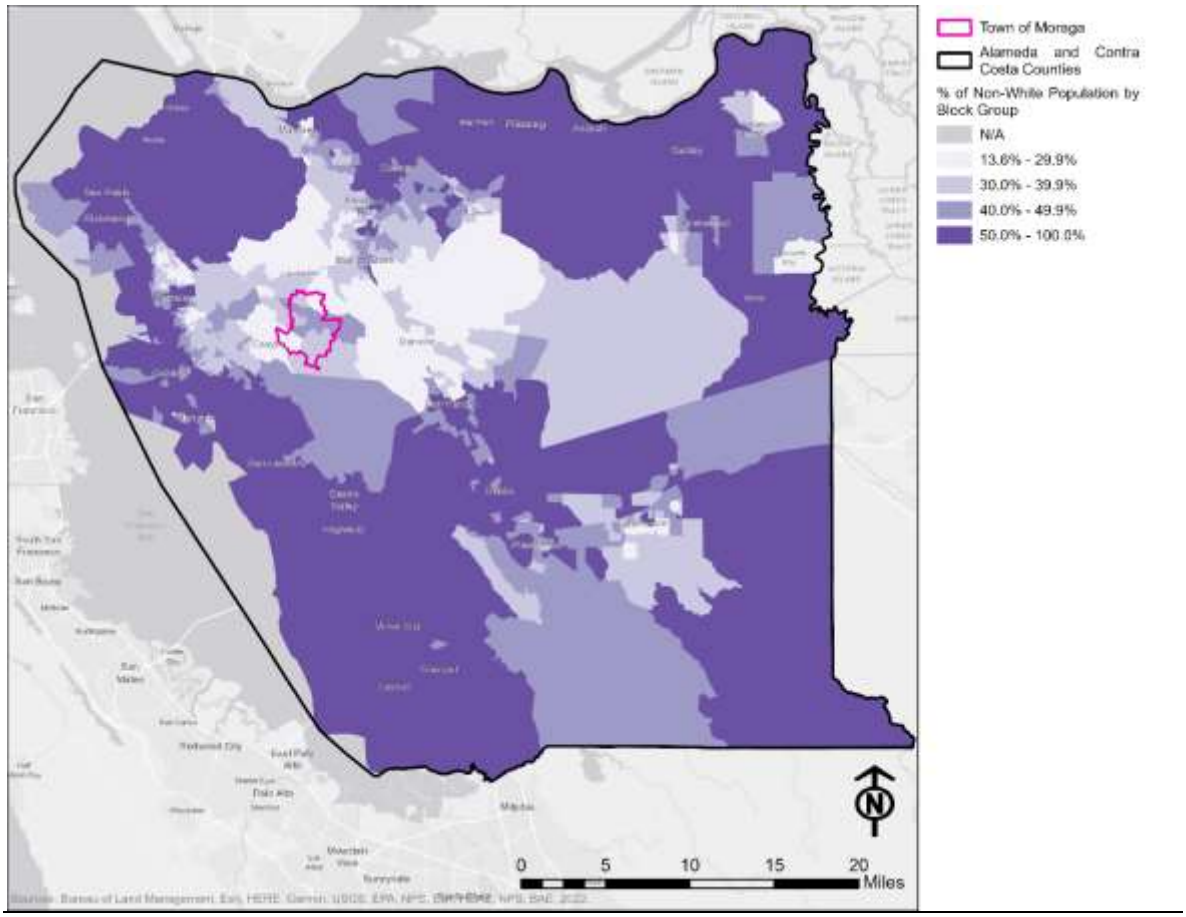
Figure A-1: Census Block Groups by Percent Non-White, Moraga



Note: Includes all categories except White non-Hispanic persons.

Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

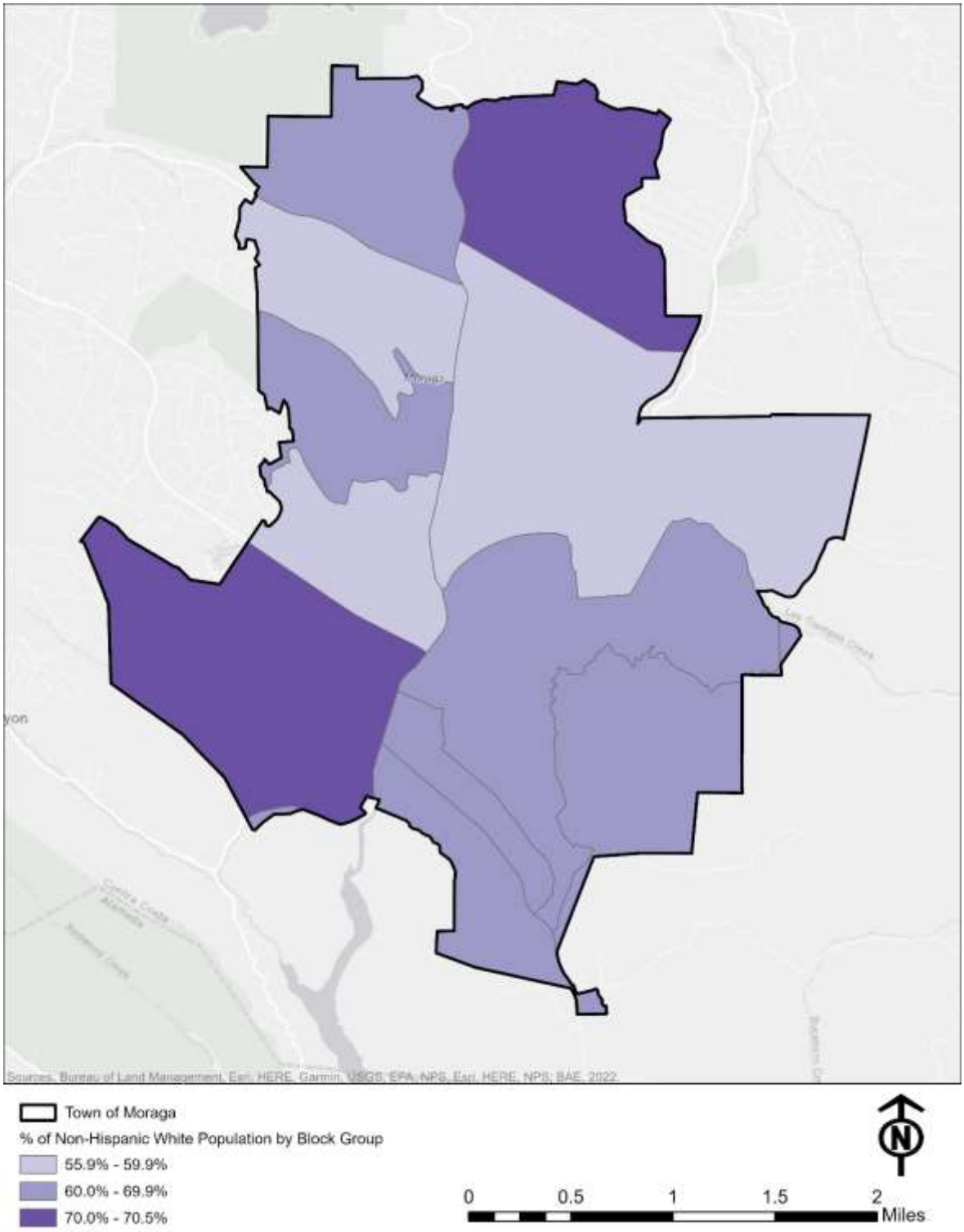
Figure A-2: Census Block Groups by Percent Non-White, East Bay Region



Note: Includes all categories except White non-Hispanic persons.

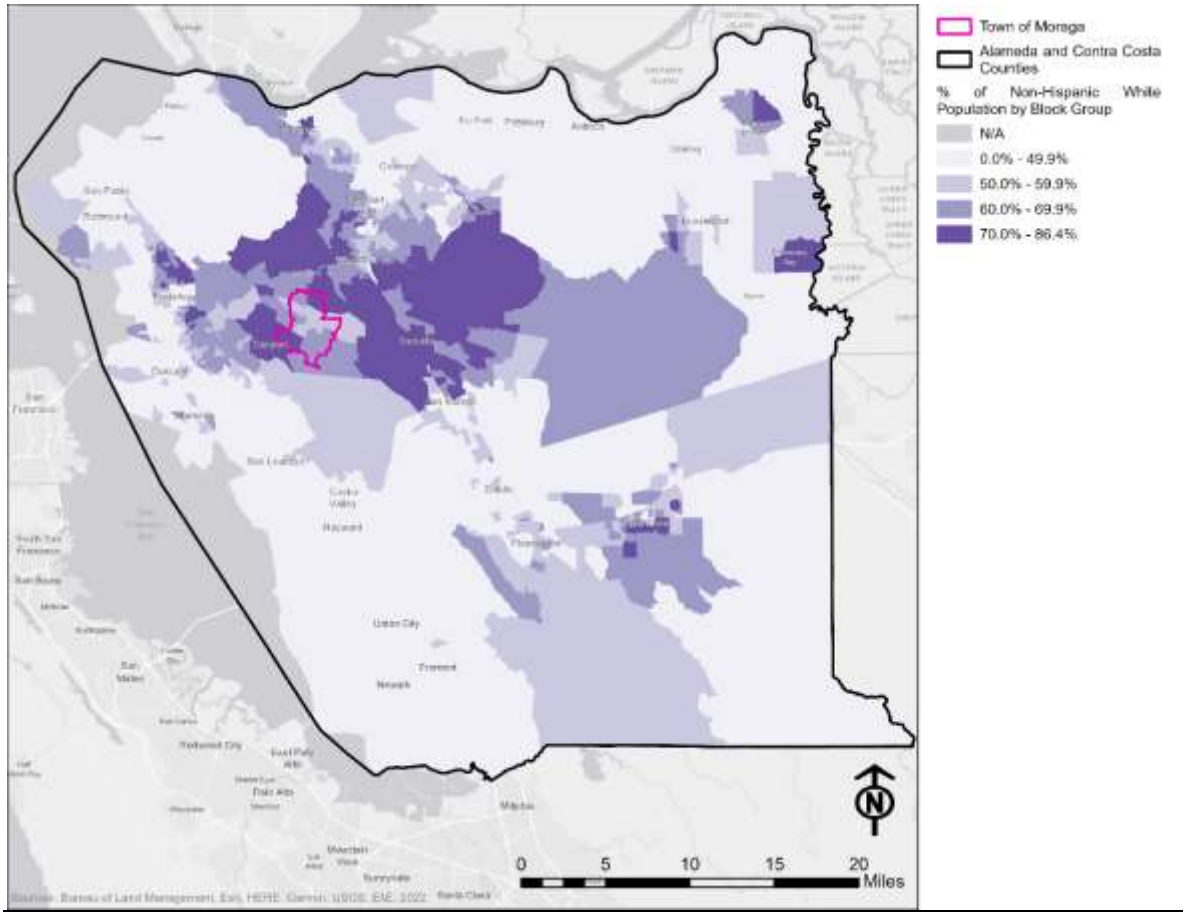
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-3: Census Block Groups by Percent Non-Hispanic White, Moraga



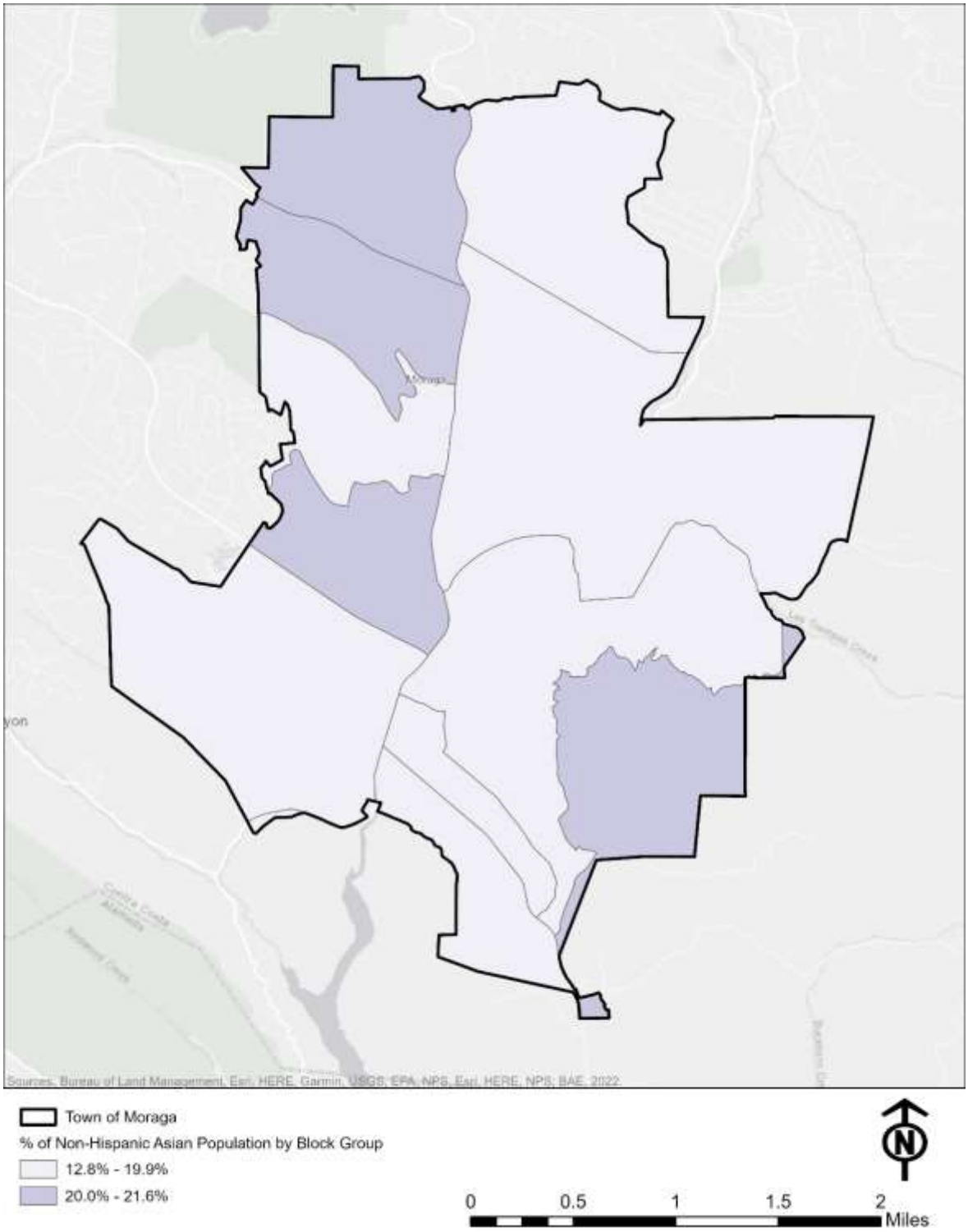
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-4: Census Block Groups by Percent Non-Hispanic White, East Bay Region



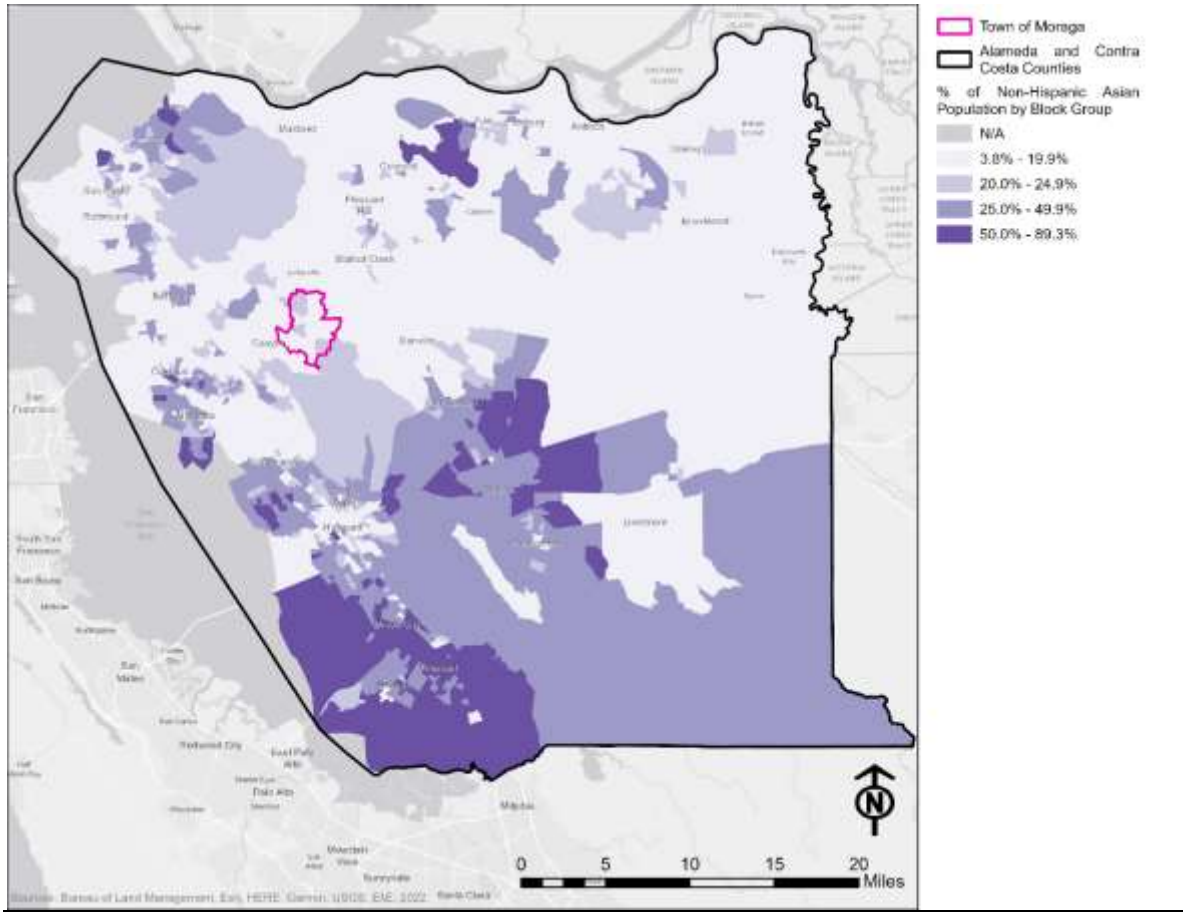
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-5: Census Block Groups by Percent Non-Hispanic Asian, Moraga



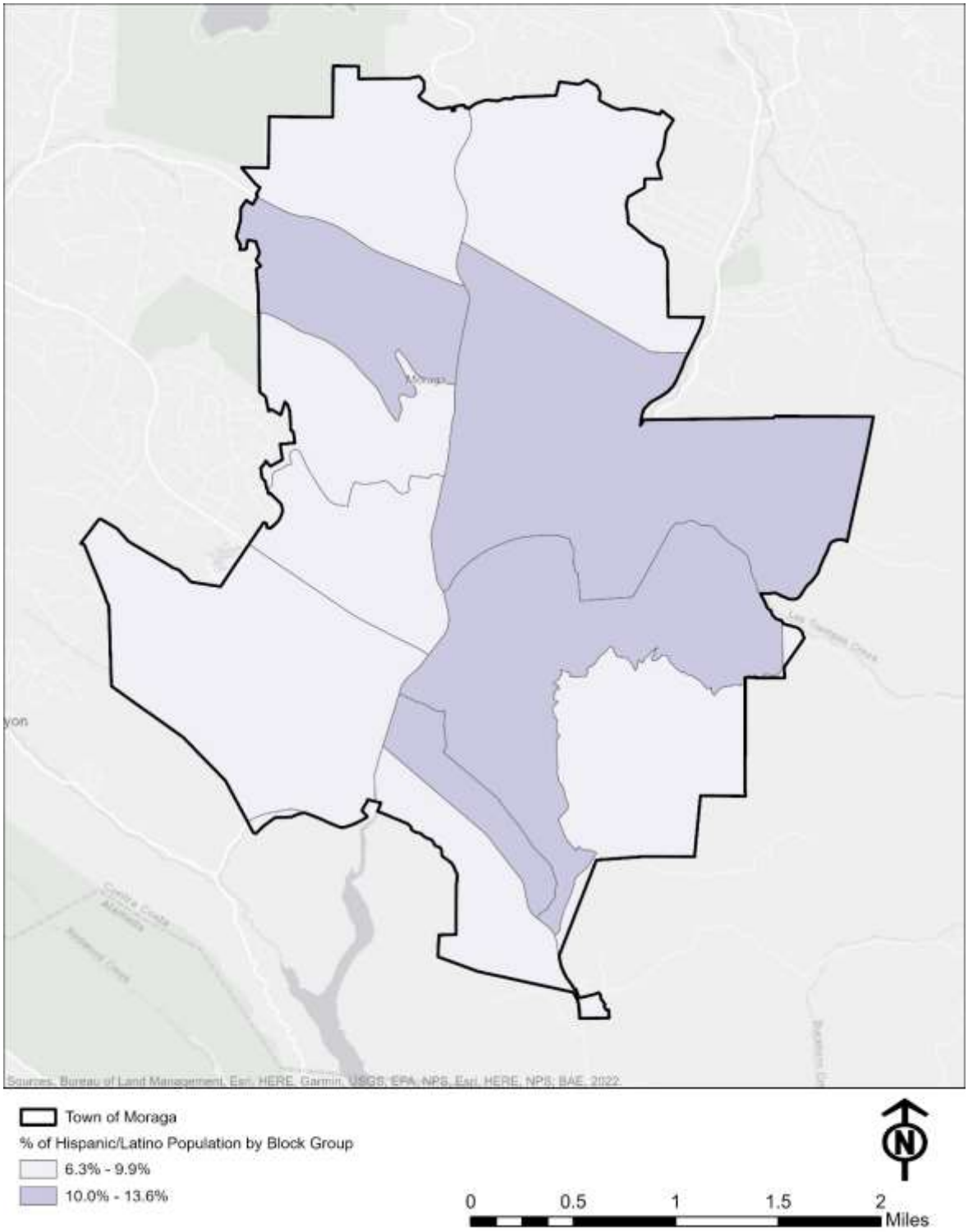
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-6: Census Block Groups by Percent Non-Hispanic Asian, East Bay Region



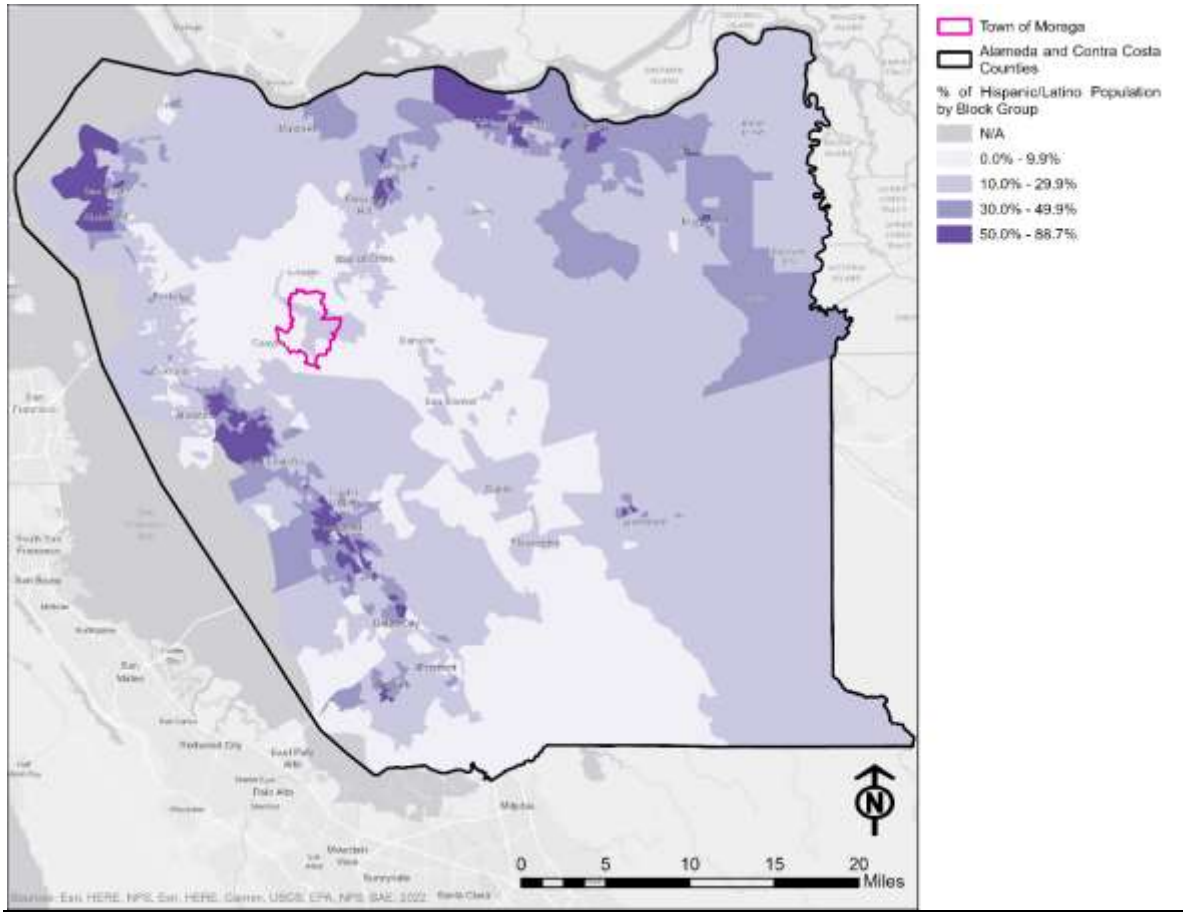
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-7: Census Block Groups by Percent Hispanic or Latino, Moraga



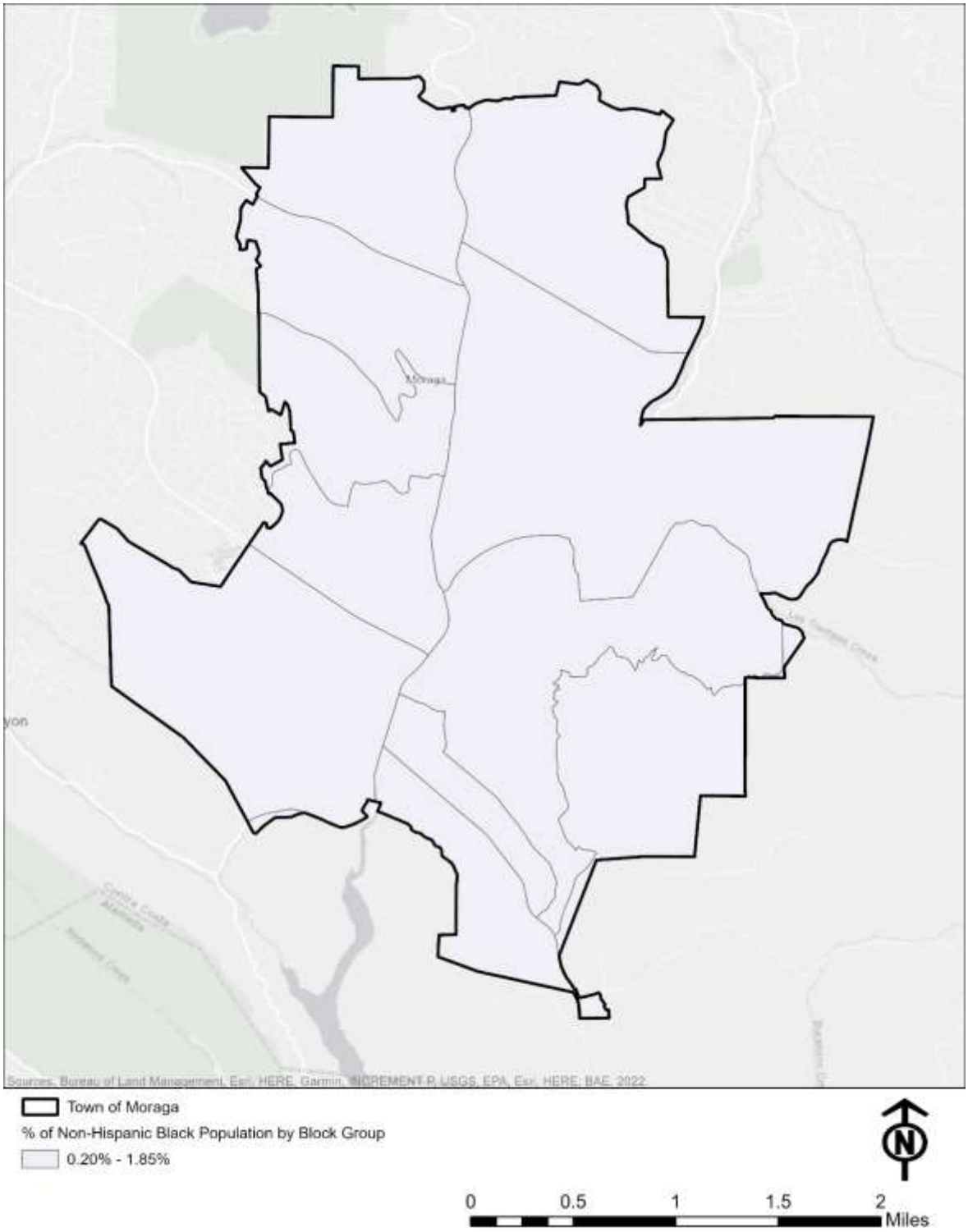
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-8: Census Block Groups by Percent Hispanic or Latino, East Bay Region



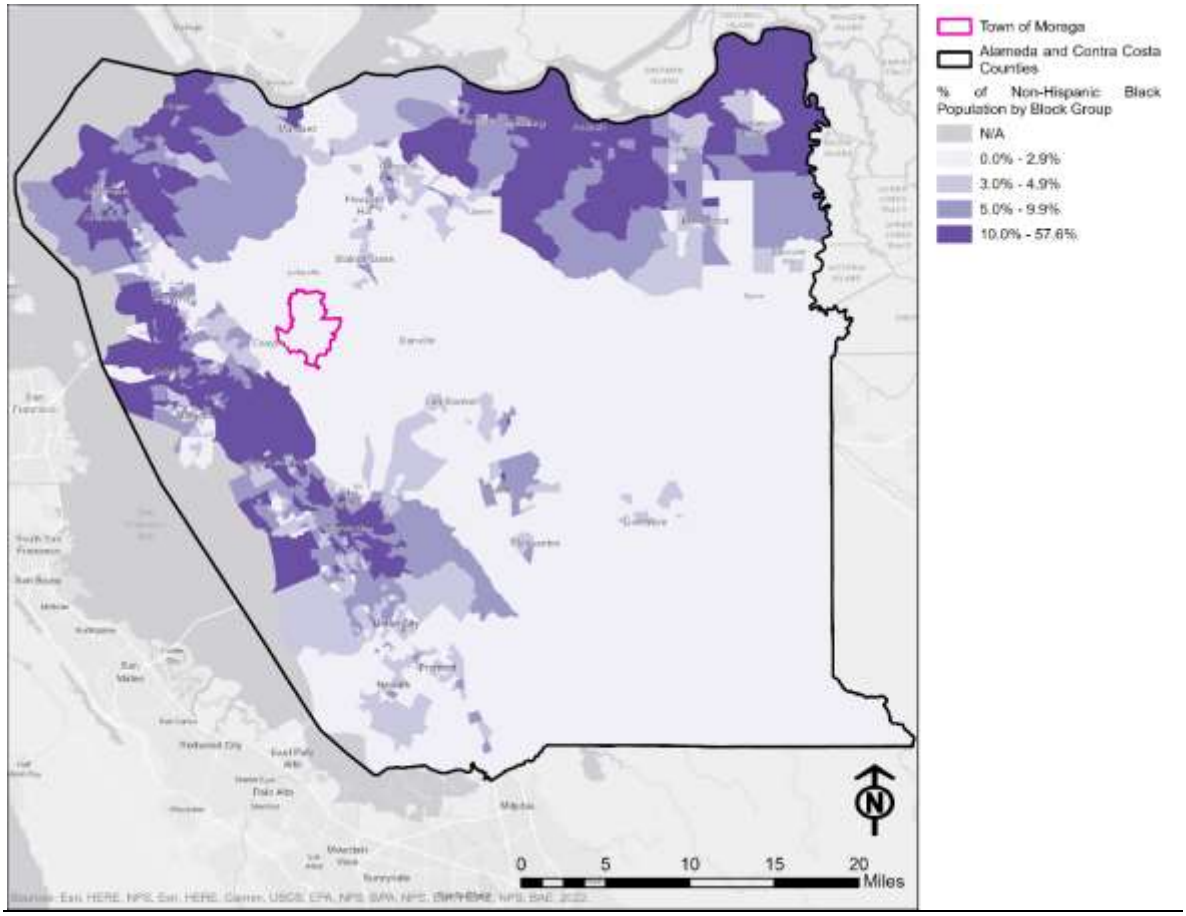
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-9: Census Block Groups by Non-Hispanic Black, Moraga



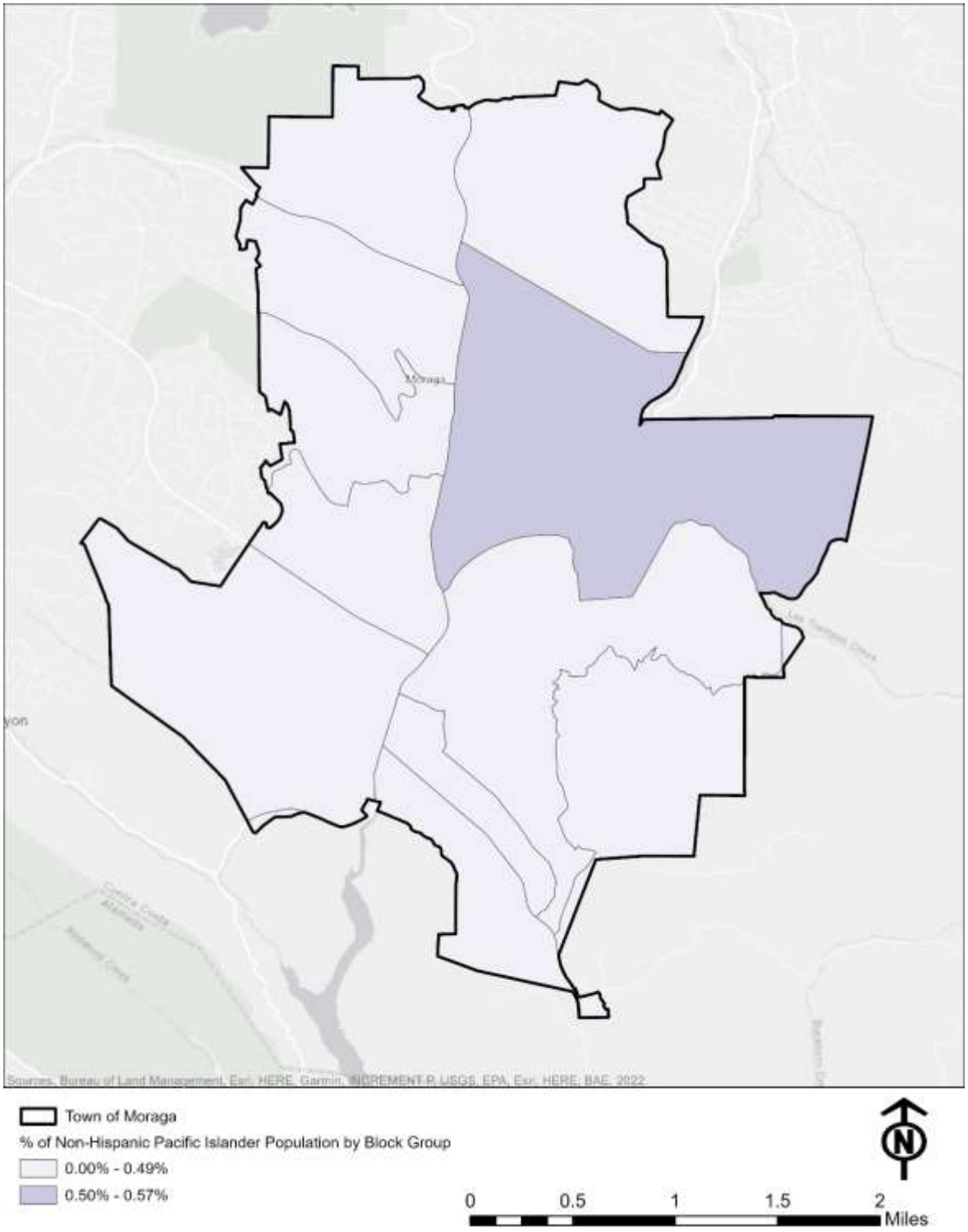
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-10: Census Block Groups by Non-Hispanic Black, East Bay Region



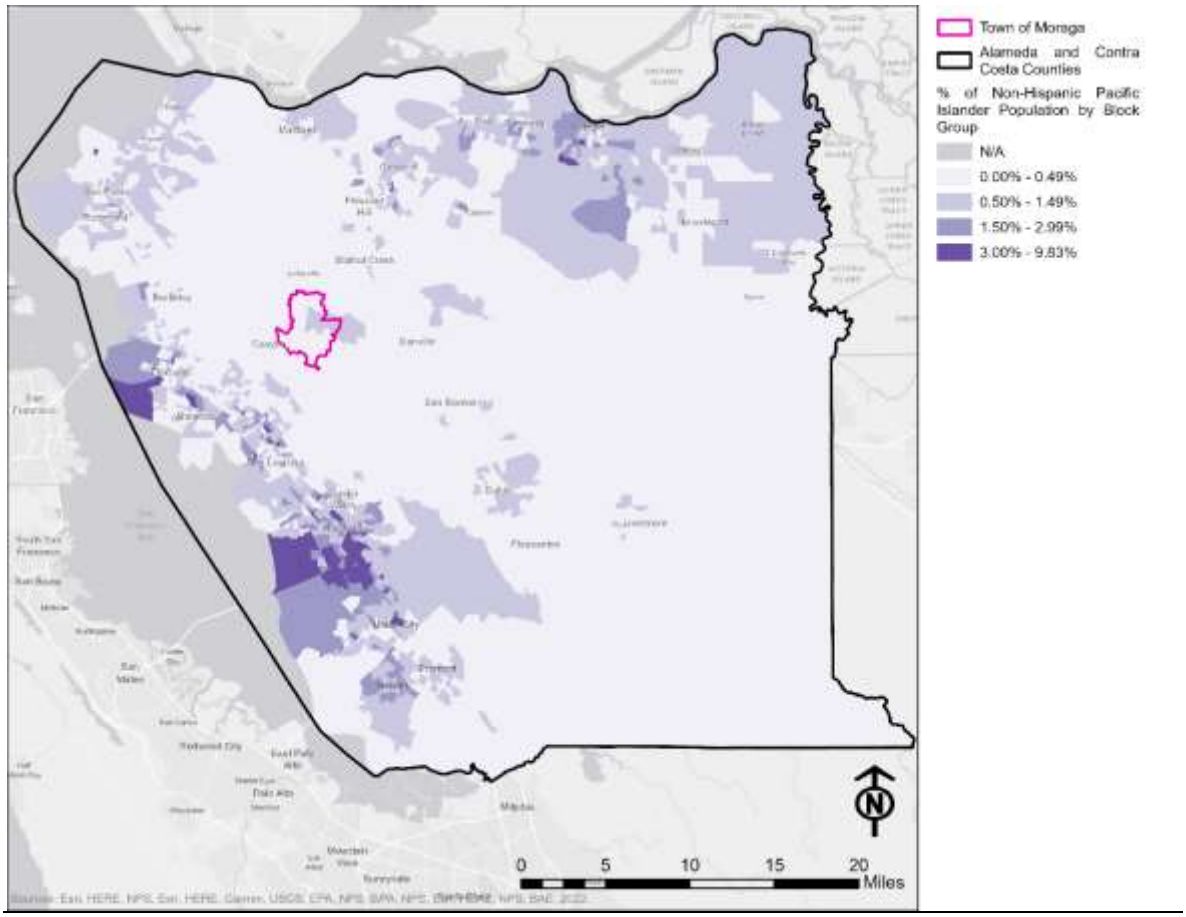
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-11: Census Block Groups by Percent Non-Hispanic Pacific Islander, Moraga



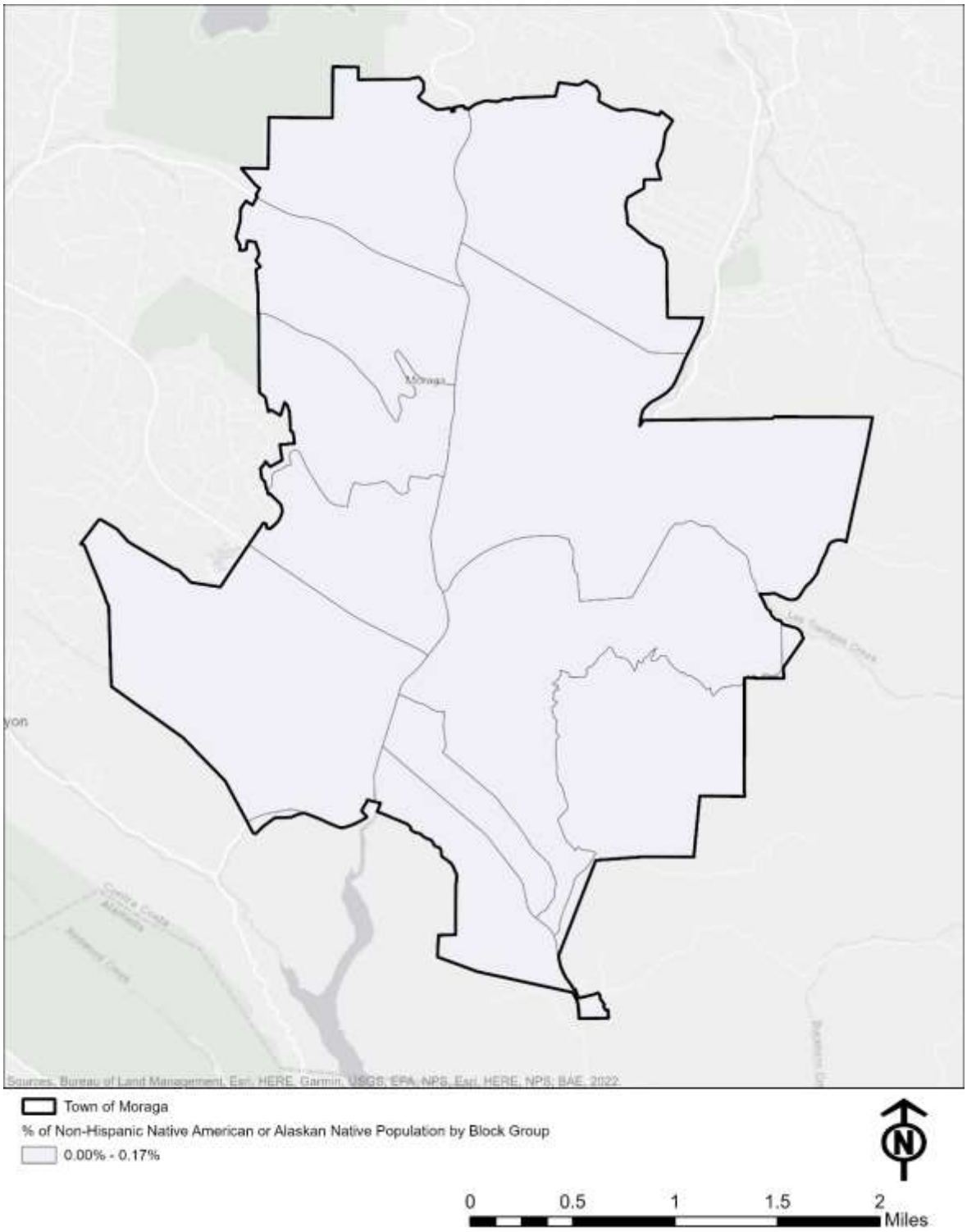
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-12: Census Block Groups by Percent Non-Hispanic Pacific Islander, East Bay Region



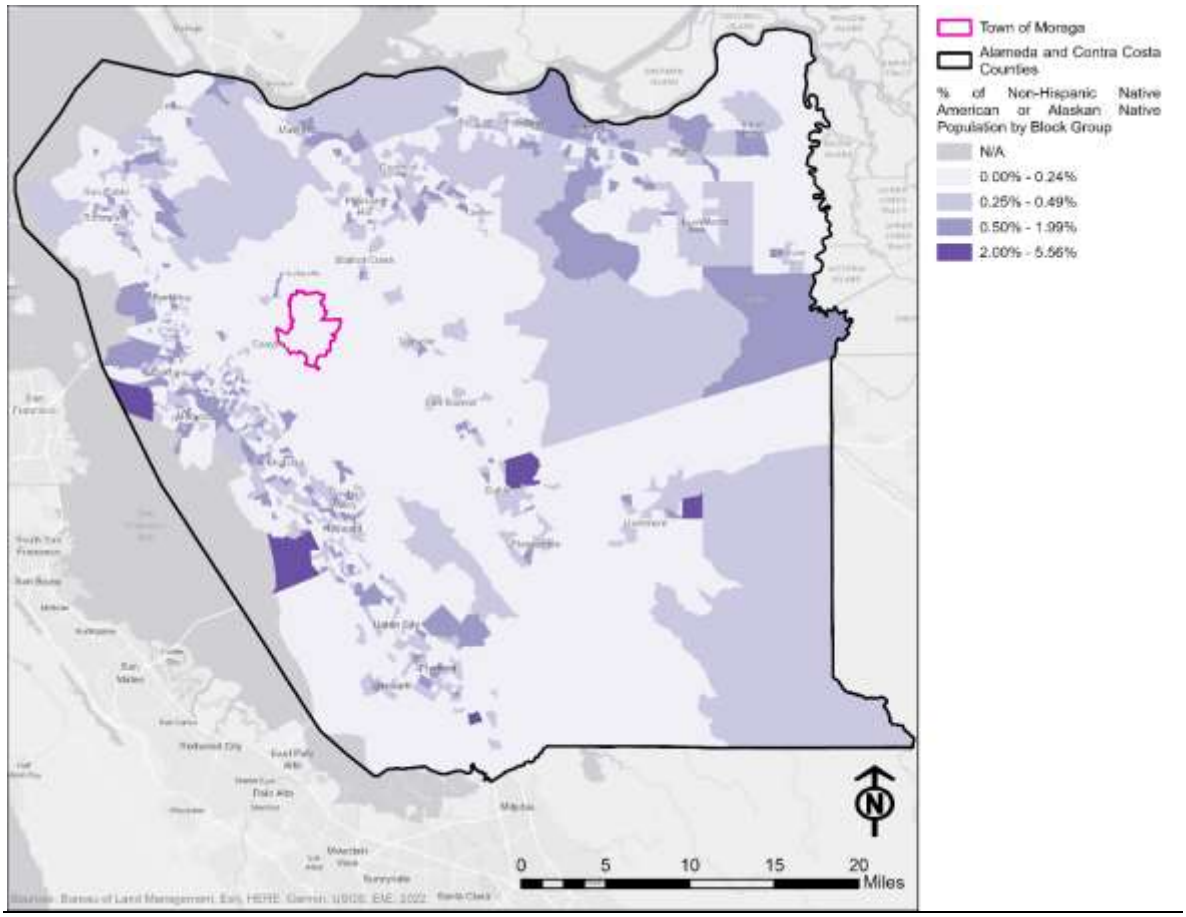
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-13: Census Block Groups by Percent Non-Hispanic Native American, Moraga



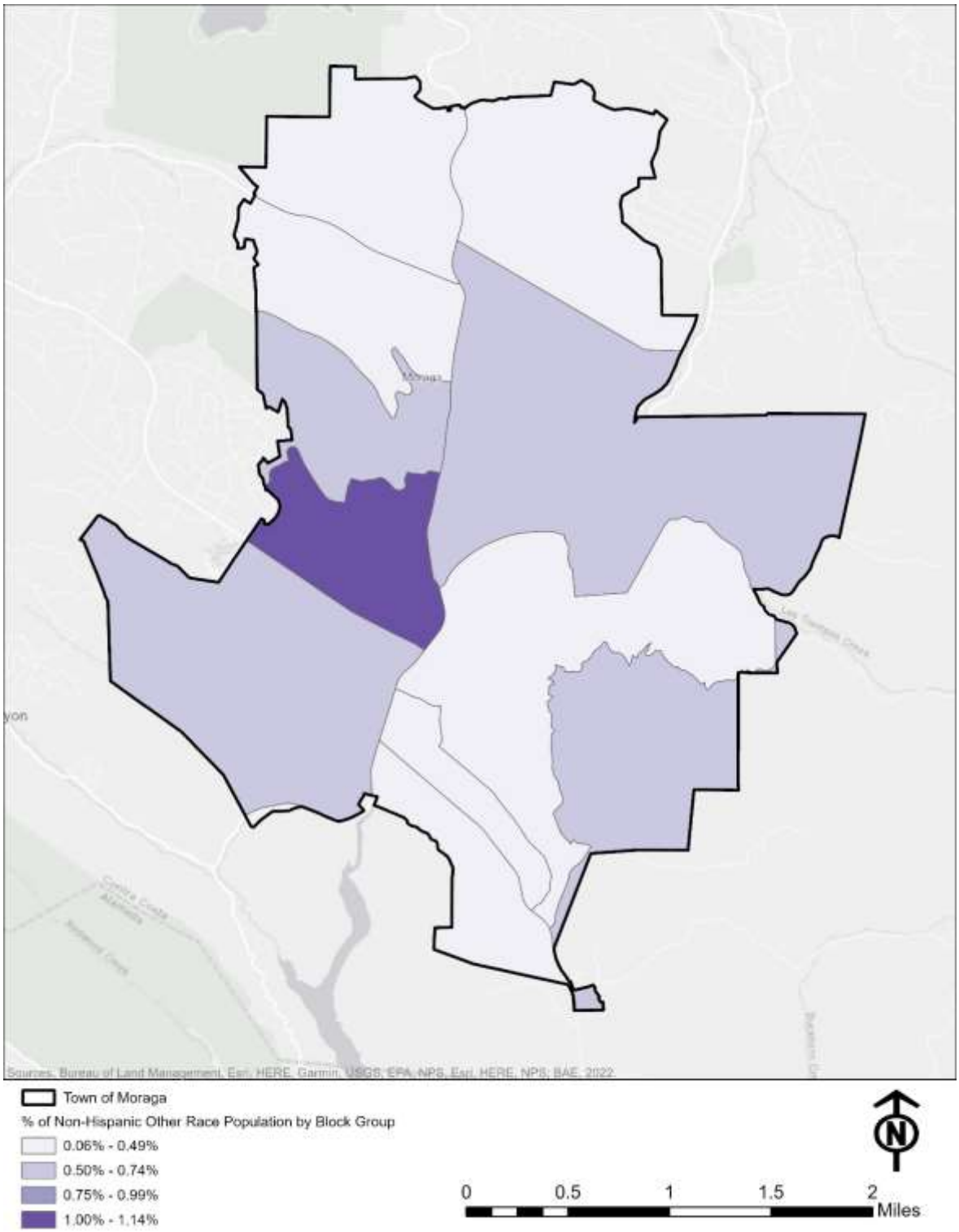
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-14: Census Block Groups by Percent Non-Hispanic Native American, East Bay Region



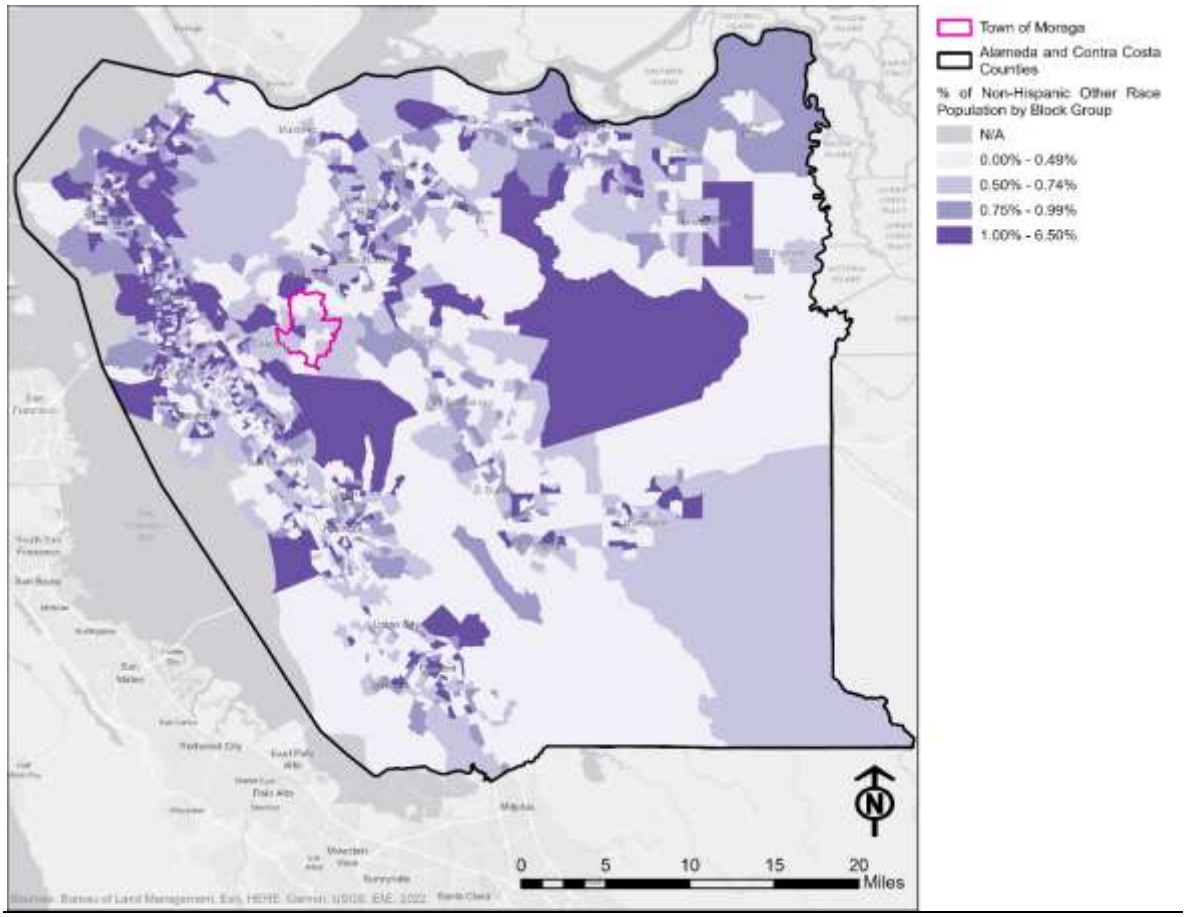
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-15: Census Block Groups by Percent Non-Hispanic Other Race Alone, Moraga



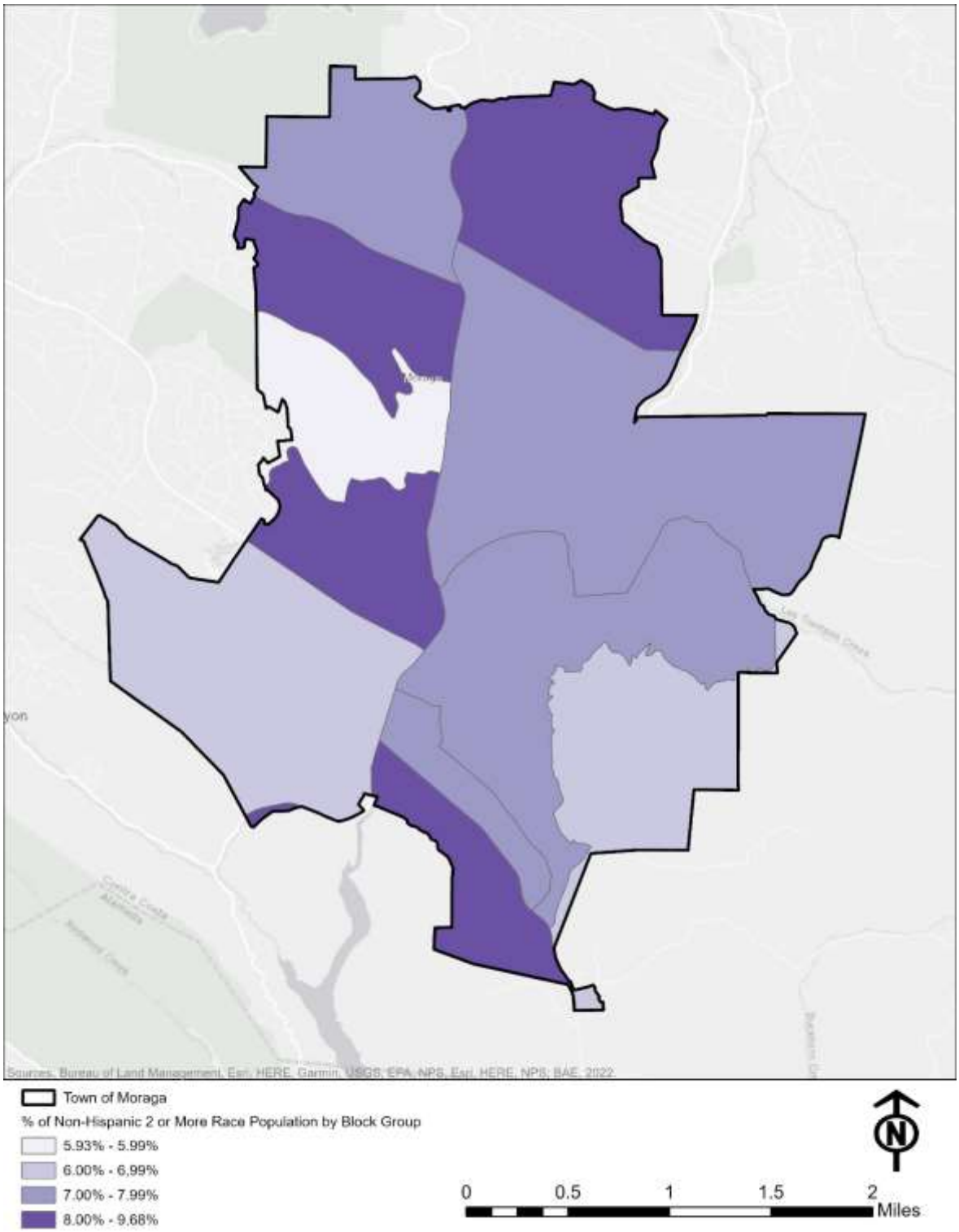
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-16: Census Block Groups by Percent Non-Hispanic Other Race Alone, East Bay Region



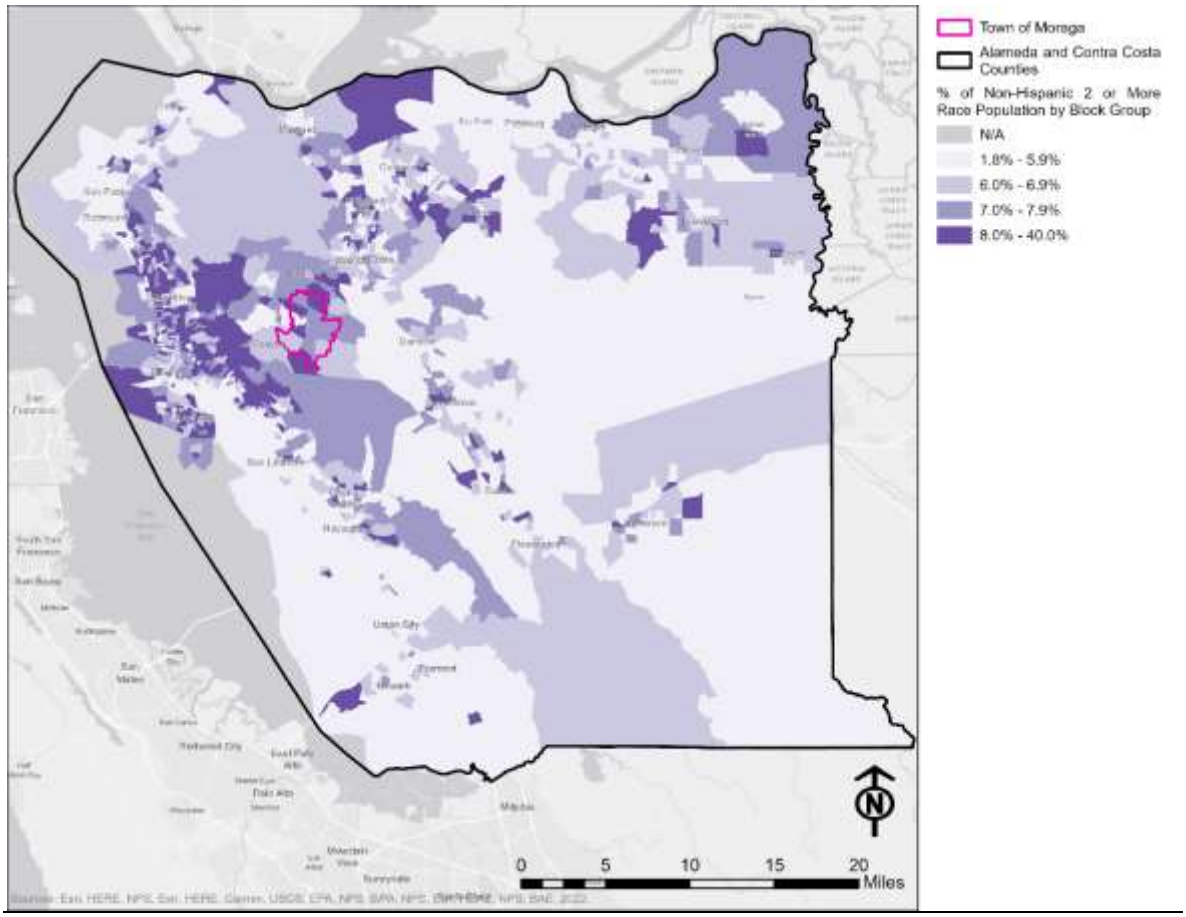
Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-17: Census Block Groups by Percent Non-Hispanic Persons of Two or More Races, Moraga



Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Figure A-18: Census Block Groups by Percent Non-Hispanic Persons of Two or More Races, East Bay Region



Sources: U.S. Census Bureau, 2020 Decennial Census; BAE, 2022.

Persons with a Disability

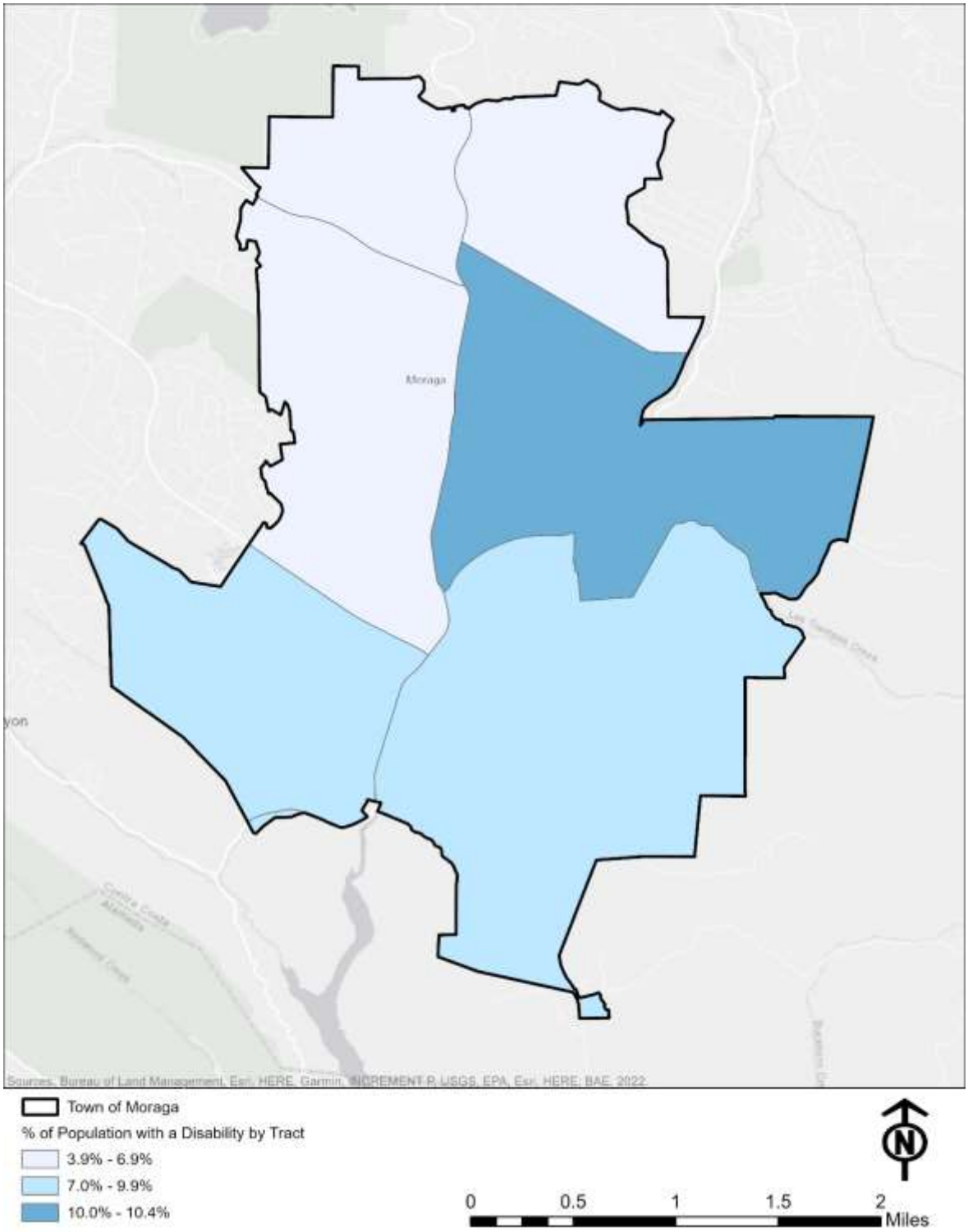
In 1988, Congress added protections against housing discrimination for persons with disabilities through the FHA, which protects against intentional discrimination and unjustified policies and practices with disproportionate effects. The FHA also includes the following unique provisions for persons with disabilities: (1) prohibits the denial of requests for reasonable accommodations for persons with disabilities, if necessary, to afford an individual equal opportunity to use and enjoy a dwelling; and (2) prohibits the denial of reasonable modification requests. With regards to fair housing, persons with disabilities have special housing needs because of the lack of accessible and affordable housing, and the higher health costs associated with their disability. In addition, many may be on fixed incomes that further limit their housing options.

Figure A-19 shows the percent of persons with a disability by Census tract in Moraga based on ACS data from 2015-2019. The tracts range from 3.9 percent to 10.4 percent of the civilian noninstitutionalized population having one or more type of disability. The highest proportion is found in the census tract covering the Rheem Valley Manor neighborhood and St. Mary's

College. The two Census Tracts that cover the southern portion of the Town also have comparatively high proportions of persons with disabilities. The three Census Tracts with higher proportions of persons with disabilities include multiple senior assisted housing developments, including Aegis Living Moraga, Moraga Royal, and Moraga Retreat Care. It is likely that residents in these assisted living communities account for a significant share of residents with disabilities in these Census Tracts. In addition, these Census Tracts provide access to transit through County Connection bus service, which has stops at Moraga Road and Moraga Way and at Saint Mary's College. Portions of these Census Tracts also have comparatively flat topography. Transit access and flat topography may make these areas more accessible for persons with disabilities compared to other areas in Moraga.

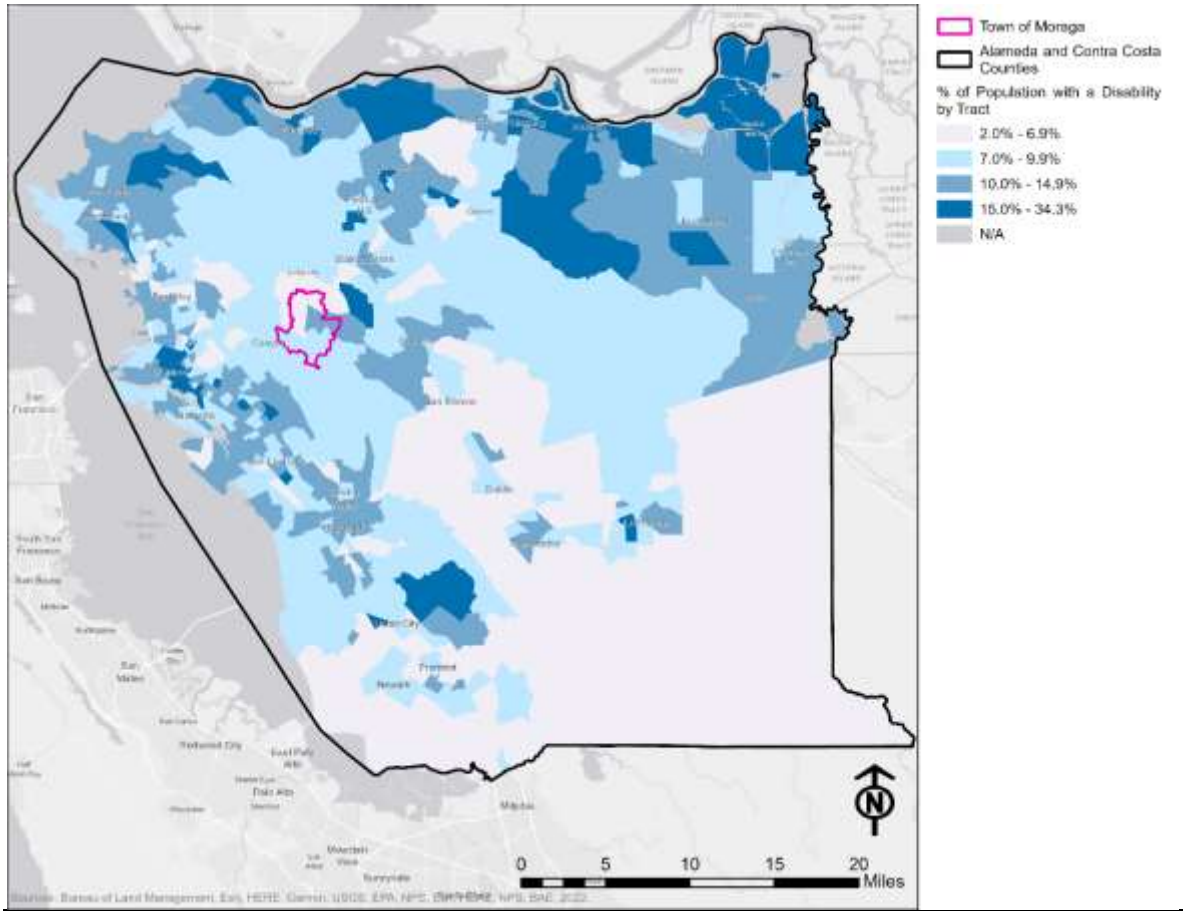
As shown in Figure A-20, for the East Bay Region, the proportion of the population that reports one or more disabilities ranges from 2.0 percent to 34.3 percent by Census tract. The highest proportions of disabled persons are clustered in the northern part of Contra Costa County. Many of these areas tend to be more affordable than other areas of the County, making these areas more accessible to lower-income persons with disabilities. Other areas with high concentrations tend to be located in other affordable areas within the region, along BART lines, and in relatively densely populated areas that provide access to services. In addition, some areas with high proportions of populations with disabilities include housing developments for seniors or persons with disabilities. Near Moraga, the tracts containing the Rossmoor retirement community all show a high percentage of persons with one or more disabilities.

Figure A-19: Population with a Disability by Census Tract, Moraga



Sources: U.S. Census American Community Survey, 2015-2019 data; BAE, 2022.

Figure A-20: Population with a Disability by Census Tract, East Bay Region



Sources: U.S. Census American Community Survey, 2015-2019 data; BAE, 2022.

Familial Status

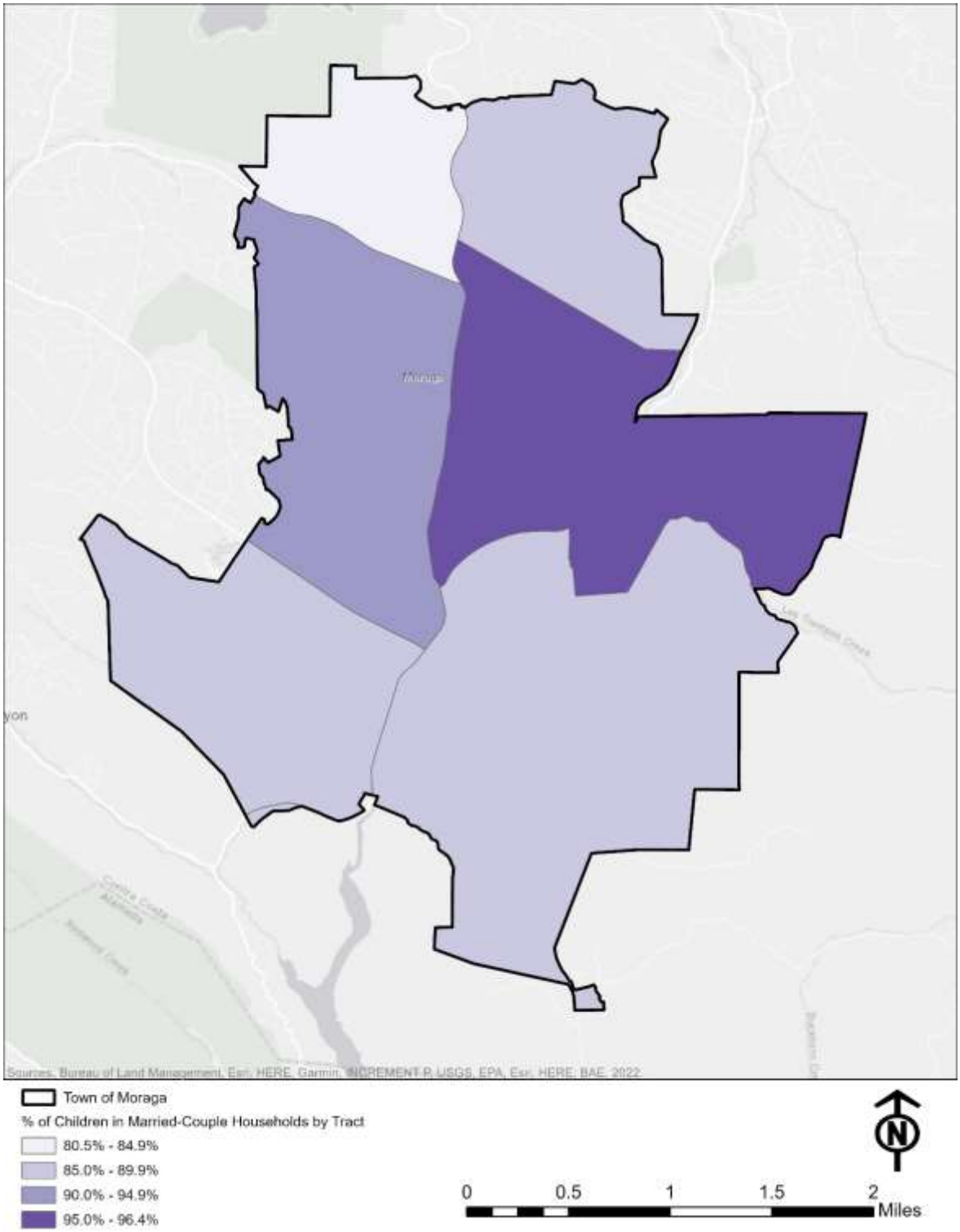
Under the FHA, housing providers (e.g., landlords, property managers, real estate agents, or property owners) may not discriminate because of familial status. Familial status refers to the presence of at least one child under 18 years old, pregnant persons, or any person in the process of securing legal custody of a minor child (including adoptive or foster parents). Examples of familial status discrimination include refusing to rent to families with children; evicting families once a child joins the family (through birth, adoption, or custody); enforcing overly restrictive rules regarding children's use of common areas; requiring families with children to live on specific floors, buildings, or areas; charging additional rent, security deposit, or fees because a household has children; advertising a preference for households without children; and lying about unit availability.

Families with children often have special housing needs due to lower per capita income, the need for affordable childcare, the need for affordable housing, or the need for larger units with three or more bedrooms. Single parent households are also protected by fair housing law. Of particular consideration are female-headed households, who may experience greater housing

affordability challenges due to typically lower household incomes compared to two-parent households. Often, sex and familial status intersect to compound the discrimination faced by single mothers.

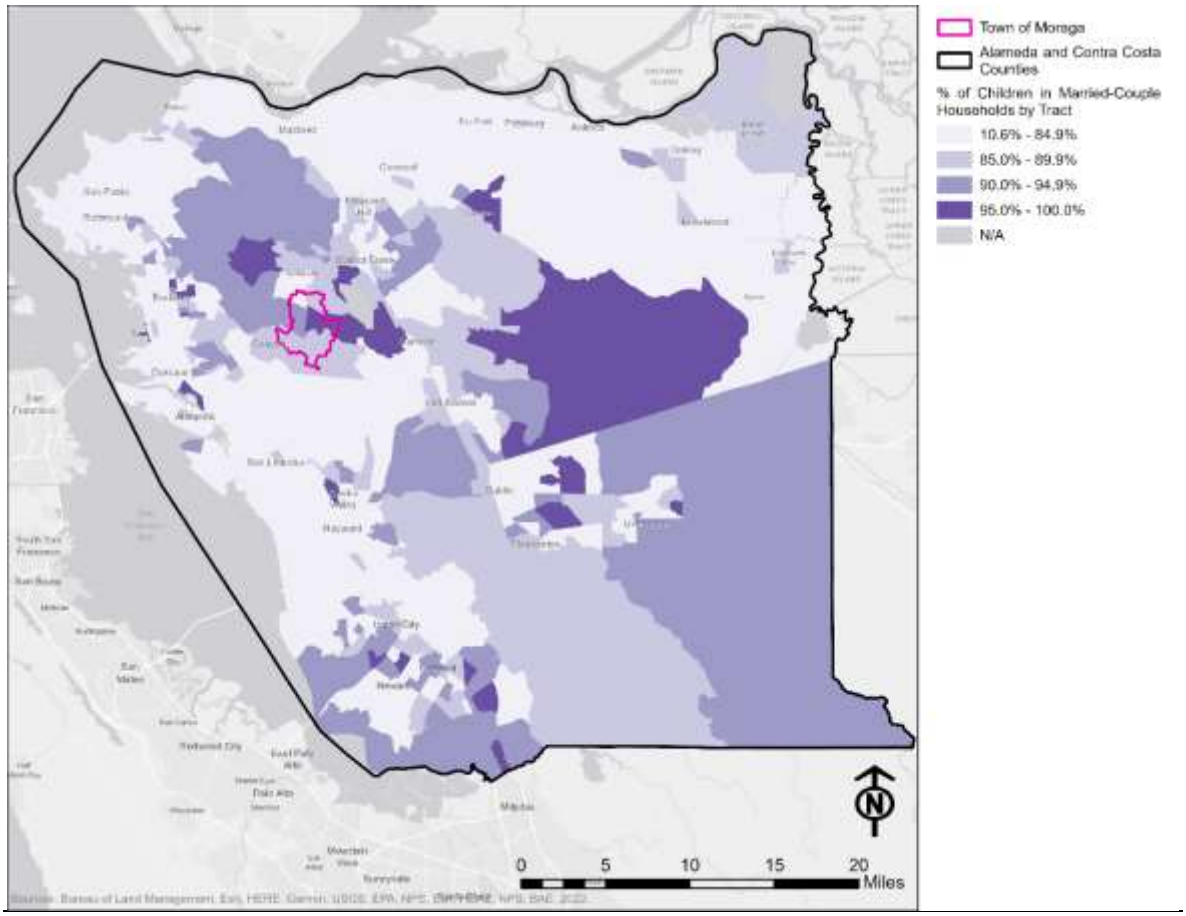
Family status affects housing choices both in the type of housing desired and the ability to afford that housing. Households with more than one adult, especially married couple households, tend to have higher incomes and thus can better afford housing. Most children under 18 in Moraga live in married-couple households. By Census tract, between 80.5 percent and 96.4 percent of children under 18 reside in married-couple households (as shown in Figure A-21), indicating no areas within Moraga with a majority of children in single-parent or other non-married couple households. This is in contrast to the East Bay Region, shown in Figure A-22, where the percentage of children in in married-couple households ranges from only 10.6 percent to 100 percent. The lower percentages tend to be in areas that also have higher concentrations of non-White minorities. Because single-earner households tend to have lower incomes than two-earner households, it is likely that these trends are at least partly attributable to the high cost of housing in Moraga, which makes homes in Moraga too costly for many single-parent households, particularly female-headed households with children. As noted above, the Housing Plan chapter of Moraga's Housing Element Update includes a series of programs to increase the variety of housing types in Moraga to add more units that could be affordable by design, such as multifamily units or townhomes, a well as deed-restricted affordable units. These include General Plan and Zoning Ordinance Updates, removing constraints on the development of affordable and special-needs housing, facilitating residential development by working with developers and other stakeholders, adoption of an inclusionary ordinance, and implementation of the State Density Bonus.

Figure A-21: Percent of Children in Married-Couple Households, 2015-2019, Moraga



Sources: U.S. Census American Community Survey, 2015-2019 data; BAE, 2022.

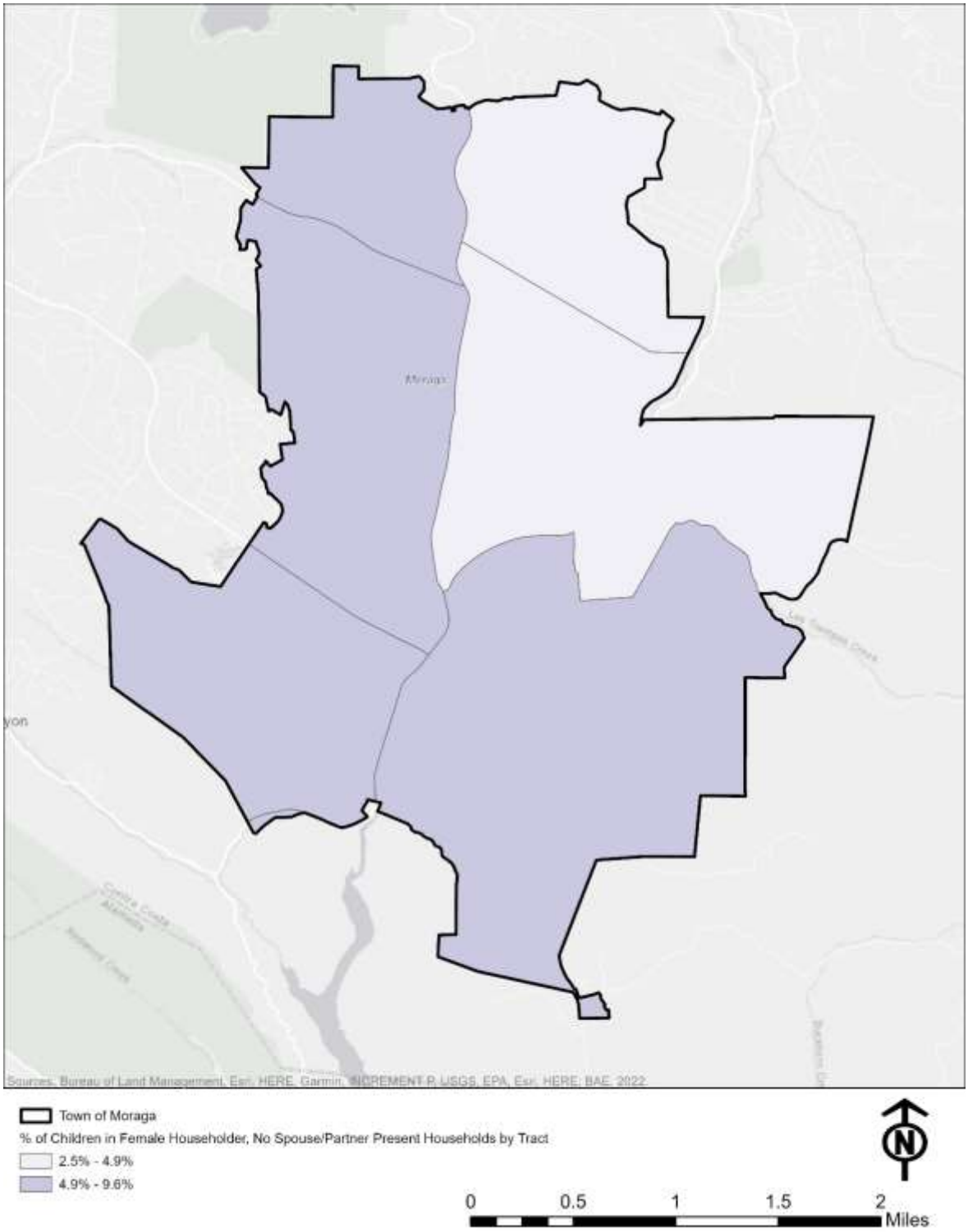
Figure A-22: Percent of Children in Married-Couple Households, 2015-2019, East Bay Region



Sources: U.S. Census American Community Survey, 2015-2019 data; BAE, 2022.

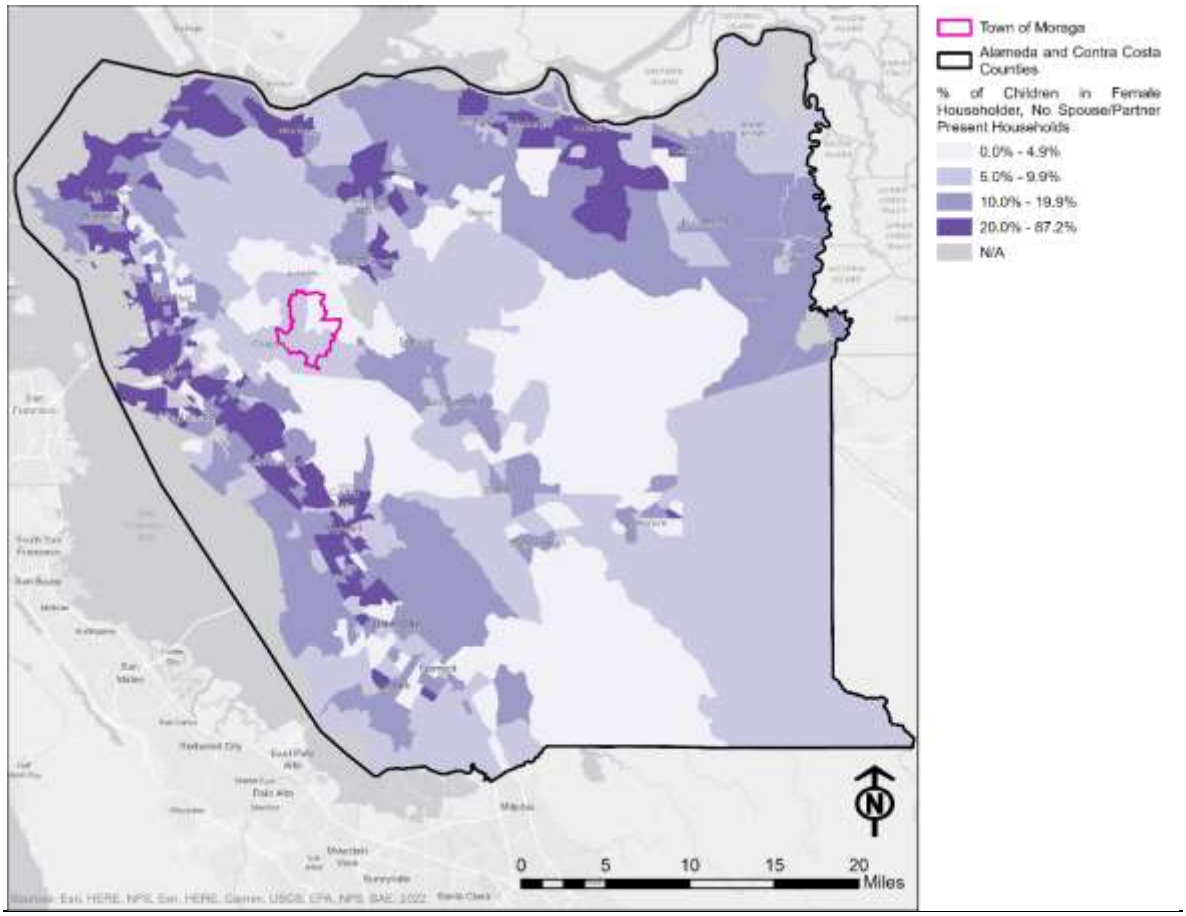
Households with only one parent or guardian present, especially female-headed households, are more likely to face problems in finding affordable housing. Figure A-23 shows the distribution in Moraga. The number and proportion of children in female-headed households is small. The percentage of Moraga children who live in female-headed households with no spouse or partner present ranges from 2.5 percent to 9.6 percent by Census tract (see Figure A-23). In contrast, for the East Bay Region there are tracts where up to 87.2 percent of children live in female-headed households with no spouse or partner present, as illustrated by Figure A-24. Echoing other distributions of minority households, the tracts with higher percentages tend to be in the northern and western portions of the region.

Figure A-23: Percent of Children in Single-Female Headed Households, Moraga



Sources: U.S. Census American Community Survey, 2015-2019 data; BAE, 2022.

Figure A-24: Percent of Children in Single-Female Headed Households, East Bay Region



Sources: U.S. Census American Community Survey, 2015-2019 data; BAE, 2022.

Income

As shown in Table A-6, Moraga is a higher-income community; the median annual household income in Moraga during the 2015-2019 ACS survey period was $140,378 (2019 dollars), compared to $99,607 in the two-county region. Almost half of the town's households had incomes of $150,000 or more, while only 31.4 percent of the region's households had incomes at that level. At the lower end of the income scale, approximately 15 percent of Moraga households and 26 percent of the region's households had incomes below $50,000.

Table A-6: Household Income Distribution and Median Income, 2015-2019

	Town of Moraga		Alameda and Contra Costa Counties	
Household Income	**Number**	**Percent**	**Number**	**Percent**
Less than $14,999	233	4.0%	68,516	7.0%
$15,000 to $24,999	208	3.5%	50,789	5.2%
$25,000 to $34,999	140	2.4%	53,107	5.5%
$35,000 to $49,999	320	5.5%	75,989	7.8%
$50,000 to $74,999	631	10.8%	123,193	12.7%
$75,000 to $99,999	560	9.5%	116,207	12.0%
$100,000 to $149,999	953	16.2%	179,073	18.4%
$150,000 and above	2,822	48.1%	305,072	31.4%
Total Households	**5,867**	**100.0%**	**971,946**	**100.0%**
Median Household Income	**$140,378**		**$99,607**	

Note: Incomes are in 2019 dollars.

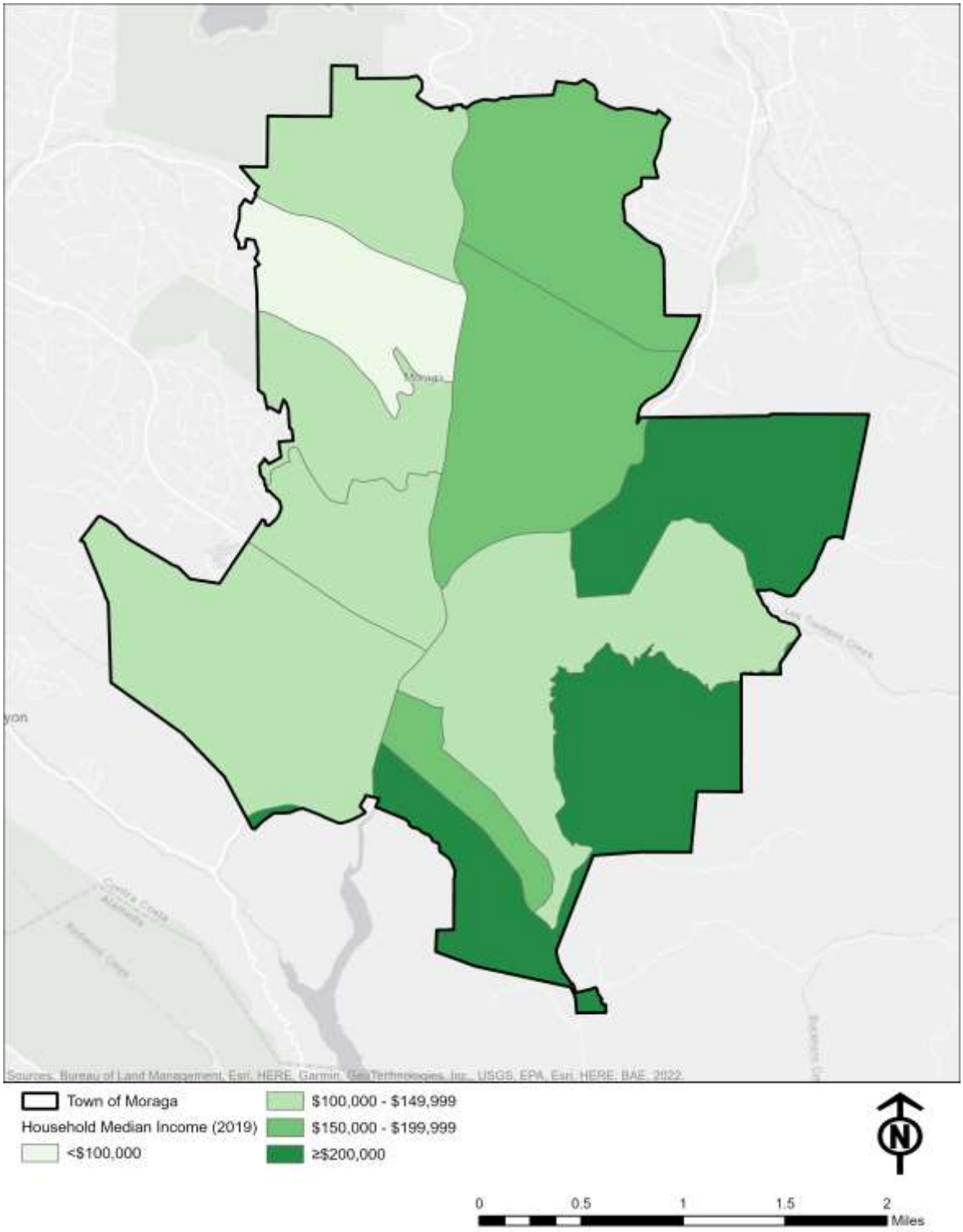
Sources: U.S. Census Bureau, American Community Survey, 2015-2019 five-year sample period, B19001 and S1903; BAE, 2022.

Figure A-25, below, shows the geographic distribution of households by median household income by block group in Moraga. The median by block group ranges widely from $98,693 to $227,917; however, even the lowest median is roughly equal to the median for the overall region. The block group with the lowest median income contains a large number of multifamily complexes and the Rheem Valley area.

As illustrated in Figure A-26, the East Bay Region shows a broad range of median annual household incomes by block group, ranging from only $13,472 to $248,125.[9] The lower-income block groups follow the pattern of being found in the western and northern portions of the region.

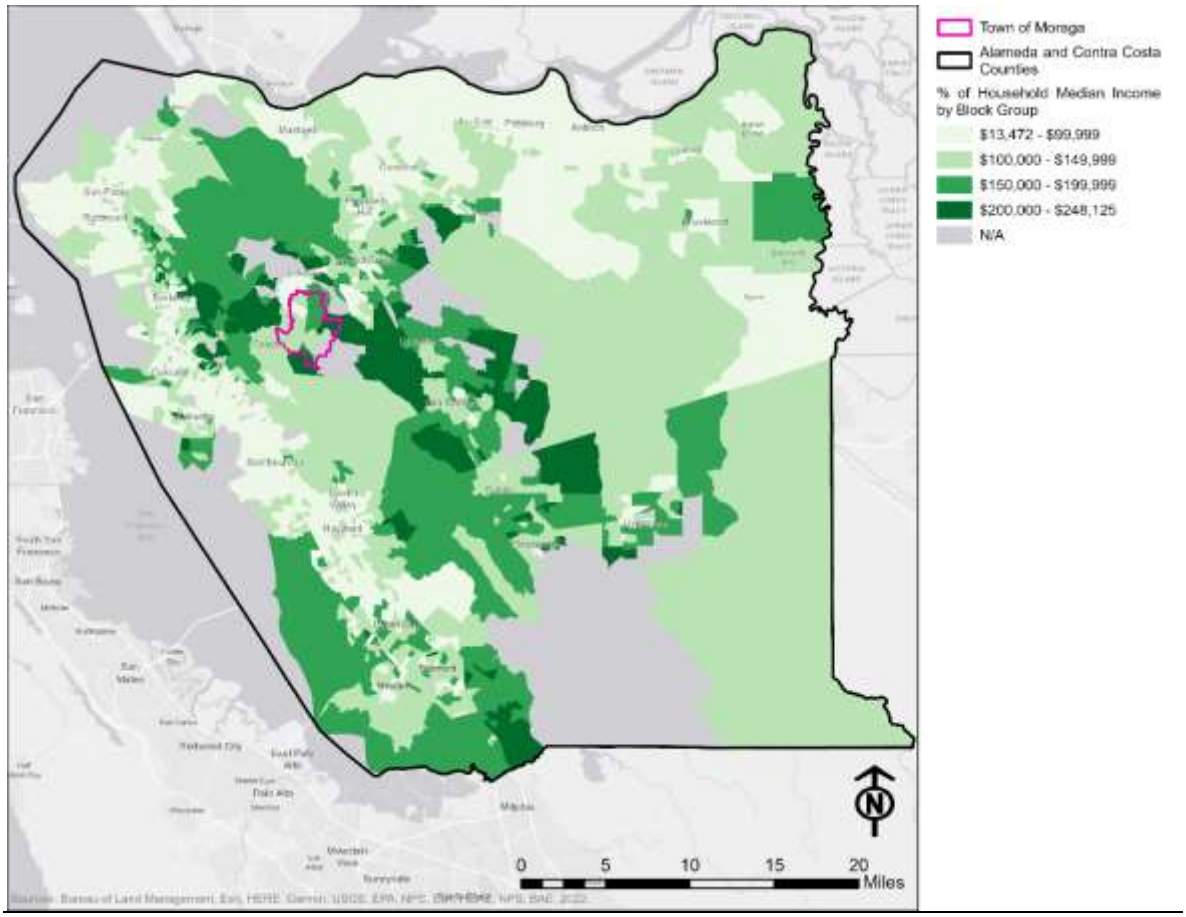
[9] There are several block groups, including one in Moraga, that have median incomes that are not calculated because the median is above the top of the highest ACS category ($250,000 or more).

Figure A-25: Distribution of Median Household Income by Block Group, Moraga



Sources: U.S. Census Bureau, American Community Survey, 2015-2019 five-year sample period; BAE, 2022.

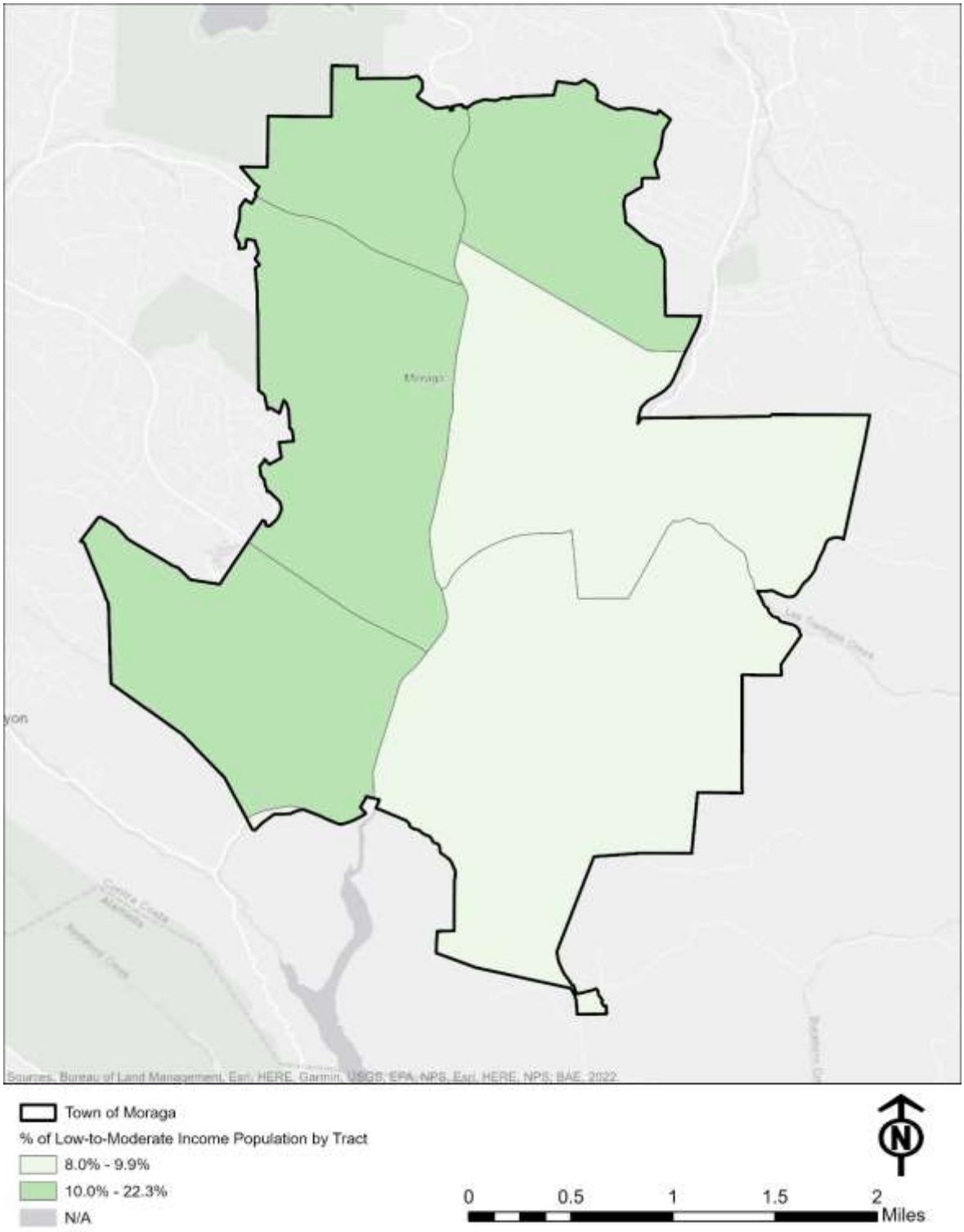
Figure A-26: Distribution of Median Household Income by Block Group, East Bay Region



Sources: U.S. Census Bureau, American Community Survey, 2015-2019 five-year sample period; BAE, 2022.

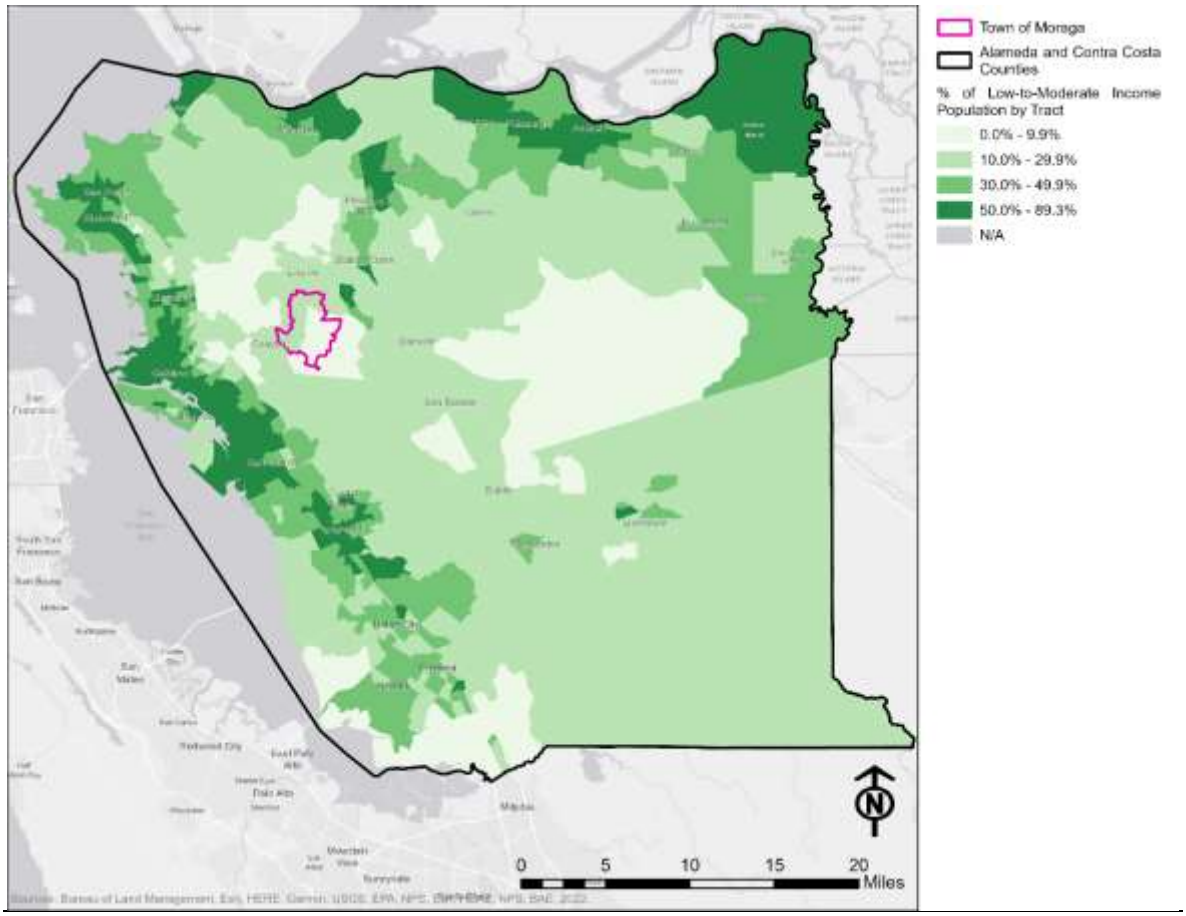
Figure A-27 displays additional information regarding income levels in Moraga, showing the percentage of persons in low- to moderate-income households by Census tract, based on a special compilation of ACS Census data compiled for use by HUD programs. The range by tract in Moraga is limited, ranging from 8.0 percent to 22.3 percent. The East Bay Region shows a much wider range, with the percentage of persons in low- to moderate-income households by tract ranging from zero to 89.3 percent (see Figure A-28). Not surprisingly, the location pattern for the region mirrors that for median household income, with high proportions of low- to moderate-income households associated with low median household incomes.

Figure A-27: Percent of Low to Moderate Income Population by Census Tract, Moraga



Sources: HUD; U.S. Census American Community Survey, 2011-2015 data.

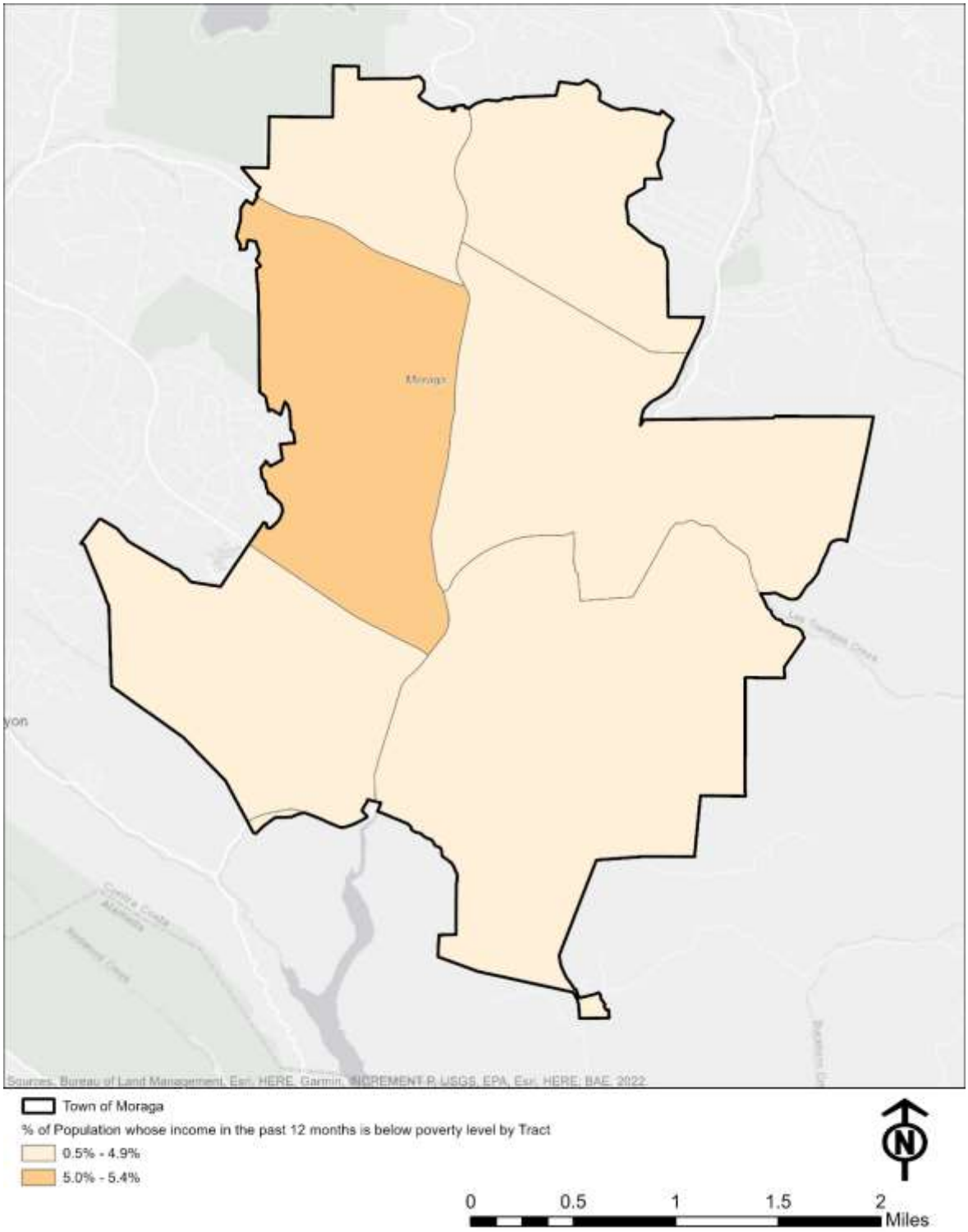
Figure A-28: Percent of Low to Moderate Income Population by Census Tract, East Bay Region



Sources: HUD; U.S. Census American Community Survey, 2011-2015 data.

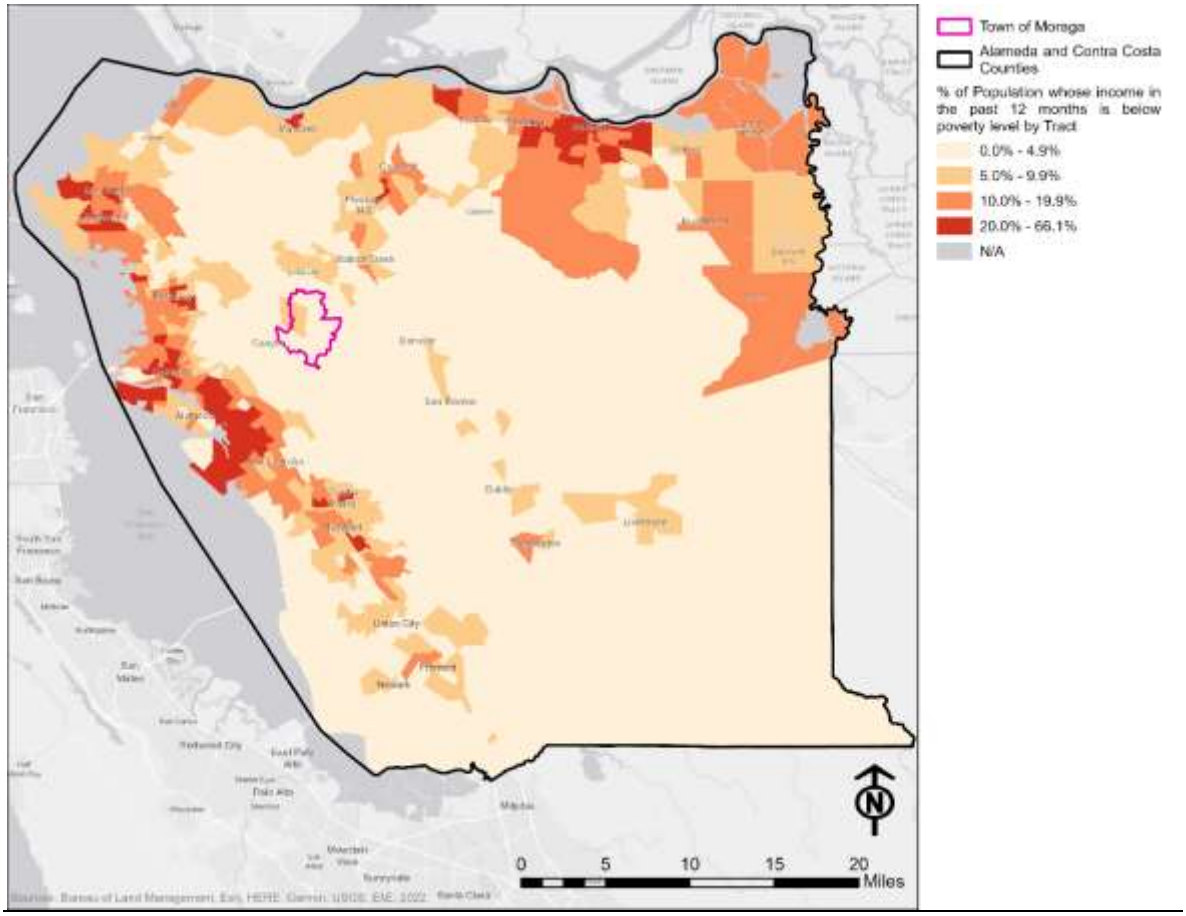
Figure A-29 shows poverty status by Census tract in Moraga. The population in poverty is very limited, with the percentage by Census tract ranging from 0.5 percent to 5.4 percent. In the region, the percent of the population living in poverty ranges widely from zero to 66.1 percent, indicating significant disparity in income by neighborhood. The tracts with the highest concentrations are found in the western and northern portions of the region, closer to the Bay shoreline than Moraga, similar to the income distribution patterns. Moraga, along with most of the core and southeast portions of the region, has low levels of individuals living in poverty (see Figure A-30). These trends are consistent with the high cost of housing in Moraga and the Town's limited supply of housing to serve lower-income households. As noted above, the Housing Plan chapter of the Housing Element Update includes a range of actions to address these needs.

Figure A-29: Poverty Status by Census Tract, Moraga



Sources: U.S. Census Bureau, American Community Survey, 2015-2019 five-year sample period; BAE, 2022.

Figure A-30: Poverty Status by Census Tract, East Bay Region

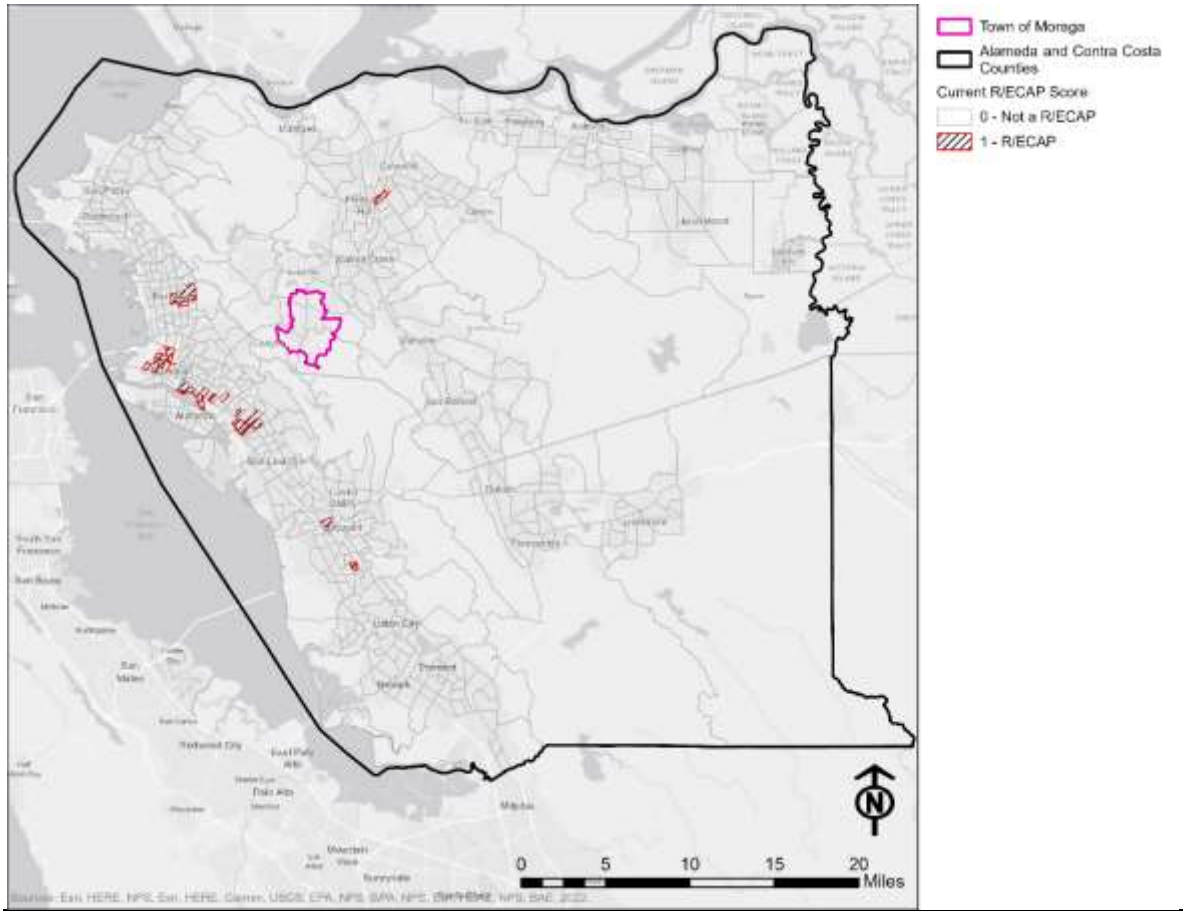


Sources: U.S. Census Bureau, American Community Survey, 2015-2019 five-year sample period; BAE, 2022.

Racially and Ethnically Concentrated Areas of Poverty

To assist communities in identifying racially and ethnically concentrated areas of poverty (also known as RCAPs and ECAPs), HUD developed a definition that relies on a racial and ethnic concentration threshold, as well as a poverty test. The racial and ethnic concentration threshold requires that an RCAP or ECAP have a non-White population of 50 percent or more. The poverty test defines areas of "extreme poverty" as those where 40 percent or more of the population lives at or below the federal poverty line, or those where the poverty rate is three times the average poverty rate in the metropolitan area, whichever is less. Thus, an area that meets the racial/ethnic concentration criterion and the poverty test would be classified as a R/ECAP. Identifying R/ECAPS facilitates an understanding of entrenched patterns of segregation and poverty due to the legacy effects of historically racist and discriminatory housing laws. Based on these criteria, there are no R/ECAP areas in Moraga. There are a small number of R/ECAP areas in the East Bay Region, primarily in Oakland (see Figure A-31), indicating areas of linked segregation and poverty.

Figure A-31: Racially and Ethnically Concentrated Areas of Poverty, East Bay Region



Sources: U.S. Census Bureau, American Community Survey, 2014-2018 five-year sample data; HUD; BAE, 2020

The absence of affordable neighborhoods near Moraga indicates that low-wage workers (e.g., retail and service industry workers) employed in the town, who may also be minorities, may have trouble finding suitable housing nearby, leading to long commute times from other parts of the region. In Moraga itself the overall poverty rate of 4.1 percent is exceeded for the non-Hispanic Asian and the Hispanic populations, with other minority populations showing almost no individuals in poverty (see Table A-7); however, there are also very limited populations of these groups in the town. At least some of the population with income levels below the poverty threshold in Moraga may be St. Mary's students, which tend to be more racially and ethnically diverse than Moraga's population overall and are also more likely to have limited incomes. The low minority poverty levels are likely due the fact that many individuals and families living in poverty are unable to find any housing affordable in the town, even in the case of accepting a severe cost burden. The Needs Assessment chapter of the Housing Element Update indicates that a typical home value in Moraga was $1,69 million in 2020 according to Zillow, while rents for multifamily units averaged over $2,000 per month. The Housing Plan chapter of the Housing Element Update includes several policies to increase the variety and range of affordability of

housing in Moraga, in addition to programs that will help to connect first-time homebuyers to resources to help them better afford housing in Moraga.

Table A-7: Poverty by Race and Ethnicity, Town of Moraga, 2015-2019

Racial/Ethnic Group	Total Population	Total Below Poverty	Poverty Rate
White alone	11,922	453	3.8%
Black or African American alone	33	1	3.0%
American Indian and Alaska Native	16	0	0.0%
Asian alone	2,549	193	7.6%
Native Hawaiian/Other Pacific Islander	148	0	0.0%
Some other race alone	200	0	0.0%
Two or more races	780	0	0.0%
Total, All Races	**15,648**	**647**	**4.1%**
Hispanic or Latino	840	57	6.8%
Not Hispanic or Latino	14,808	590	4.0%
Total, All Ethnicities	**15,648**	**647**	**4.1%**

Note:
(a) Includes only those for whom poverty status was determined.

Sources: U.S. Census Bureau, ACS 2019 five-year sample period, S1701; BAE, 2022.

Racially and Ethnically Concentrated Areas of Affluence

R/ECAPs show one side of concentrations by race and wealth. On the other side are "areas of affluence" where non-minority affluent populations are concentrated. HCD devised a measure which calls out Census tracts with relatively high concentrations of both White population and higher household incomes, as detailed in the HCD AFFH Data and Mapping Tool. These areas are designated as "Racially Concentrated Areas of Affluence," or RCAAs.

Racially Concentrated Areas of Affluence (RCAAs) are defined by the HUD as communities with a large proportion of affluent and non-Hispanic White residents. According to a policy paper published by the HUD, non-Hispanic Whites are the most racially segregated group in the United States. In the same way neighborhood disadvantage is associated with concentrated poverty and high concentrations of people of color, distinct advantages are associated with residence in affluent, White communities. RCAAs are currently not available for mapping on the AFFH Data Viewer. As such, an alternate definition of RCAA from the University of Minnesota Humphrey School of Public Affairs is used in this analysis. RCAAs are defined as census tracts where (1) 80 percent or more of the population is white, and (2) the median household income is $125,000 or greater (slightly more than double the national median household income in 2016).

There are no RCAAs in Moraga or the East Bay Region. However, there are some income disparities in the town and more in the region, as indicated above in the discussion of household

income and in Figure A-25 and Figure A-26. In general, higher incomes are found in affluent suburban areas such as Moraga with lower concentrations of minority populations.

Disparities in Access to Opportunity

Access to opportunity refers to the link between place-based characteristics (e.g., education, employment, safety, and a clean environment) and critical life outcomes (e.g., health, wealth, and life expectancy). Ensuring access to opportunity means both improving the quality of life for residents of low-income communities, as well as supporting residents' mobility and access to "high resource" neighborhoods.

AB 686 requires the needs assessment to include an analysis of access to opportunities. To facilitate this assessment, HCD and the State Tax Credit Allocation Committee (TCAC) convened an independent group of organizations and research institutions under the umbrella of the California Fair Housing Task Force, which produces an annual set of Opportunity Maps. The maps identify areas within every region of the state "whose characteristics have been shown by research to support positive economic, educational, and health outcomes for low-income families – particularly long-term outcomes for children."[10]

TCAC and HCD created these "Opportunity Maps," using reliable and publicly available data sources to derive 21 indicators to calculate opportunity index scores for Census tracts in each region in California. The TCAC/HCD Opportunity Map categorizes Census tracts into five groups based on the opportunity index scores:

- Highest Resource
- High Resource
- Moderate Resource/Moderate Resource (Rapidly Changing)
- Low Resource
- High Segregation & Poverty

Before an area receives an opportunity index score, some Census tracts are filtered into the High Segregation & Poverty category. The filter identifies Census tracts where at least 30 percent of population is below the federal poverty line and there is a disproportionate share of households of color. After filtering out High Segregation and Poverty areas, the TCAC/HCD Opportunity Map allocates the 20 percent of tracts in each region with the highest relative opportunity index scores to the Highest Resource designation and the next 20 percent to the High Resource designation. The remaining non-filtered tracts are then evenly divided into Low Resource and Moderate Resource categories.

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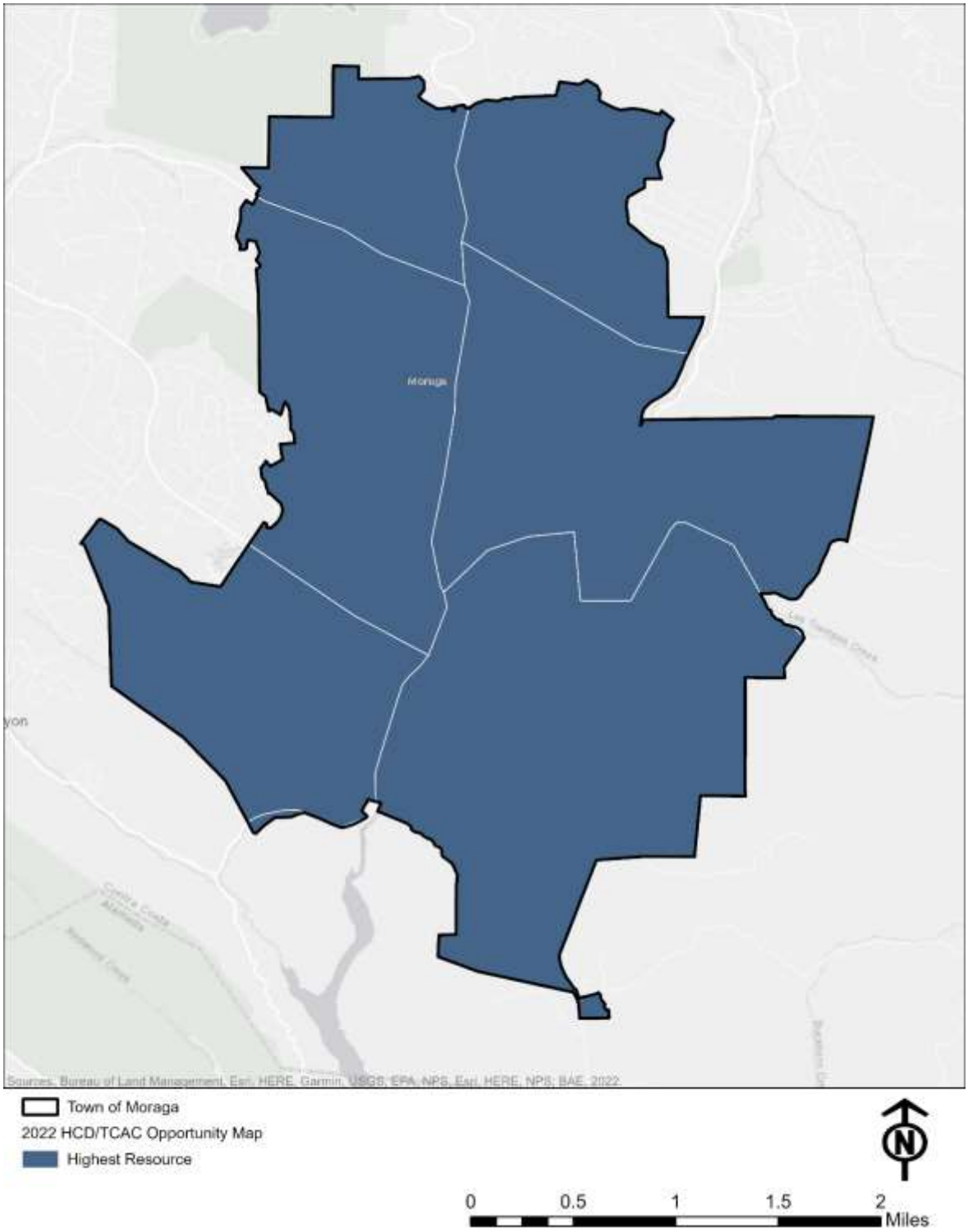
[10] California Fair Housing Task Force. December 2020. *Methodology for the 2021 TCAC/HCD Opportunity Map.* Available at: https://www.treasurer.ca.gov/ctcac/opportunity/2021-hcd-methodology.pdf

As illustrated in Figure A-32, all of the tracts in Moraga are in the Highest Resource category. Tracts in the East Bay range across the categories available, with the Low Resource tracts following the pattern found for income and poverty concentrations, largely being found in the western and northern parts of the region nearer the Bay (see Figure A-33). There are also several High Segregation and Poverty tracts found in Oakland.

High resource tracts are areas that offer residents a high quality of life and access to opportunity through economic advancement, high educational attainment, or clean environmental health. Moderate resource areas have access to many of the same resources as the high resource areas but may have fewer job opportunities, lower performing schools, lower median home values, or other factors that lower their indexes across the various economic, educational, and environmental indicators. Low resource areas are characterized as having fewer opportunities for employment and education, or a lower index for other economic, environmental, and educational indicators. These areas have greater quality of life needs and should be prioritized for future investment to improve opportunities for current and future residents. The High Resource and Highest Resource tracts are found in the central portions of the region, from the Lamorinda area east and south on I-680.

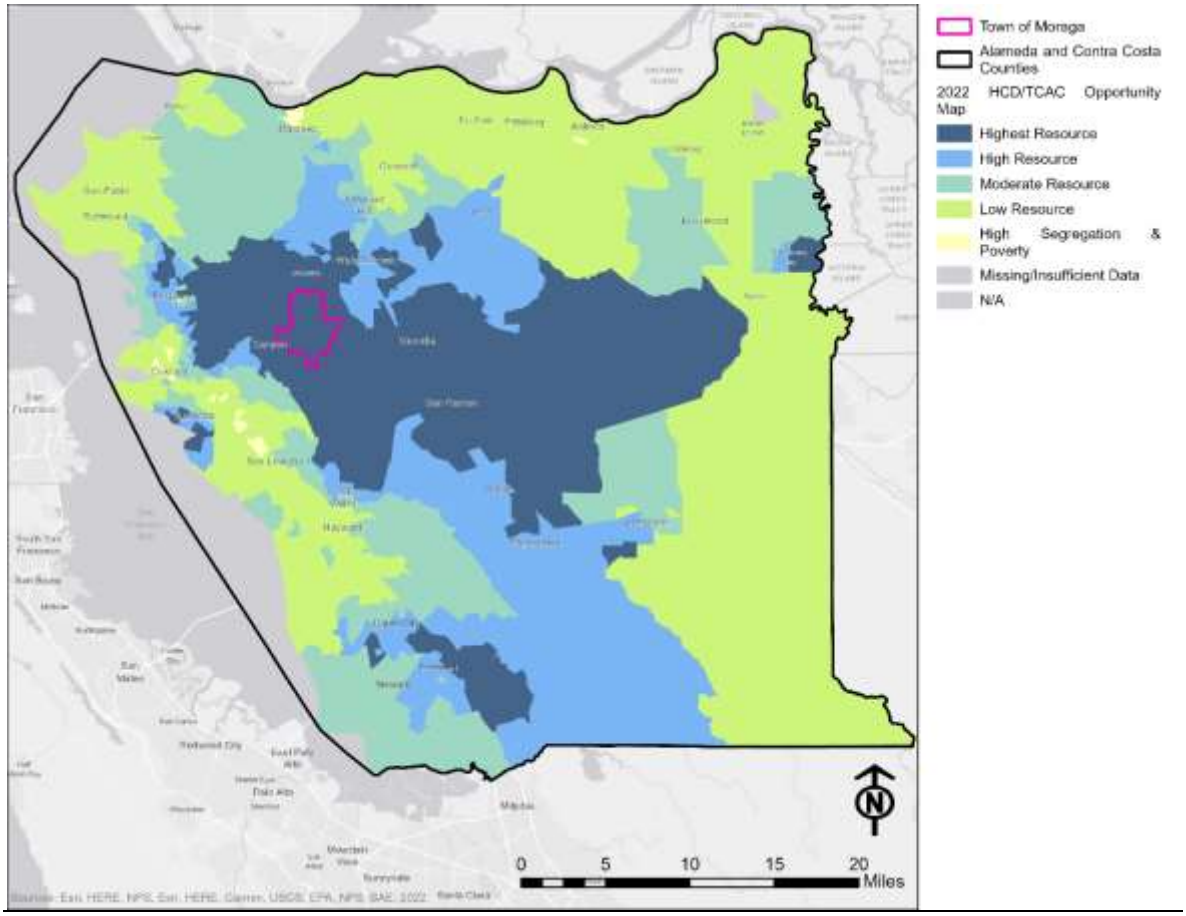
As a high-resource area, a key component of affirmatively furthering fair housing in Moraga is providing access to opportunity, which means implementing inclusive housing policies that enable lower-income populations, racial and ethnic minority groups, and populations with special housing needs to benefit from the resources that Moraga offers. The Needs Assessment chapter of the Housing Element Update indicates that the Town has become more diverse, although to a lesser extent than the county and the region. In 2020, 62 percent of its residents identify as non-Hispanic White, compared to 36 percent regionwide. Asian residents represent 18.9 percent of the population (compared to 12.4 percent in 2000) and Hispanic residents represent 9.8 percent (compared to 4.8 percent in 2000). The percentage of African American residents is 1.2 percent while 8.2 percent of the Town's residents identity as multi-racial or other. The Housing Plan chapter of the Housing Element Update includes several programs to increase access to opportunity through more inclusive housing programs, as summarized in Housing Element Program 43.

Figure A-32: 2021 TCAC/HCD Opportunity Map by Census Tract, Moraga



Sources: California Tax Credit Allocation Committee; HCD; U.S. Census Bureau, American Community Survey, 2014-2018 five-year sample data; BAE, 2022.

Figure A-33: 2021 TCAC/HCD Opportunity Map by Census Tract, East Bay Region

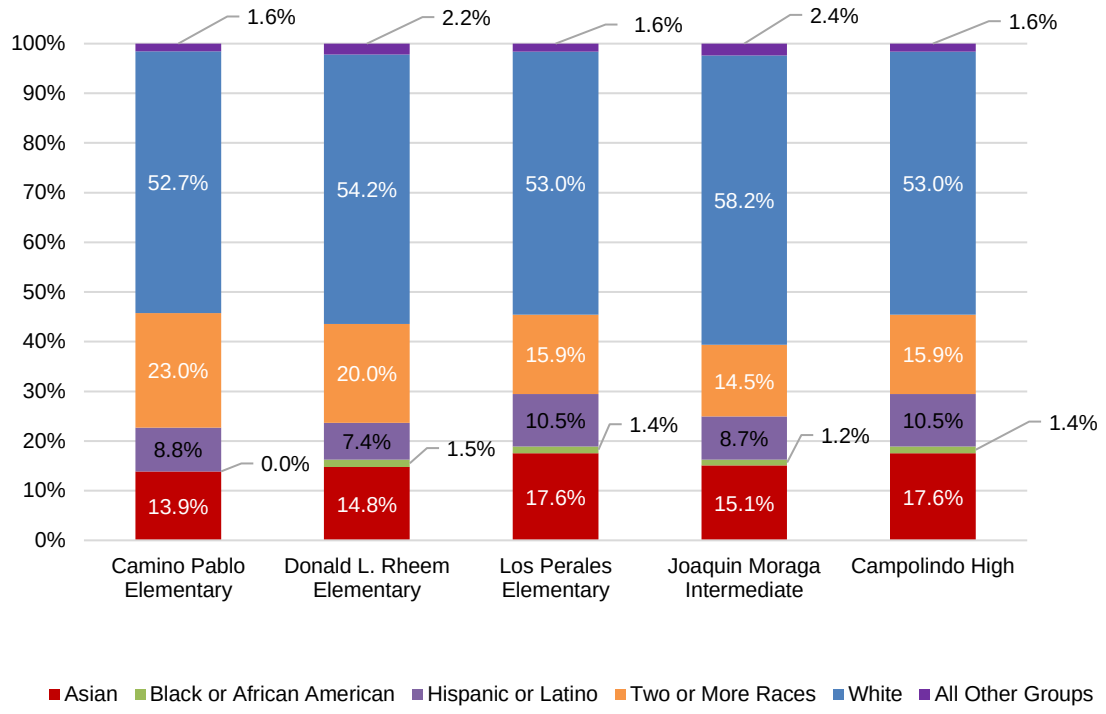


Sources: California Tax Credit Allocation Committee; HCD; U.S. Census Bureau, American Community Survey, 2014-2018 five-year sample data; BAE, 2022.

Access to Education

Moraga's schools all reflect the general distribution by race within the town, as shown in Figure A-34. The variation between schools is minimal. The proportion of White students is slightly below the town's proportion overall, and the proportion of those of two or more races is larger, reflecting a likely shift as the population changes and ages.

Figure A-34: Moraga School District Student Enrollment by Race/Ethnicity, 2021



Note: High school is located in Moraga, but is part of the Acalanes Union High School District

Sources: CA Department of Education, Census Day Enrollment by School, 2021; BAE, 2022.

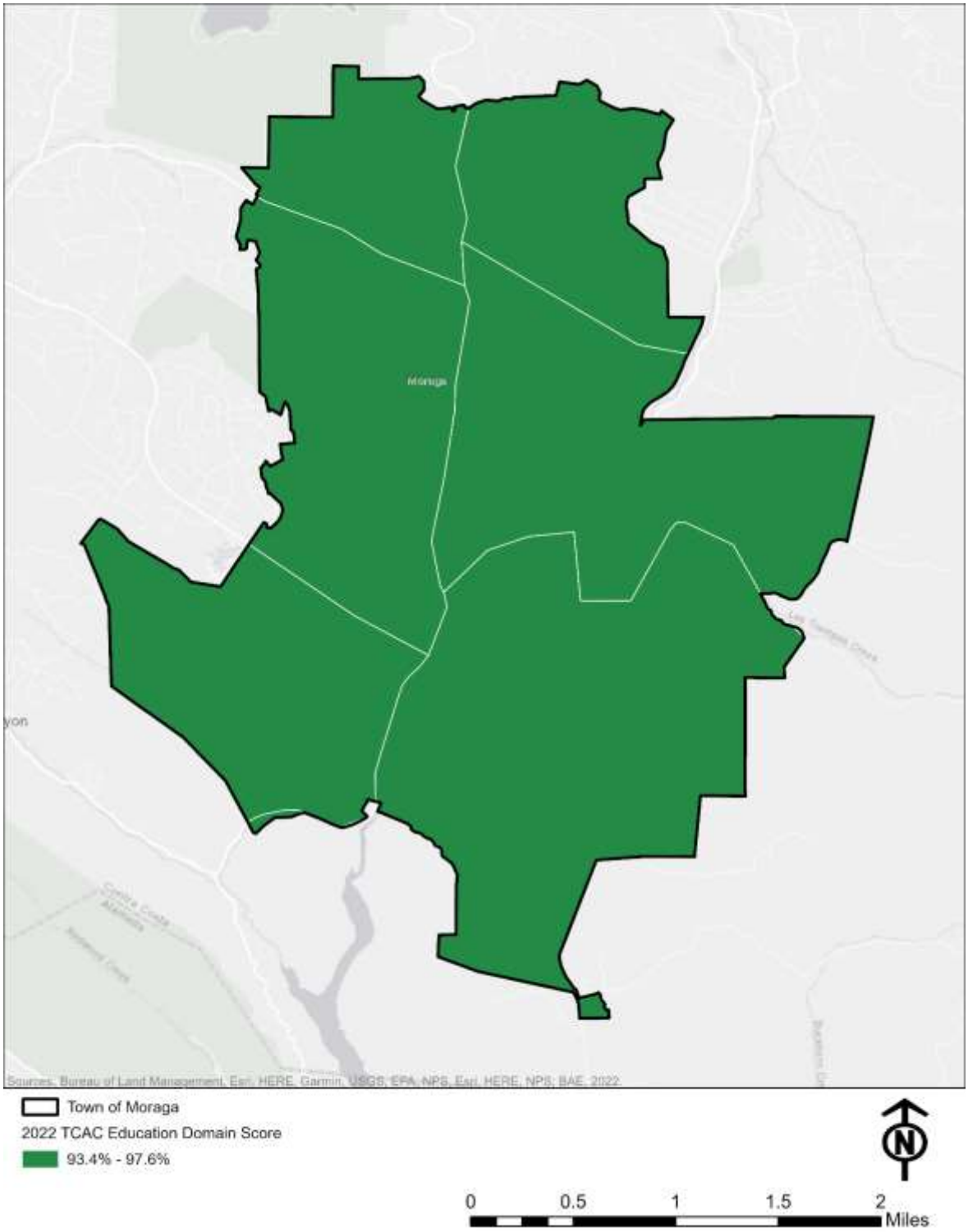
One of the factors used to develop the Opportunity Index discussed previously is education. The Opportunity Index considers three education criteria in equal measure: math proficiency for 4th graders, reading proficiency for 4th graders, high school graduation rates, and the student poverty rate, to create an "Education Domain" score ranging from 0 to 100 percent for each Census tract (or in some cases, rural block group), with a higher score representing better educational opportunities.[11] The entirety of Moraga shows high Education Domain scores, as illustrated in Figure A-35. Regionally, the geographic distribution of the score follows the pattern for income, poverty, and percent minorities, with high scores associated with higher incomes, and lower scores found in the areas at the other end of the income scale (see Figure A-36). While Moraga shows little differentiation by tract in this measure of educational access and quality, that is not true for the region as a whole.

Recently, the Moraga School District (MSD) provided a letter to the Town of Moraga that stated "the future of housing in Moraga is important to MSD for two principal reasons. First, state

[11] The methodology for this can be found in https://www.treasurer.ca.gov/ctcac/opportunity/2021-hcd-methodology.pdf.

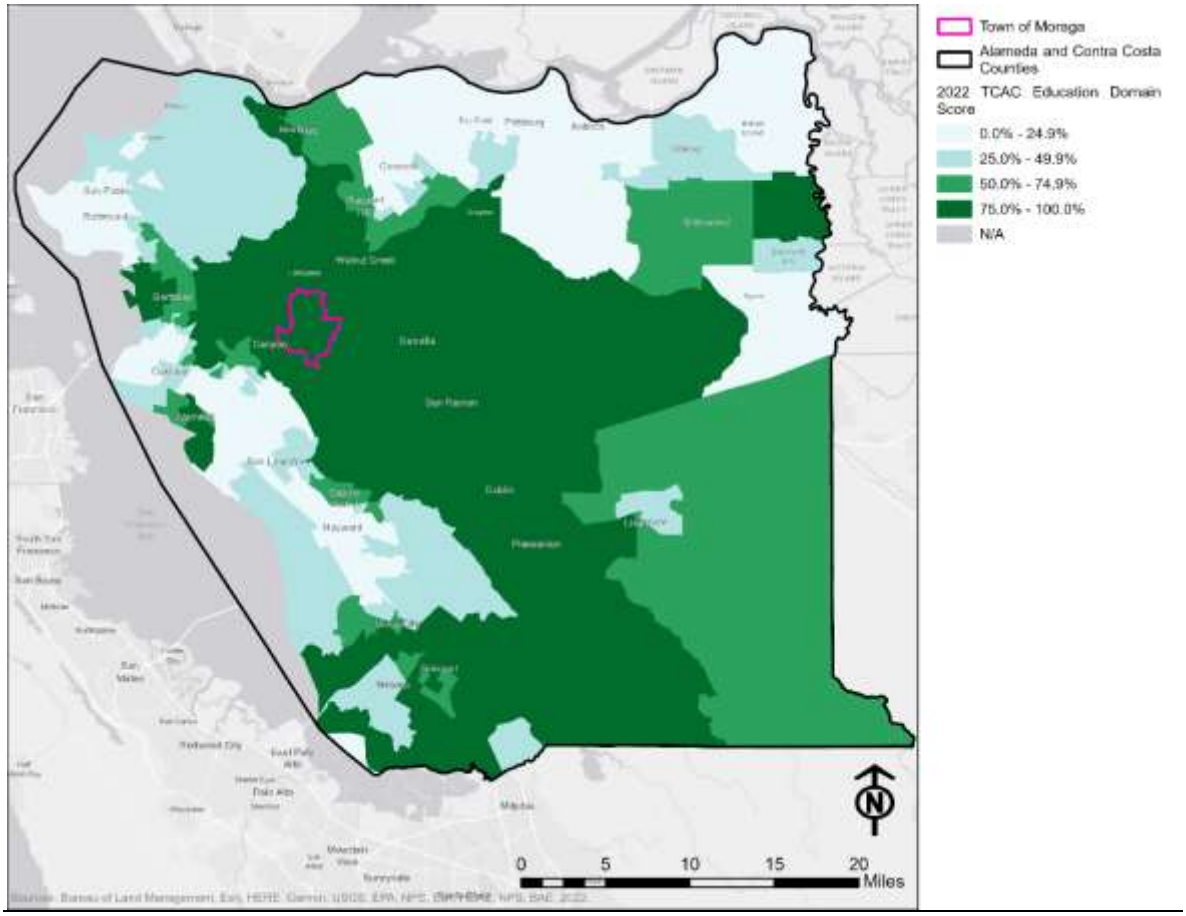
funding of public schools is directly related to pupil attendance. MSD receives funding from the State of California based on the number of students who attend schools each day. Because of the formula used by the State, Moraga is among the lowest-funded districts in California. Even with generous local support, per-pupil funding in Moraga is significantly lower than in most other Bay Area districts. Importantly, school attendance had been declining in Moraga and across the state. Fewer students mean lower state funding. Reduced funding will directly impact programs and staffing." The Housing Plan portion of the Housing Element Update includes programs that will expand options for affordable housing in Moraga, which can help to make Moraga more accessible to families with school-aged children and provide housing for teachers and other MSD staff.

Figure A-35: TCAC Education Domain Score, Moraga



Sources: California Tax Credit Allocation Committee; HCD; U.S. Census Bureau, American Community Survey, 2014-2018 five-year sample data; BAE, 2022.

Figure A-36: TCAC Education Domain Score, East Bay Region



Sources: California Tax Credit Allocation Committee; HCD; U.S. Census Bureau, American Community Survey, 2014-2018 five-year sample data; BAE, 2022.

Access to Employment

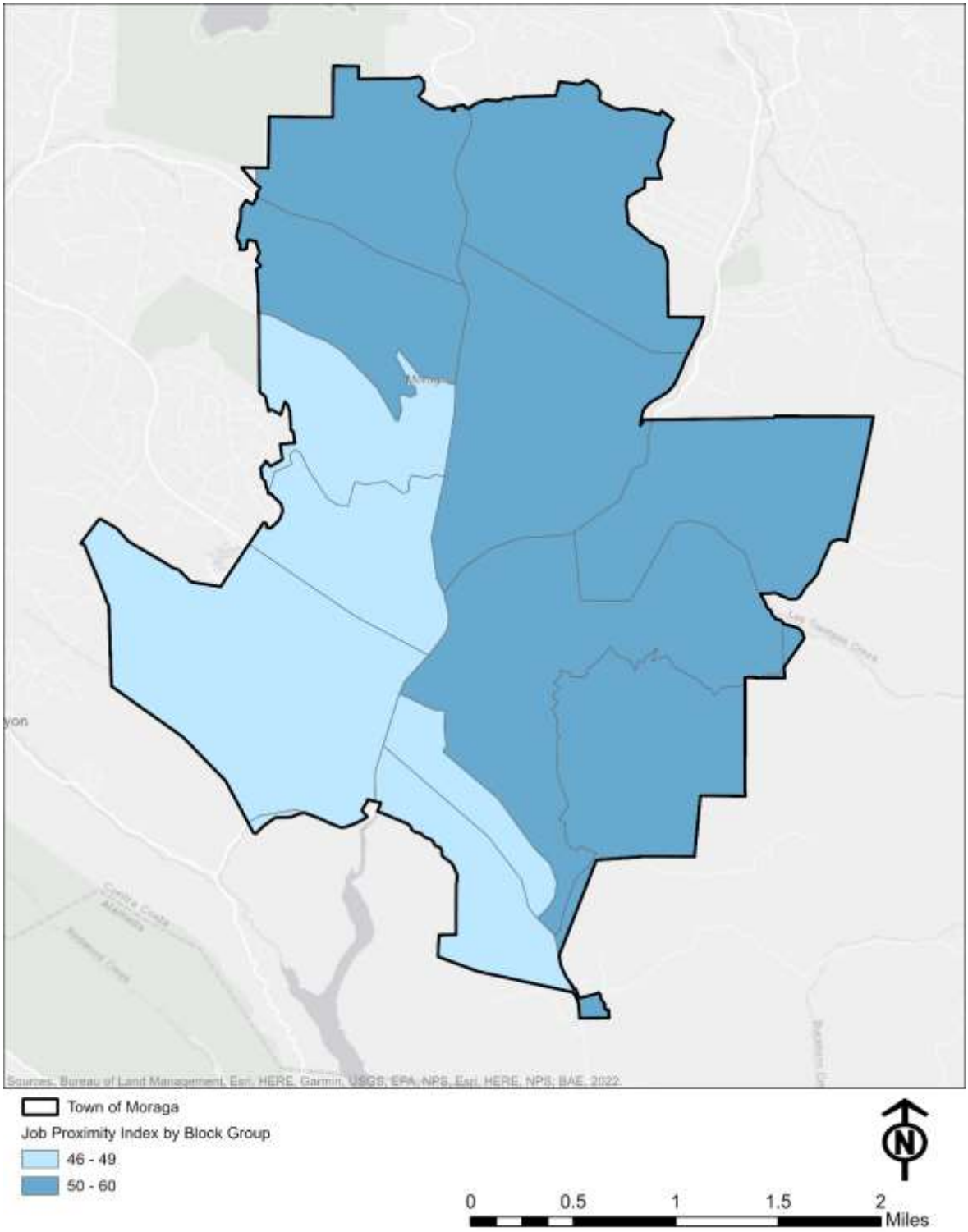
HUD has developed the Jobs Proximity Index as a way to measure access to employment opportunities. As stated by HUD:

> The Jobs Proximity Index quantifies the accessibility of a given residential neighborhood (Census Block Group) as a function of its distance to all job locations within a CBSA, with larger employment centers weighted more heavily.
>
> The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a CBSA, with larger employment centers weighted more heavily. Values are percentile ranked with values ranging from 0 to 100. The higher the index value, the better the access to employment opportunities for residents in a neighborhood.[12]

[12] https://hudgis-hud.opendata.arcgis.com/datasets/HUD::jobs-proximity-index/about. The index is currently based on U.S. Census Longitudinal Employer-Household Dynamics data from 2014.

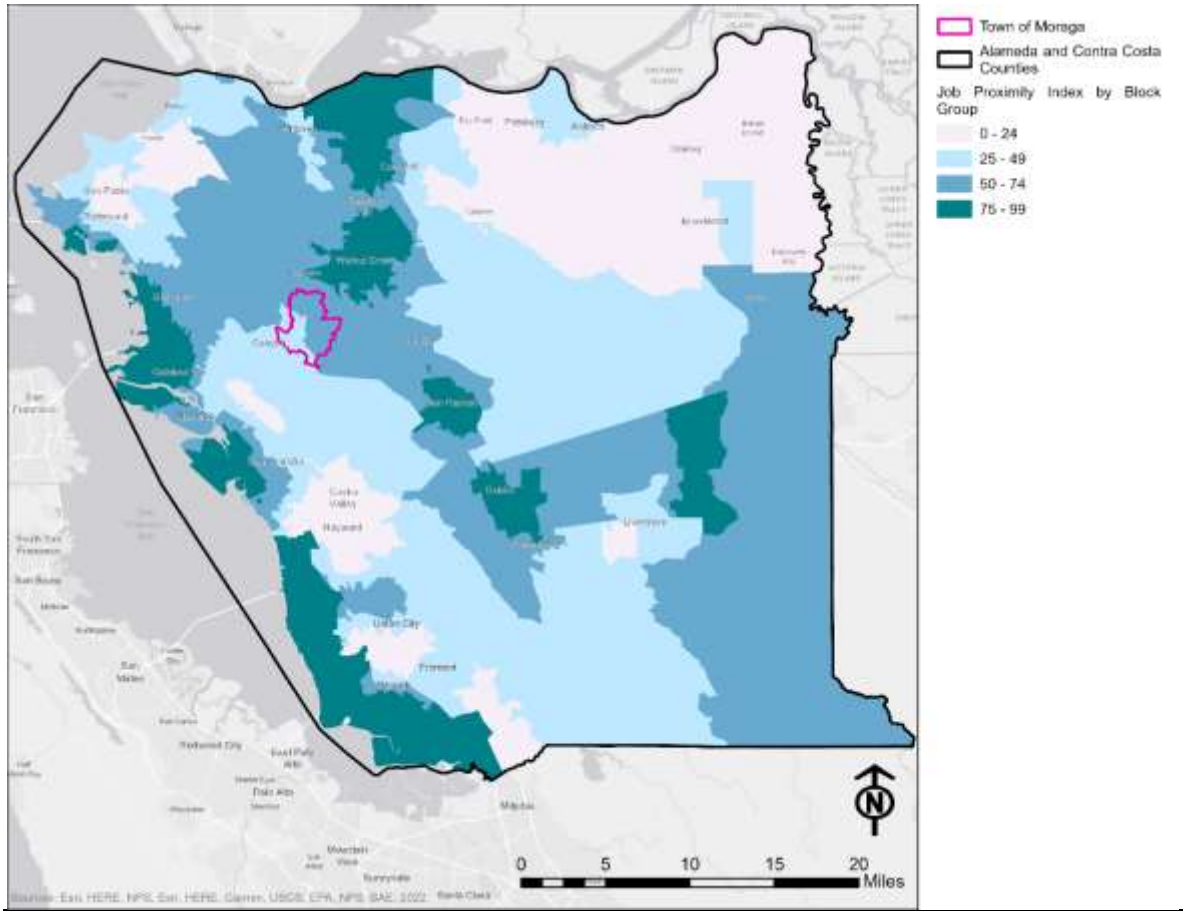
In Moraga, the jobs proximity index values by block group fall in a narrow range between 46 and 60, (see Figure A-37). However, many of the jobs in the town are lower-paying service and retail jobs, and are not well matched to the local labor force as discussed in more detail in the Needs Assessment chapter of the Housing Element Update. Regionally the index covers a much wider range, from zero to 99. The highest index values are found in block groups around key urban job centers along the I-880, I-80, I-680, and I-580 corridors ((see Figure A-38). The mismatch between the jobs in Moraga and the availability of housing for local workers is reflected in part through challenges that local employers have with finding and retaining workers. For example, the Moraga School District issued a letter dated April 13, 2022, that states "attracting and retaining high-quality teachers and staff to MSD has increasingly become a challenge. Many of these individuals find it difficult to live in Moraga due to the high cost of housing. Instead, they accept positions in outlying areas where housing costs are lower and commute times are shorter. Establishing policies and plans that provide opportunities for affordable housing will increase MSD's ability to attract and hire talented and diverse staff members who would gladly want to work in our schools and serve our children." As noted above, the Housing Plan chapter of the Housing Element Update includes a variety of programs to increase the variety and affordability levels among the Town's housing stock, in part to better serve members of the local workforce that want to live in Moraga.

Figure A-37: Jobs Proximity Index Score, Moraga



Source: HUD, based on U.S. Census Longitudinal Employer-Household Dynamics, 2014 Data.

Figure A-38: Jobs Proximity Index Score, East Bay Region



Source: HUD, based on U.S. Census Longitudinal Employer-Household Dynamics, 2014 Data.

Access to Transportation

Access to public transit is of paramount importance to households affected by low incomes and rising housing prices, especially because lower income households are often transit dependent. Public transit should strive to link lower income persons, who are often transit dependent, to major employers where job opportunities exist. Access to employment via public transportation can reduce welfare usage and increase housing mobility, which enables residents to locate housing outside of traditionally low-income neighborhoods.

Bus service for Moraga is provided by County Connection, the transit provider for eastern Contra Costa County, through local Route 6, which runs from Orinda Village and the Orinda BART station to Moraga and St. Mary's College to the Lafayette BART station. This route is shown in Figure A-39. BART then provides access to its destinations in the East Bay Region and beyond. This bus route runs every 30 to 60 minutes on weekdays and every 75 minutes on weekends. Relative to the larger job centers with more frequent service, Moraga is somewhat more distant to access via transit for both in-commuters and local residents working elsewhere.

The Center for Neighborhood Technology has developed AllTransit, a proprietary set of metrics to measure transit access, based on various sources of data including detailed data from transit agencies.[13] Included in their analysis are measures of transit quality, access to jobs, various other measures, and an overall "Performance Index." Moraga shows a low performance index, due in part to a small number of trips per week, and a limited number of transit-accessible jobs. An estimated 1,426 of 2,703 jobs (52.8 percent) are within ½ mile of transit, but there are no jobs or households living within that distance of high frequency transit. Populations that rely on transit, such as persons with disabilities, are disproportionately affected by these issues.

Figure A-39: Moraga Transit Map

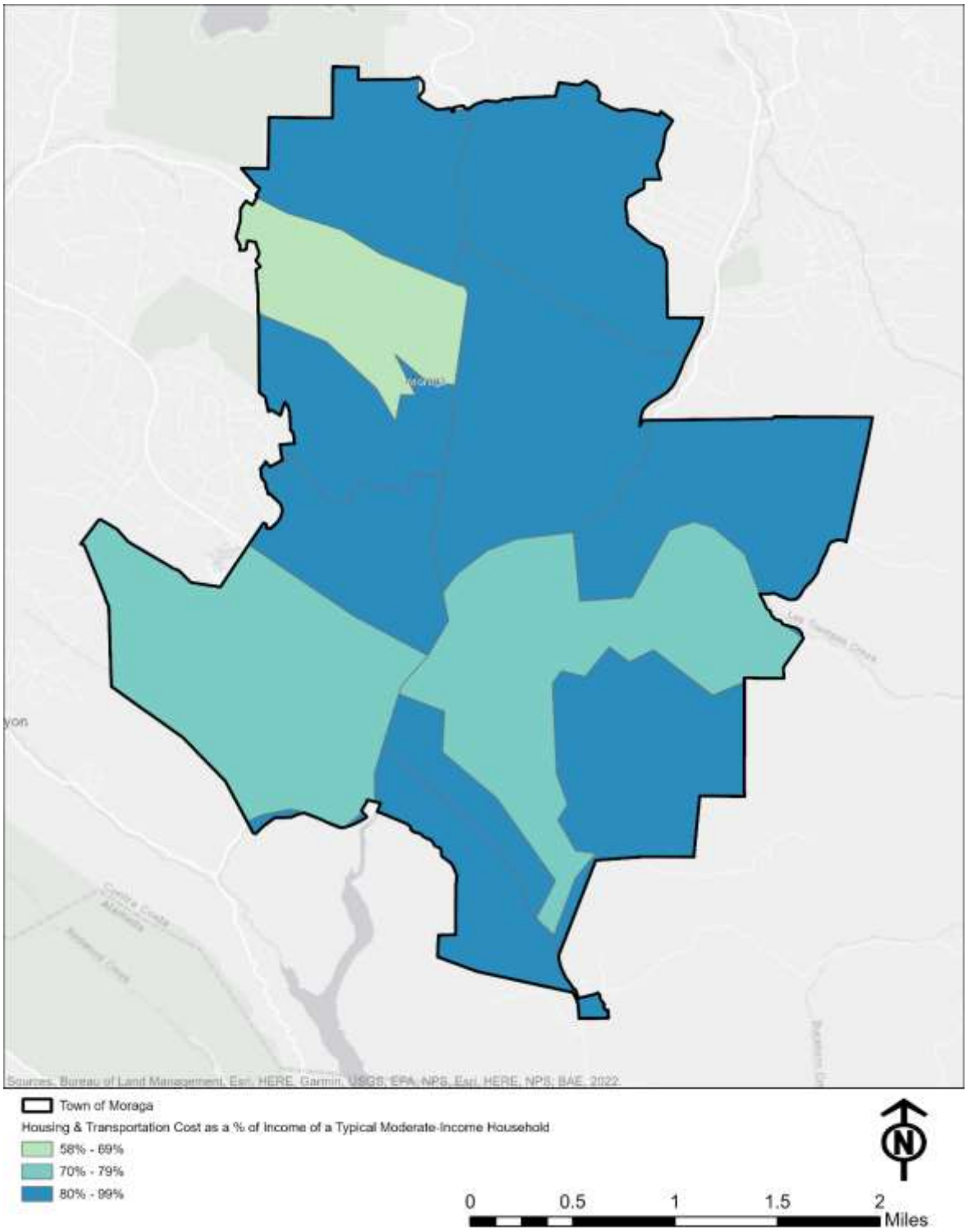
Source: County Connection

[13] https://www.cnt.org/tools/alltransit, accessed January 20, 2022.

CNT has developed another metric, the H+T (Housing and Transportation) Index, which takes into account housing and transportation costs for a typical household.[14] By their metric, in order to remain affordable housing costs plus transportation costs should equal 45 percent or less of total household income. They estimate this burden at the Census block group level, so disparities in this total estimated cost can be seen at a local or a regional level. Based on their estimates, for every block group in Moraga, the costs of housing plus transportation would be excessively high for what CNT calls a typical moderate-income household, as shown in Figure A-40. This means that a household with an income in this range would, on average, be cost-burdened when considering combined housing and transportation costs. There are limited areas in the East Bay Region where a moderate-income household would have housing and transportation costs equal to or less than 45 percent of total household income. The lowest percentages tend to be found in the more urbanized western portions of the region from Hayward north to San Pablo (see Figure A-41).

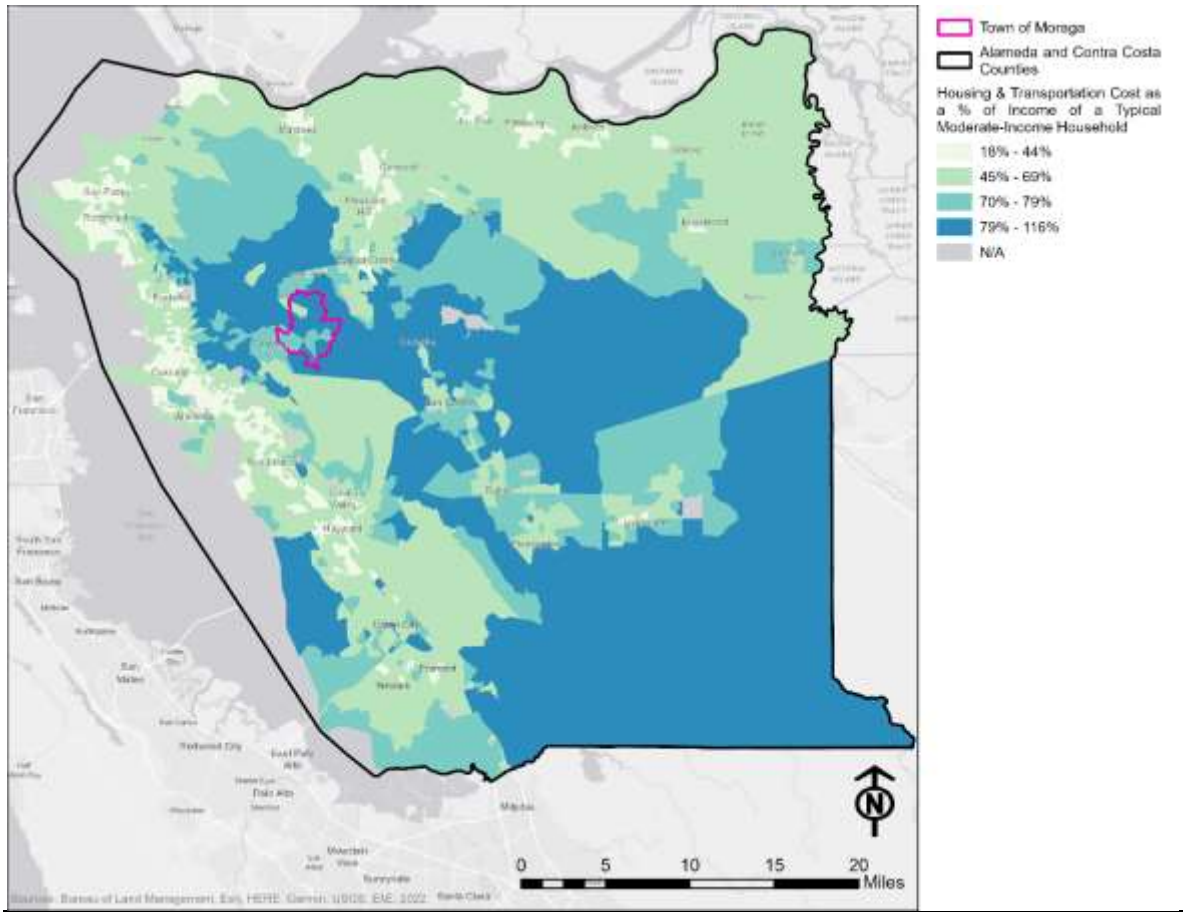
[14] https://htaindex.cnt.org/. For more on the methodology, see https://htaindex.cnt.org/about/HTMethods_2016.pdf.

Figure A-40: Percent of Income to Housing + Transportation for a Typical Moderate-Income Household in Moraga



Source: Housing + Transportation Index, Center for Neighborhood Technology.

Figure A-41: Percent of Income to Housing + Transportation for a Typical Moderate-Income Household in East Bay Region



Source: Housing + Transportation Index, Center for Neighborhood Technology.

Access to a Clean Environment

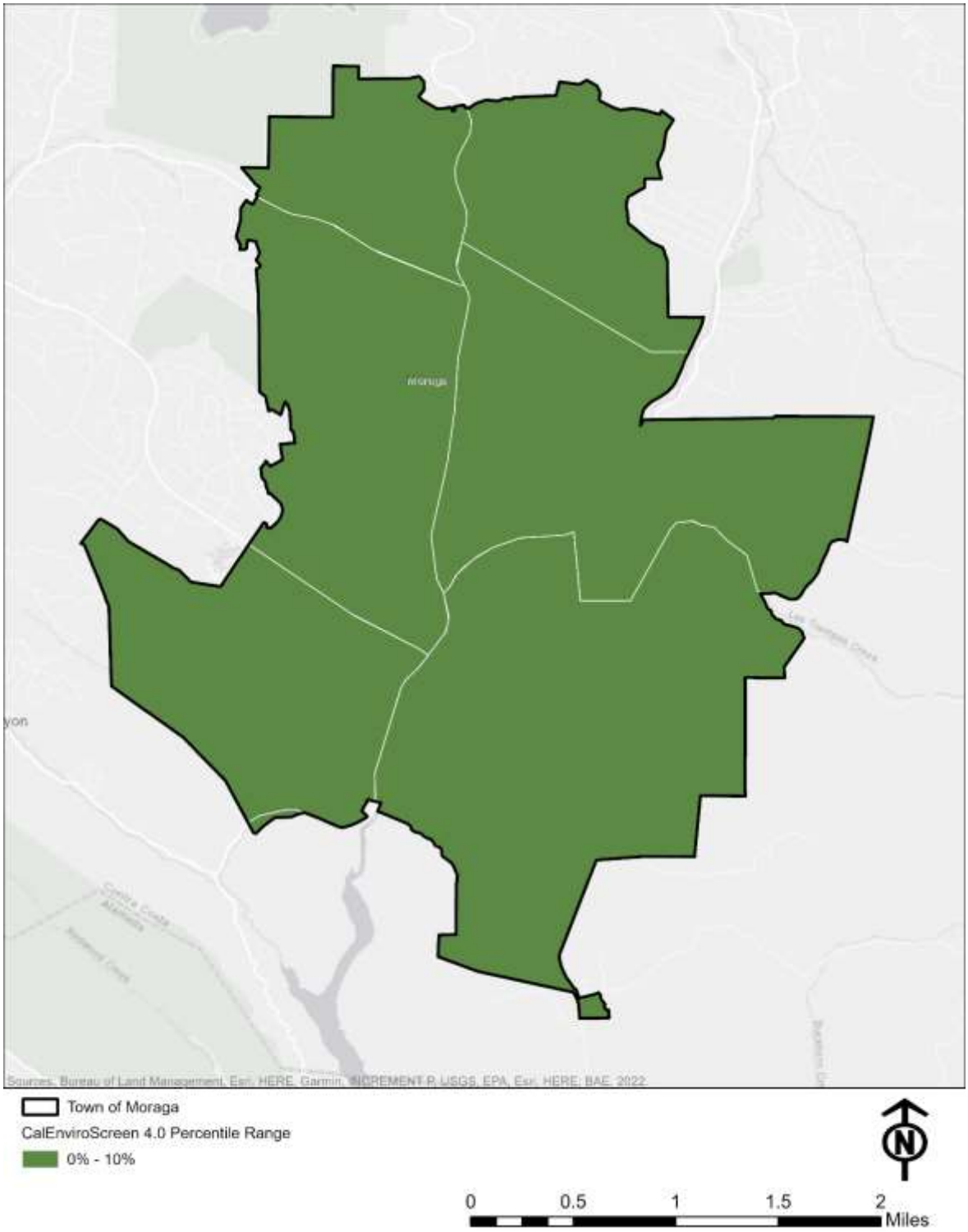
CalEnviroScreen was developed by the California Environmental Protection Agency (CalEPA) to evaluate pollution sources in a community while accounting for a community's vulnerability to the adverse effects of pollution. Measures of pollution burden and population characteristics are combined into a single composite score that is mapped and analyzed. Higher values on the index indicate higher cumulative environmental impacts on individuals arising from these burdens and population factors.

The California Office of Environmental Health Hazard Assessment (OEHHA) compiles these scores to help identify California communities disproportionately burdened by multiple sources of pollution. In addition to environmental factors (pollutant exposure, groundwater threats, toxic sites, and hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma, and low birth weight infants), CalEnviroScreen also considers socioeconomic factors such as educational attainment, linguistic isolation, poverty, and unemployment.

CalEnviroScreen provides a methodology to assist in identifying whether a local community is disproportionately burdened by pollution. For every Census tract in the state, CalEnviroScreen produces a score using environmental, health, and socioeconomic information derived from government sources, with higher scores associated with a higher pollution burden. The original layer was developed by California's Office of Environmental Health Hazard Assessment on behalf of the California Environmental Protection Agency and released in early 2017.[15] The analysis here uses the draft CalEnviroScreen version 4.0, released in the first half of 2021. As shown in Figure A-42, the scores by tract in Moraga are very low, with no tract scoring above ten percent (higher scores indicate a higher pollution burden). Regionally, the highest scores tend to be concentrated in western and northern neighborhoods, indicating disproportionate impacts from pollution in areas that also tend to have lower incomes and larger minority populations (see Figure A-43).

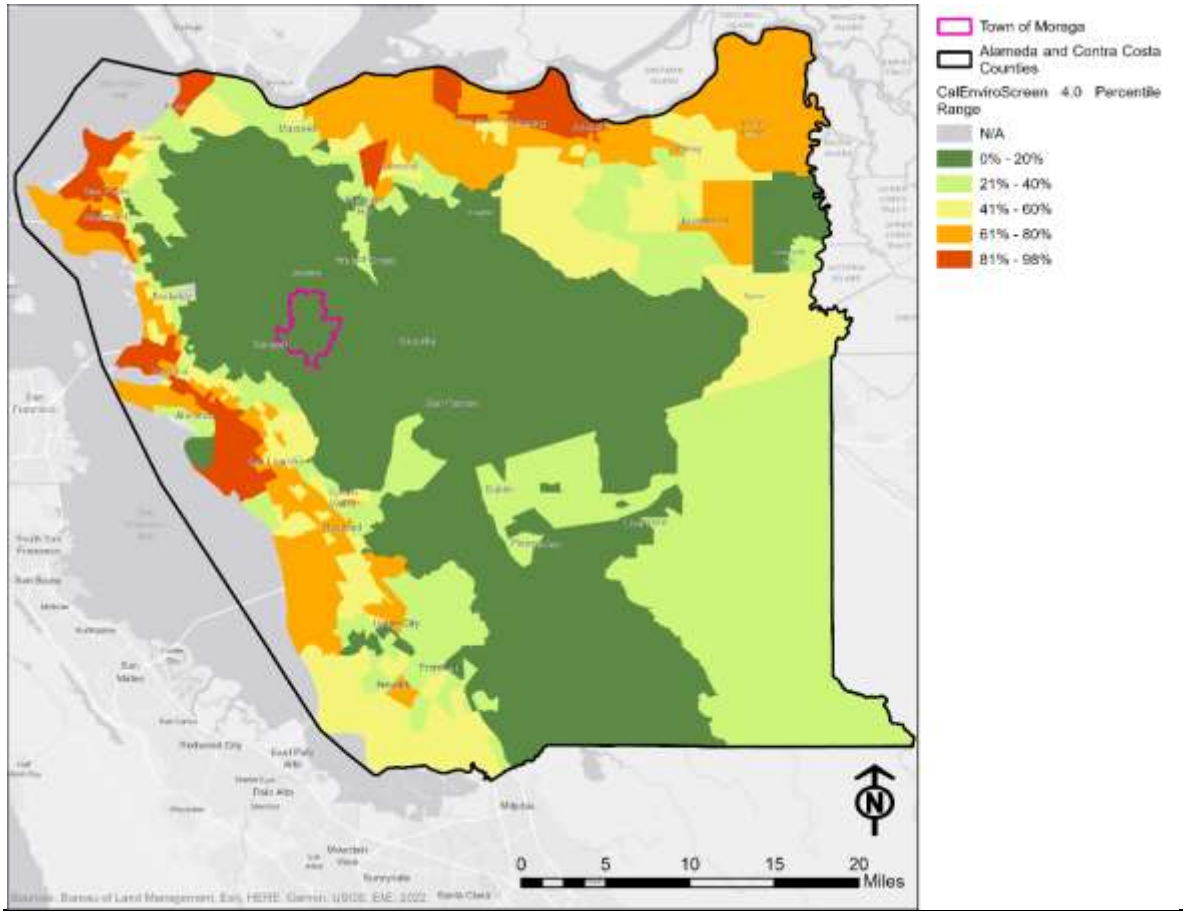
[15] For more information, see https://oehha.ca.gov/calenviroscreen.

Figure A-42: Pollution Levels in Moraga



Source: DRAFT CalEnviroScreen Version 4.0.

Figure A-43: Pollution Levels in the East Bay Region



Source: DRAFT CalEnviroScreen Version 4.0.

Disproportionate Housing Needs and Displacement Risk

The following section assesses the extent to which protected classes in Moraga, particularly members of racial and ethnic minority groups, experience disproportionate housing needs and are at risk for displacement.

Minority Homeownership Rates

Rates of home ownership often vary widely by race and ethnicity, both within local jurisdictions and throughout larger regions. As shown in Table A-8, Moraga has a high overall home ownership rate, at 82 percent of all households. Most race/ethnic groups in the town have similar rates. The exceptions are for the small "some other race alone" category[16] where the rate is only 55 percent, and for the two or more races group with a rate of 68 percent among only 164 households. These rates may show disproportionate ownership rates, but the small

[16] As shown in the table footnote, as used here this includes several groups that have been combined due to very small numbers of households in each group; even grouped together there are only 130 households total.

numbers of households in each group regardless of tenure show a more significant lack of overall minority representation in Moraga relative to the overall region. These trends likely reflect a combination of economic factors and historic discrimination in the housing market in Moraga and the broader region. Regionally, the overall homeownership rate is lower at only 59 percent of households, with a similar disparity between race/ethnic groups, with the exception of Hispanic households, which showed an ownership rate of 87 percent in Moraga (albeit for a small number of households) in contrast to a rate of only 44 percent in the East Bay Region.

Table A-8: Distribution of Homeowners by Race/Ethnicity, Moraga and East Bay Region

Town of Moraga

Householder by Race	Household Tenure: Owner	Household Tenure: Renter	Total Households	Ownership Rate
White Alone	3,895	765	4,660	84%
Non-Hispanic White Alone	*3,759*	*765*	*4,524*	*83%*
Asian Alone	754	159	913	83%
Some other race alone (a)	71	59	130	55%
Two or more races	112	52	164	68%
Total, All Races	**4,832**	**1,035**	**5,867**	**82%**
Hispanic or Latino	177	27	204	87%

Alameda and Contra Costa Counties

Householder by Race	Household Tenure: Owner	Household Tenure: Renter	Total Households	Ownership Rate
White Alone	337,693	180,921	518,614	65%
Non-Hispanic White Alone	*297,958*	*142,528*	*440,486*	*68%*
Asian Alone	141,350	76,297	217,647	65%
Some other race alone (a)	70,267	122,554	192,821	36%
Two or more races	19,825	23,039	42,864	46%
Total, All Races	**569,135**	**402,811**	**971,946**	**59%**
Hispanic or Latino	73,577	93,815	167,392	44%

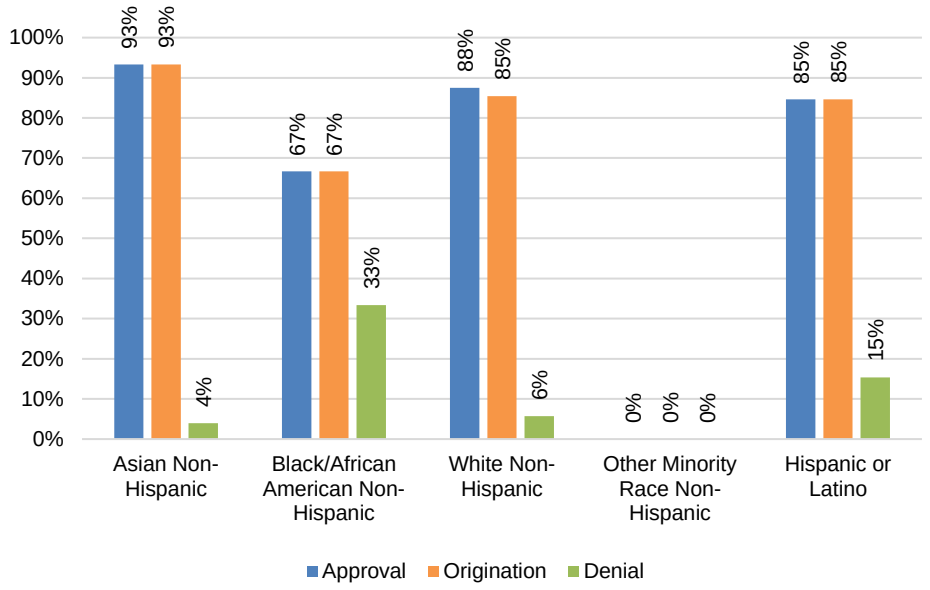
(a) Includes Black or African American Alone, American Indian and Alaska Native Alone, Native Hawaiian and Other Pacific Islander Alone, and Some Other Race Alone. Categories with less than 100 households in Moraga were combined with Some Other Race Alone.

Sources: U.S. Census Bureau, American Community Survey, 2015-2019 5-year sample data, B25003A-I, BAE, 2022.

Mortgage Loan Approvals by Race/Ethnicity and Income

The inability to obtain a mortgage can be a barrier to home ownership; historically, minorities have tended to have more difficulty obtaining loans, creating a significant barrier to homeownership. An analysis of Home Mortgage Disclosure Act (HMDA) data for home purchase loan applications in Moraga in 2020 indicates that for most racial/ethnic groups, loan approval rates are very high, at 85 percent or higher (see Figure A-44). The Black Non-Hispanic approval and origination rates are lower but are based on only three valid loan applications. This lower application rate, however, may be indicative of the effects of historic discrimination in home loan practices.

Figure A-44: Disposition of Home Loans by Race/Ethnicity in Moraga, 2020



Notes:
Hispanic applicants include all persons claiming Hispanic origin regardless of race. Analysis includes only home purchase loans and excludes those originated by lenders not subject to HMDA. Excludes applications that were withdrawn and files that were closed due to incompleteness. Includes conventional, FHA, FSA/RHS, and VA home loans on 1-4 family single family dwellings by race and ethnicity of applicant. Applications with missing ethnicity data are excluded.

Sources: FFIEC, Home Mortgage Disclosure Act data; BAE, 2022.

Geography of Mortgage Lending

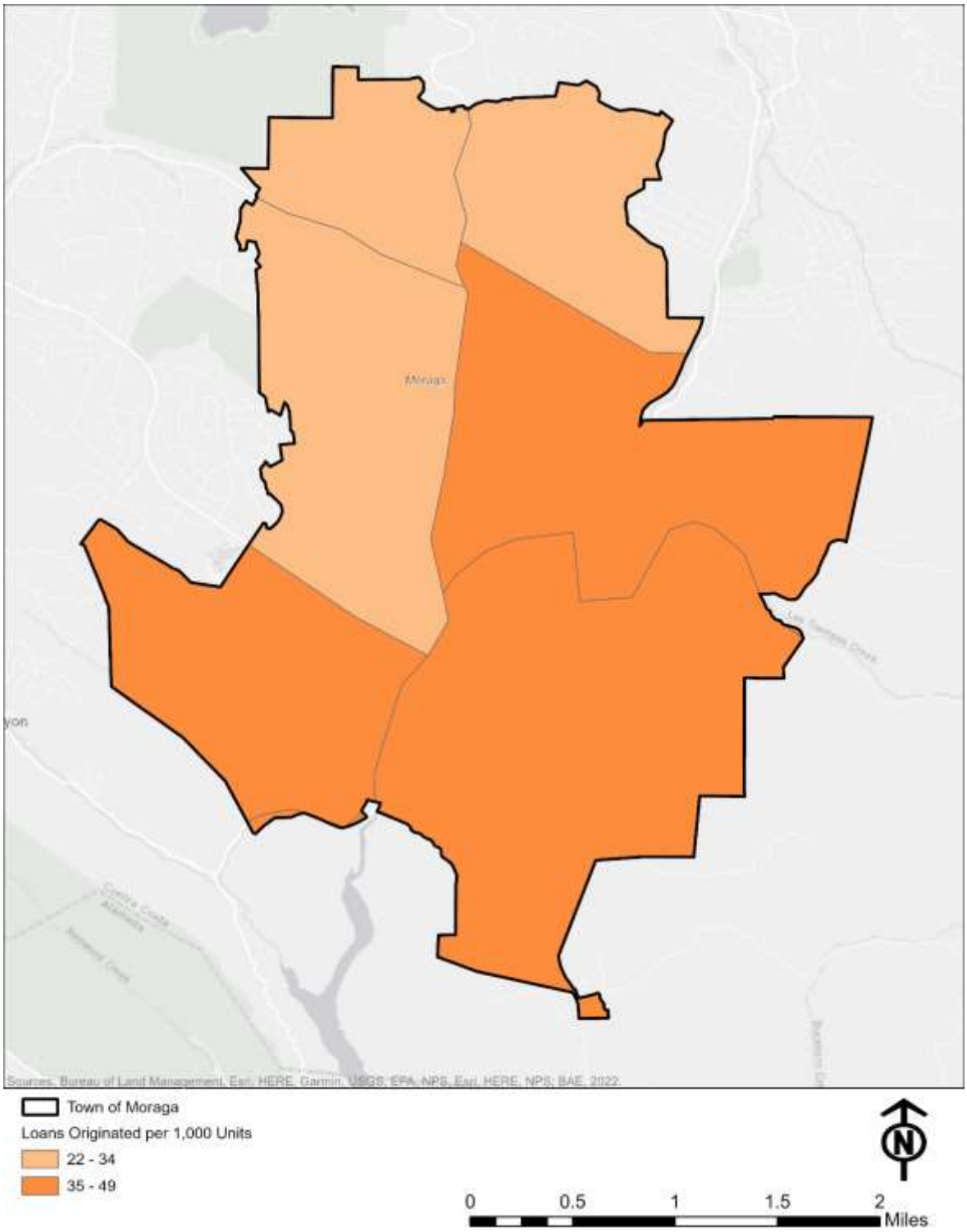
A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home. In the past, credit market distortions and other activities such as "redlining" were prevalent and prevented some groups from having equal access to credit. The Community Reinvestment Act (CRA) in 1977 and the subsequent Home Mortgage Disclosure Act (HMDA) were designed to improve access to credit for all members of the community and hold the lender industry responsible for community lending. Under HMDA, lenders are required to disclose information on the disposition of home loan applications and on the race or national origin, gender, and annual income of loan applicants.

However, lending discrimination continues to be a contributing factor to disproportionate housing needs, as groups who struggle to obtain access to loans are more likely to experience housing problems such as cost burdens, overcrowding, and substandard housing, and to be renters rather than homeowners. When banks and other financial institutions deny loan applications from people of color, they are less likely to achieve home ownership and instead must turn to the rental market. As Contra Costa's rental housing market grows increasingly unaffordable, Blacks and Hispanics/Latinos are disproportionately impacted. Figure A-44 above shows that home loan applications by Black/Hispanic/Latino individuals are denied at higher

rates than those of Whites or Asians. Because Blacks and Hispanics/Latinos in the region are denied loans at far higher rates than Whites and Asians, their families are far more likely to have less access to quality education, healthcare, and employment. Disparities in homeownership between racial and ethnic groups are also a key factor in sustaining wealth gaps between racial and ethnic groups, which further perpetuate disparities in homeownership, access to opportunities, and displacement risk. To address this issue, the Housing Plan chapter of the Housing Element Update includes Program 11, which includes encouraging future issuances of mortgage revenue bonds or mortgage tax credit programs by Contra Costa County, as well as Program 25, which will provide first-time homebuyers with information on home buyer counseling and education and the Mortgage Credit Certificate program. The Housing Plan also includes programs to expand the range of housing types available in Moraga, which could result in the creation of for-sale housing types that are affordable a wider range of income levels.

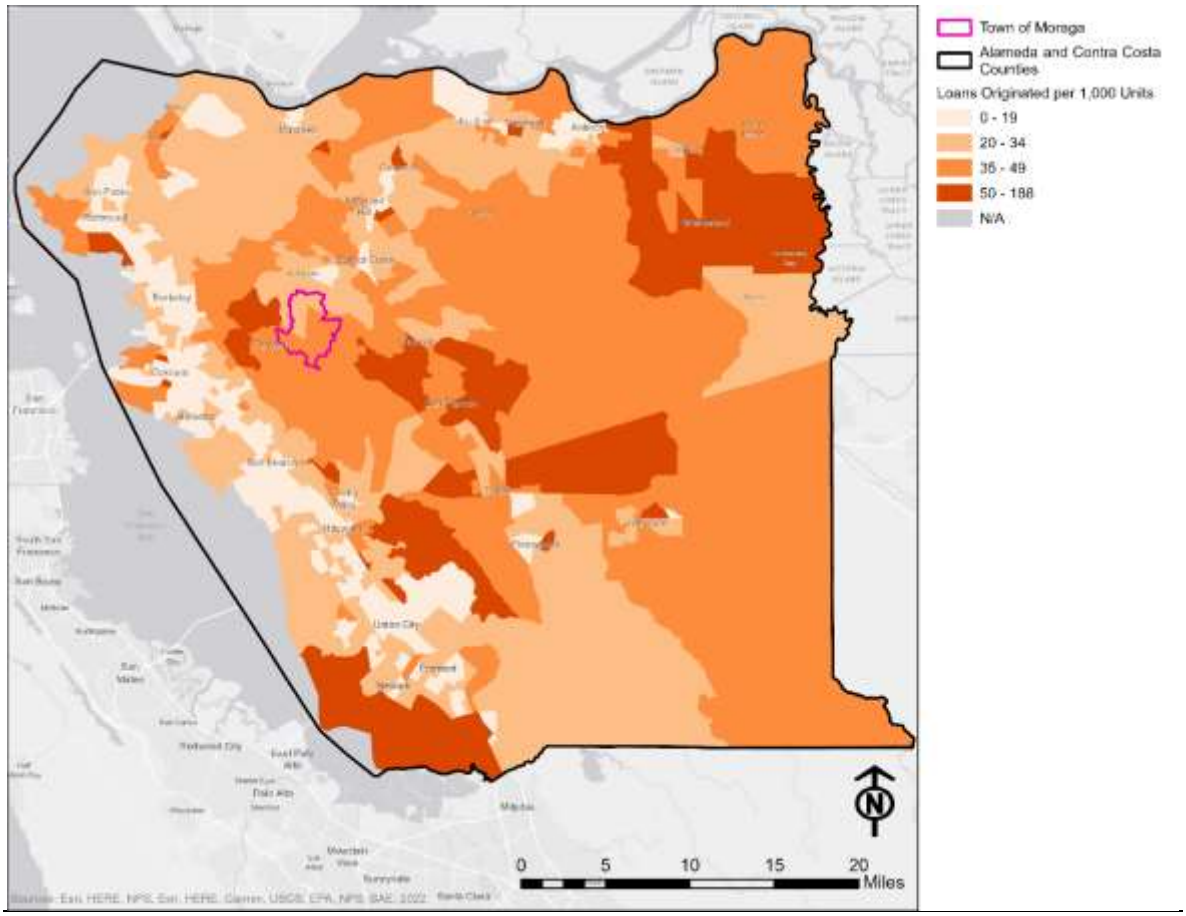
Figure A-45 on the following page illustrates the geographic distribution of originated loans by Census tract in Moraga based on HMDA data for 2020. The rate of loan originations varies from 22 to 49 per 1,000 units. The lower rates are found in the northeastern tracts; these tracts extend into other cities, but given the limited variation in the area's demographic characteristics, the variation does not appear to be tied to any noteworthy disparity in the types of residents in each tract. In the two-county region, there is more variation, with the number of originated loans by Census tract ranging from none to 188 per 1,000 units. The highest loan origination rates tend to be inland suburban areas associated with construction of new housing such as Brentwood and Dublin (see Figure A-46).

Figure A-45: Number of Loans Originated Per 1,000 Housing Units in Moraga by Census Tract, 2020



Sources: HMDA; BAE, 2022

Figure A-46: Number of Loans Originated Per 1,000 Housing Units in the East Bay Region by Census Tract, 2020



Sources: HMDA; BAE, 2022

Prevalence of Housing Problems

Table A-9 and Table A-10 report the relative prevalence of housing problems among households with incomes equal to, or less than, the area median by race and ethnicity. Households of a given racial or ethnic heritage are considered to have a disproportionately greater need for housing assistance if they experience housing problems at a significantly greater rate (ten percentage points or more) than do households within the same income level as a whole, regardless of race or ethnicity. The groups showing disproportionate housing problems at various income levels include Black, Pacific Islander, and Hispanic households; however, for African Americans and Pacific American Indians and Pacific Islanders, these findings are based on extremely small numbers of households and the estimates are subject to significant sampling error. For severe housing problems, only African Americans show disproportionate severe housing problems in one lower income category, but once again, the number of households in this group in Moraga is extremely small.

Table A-9: Housing Problems Rate by Race/Ethnicity, Moraga

	Percent of AMI				
Race/Ethnicity	**0-30%**	**31-50%**	**51-80%**	**81-100%**	**Total** (b)
White	76.0%	88.5%	59.2%	33.3%	66.0%
Black/African American	n.a.	n.a.	100.0%	n.a.	100.0%
Asian	56.5%	13.8%	40.0%	n.a.	45.9%
American Indian	n.a.	n.a.	n.a.	n.a.	n.a.
Pacific Islander	n.a.	n.a.	n.a.	100.0%	100.0%
Hispanic	0.0%	100.0%	28.6%	0.0%	41.7%
Subtotal, Housing Problems	**68.0%**	**84.1%**	**57.6%**	**34.1%**	**63.1%**
Average Rate +10%	*78.0%*	*94.1%*	*67.6%*	*44.1%*	*73.1%*

Notes:
Housing problems include lack of complete kitchen; lack of complete plumbing facility; more than one person per room; cost burden greater than 30% of income. Includes all households within incomes at or below 100% of area median income. Figures may not sum to total due to rounding. Cells highlighted in red indicate sub-groups for which the rate of housing problems exceed the average rate of a given income group by ten percentage points or more.

Sources: U.S. Department of Housing and Urban Development, 2014-2018 Comprehensive Housing Affordability Strategy (CHAS) data; BAE, 2022.

Table A-10: Severe Housing Problems Rate by Race/Ethnicity, Moraga

	Percent of AMI				
Race/Ethnicity	0-30%	30-50%	50-80%	80-100%	**Total** (b)
White	72.0%	78.8%	32.4%	27.8%	52.6%
Black/African American	n.a.	n.a.	100.0%	n.a.	100.0%
Asian	56.5%	13.8%	0.0%	n.a.	35.6%
American Indian	n.a.	n.a.	n.a.	n.a.	n.a.
Pacific Islander	n.a.	n.a.	n.a.	0.0%	0.0%
Hispanic	0.0%	16.0%	28.6%	0.0%	16.7%
Subtotal, Housing Problems	**65.3%**	**69.8%**	**32.6%**	**24.4%**	**49.1%**
Average Rate +10%	*75.3%*	*79.8%*	*42.6%*	*34.4%*	*59.1%*

Notes:
Housing problems include lack of complete kitchen; lack of complete plumbing facility; more than 1.5 persons per room; cost burden greater than 50% of income. Includes all households within incomes at or below 100% of area median income. Figures may not sum to total due to rounding. Cells highlighted in red indicate sub-groups for which the rate of housing problems exceed the average rate of a given income group by ten percentage points or more.

Sources: U.S. Department of Housing and Urban Development, 2014-2018 Comprehensive Housing Affordability Strategy (CHAS) data; BAE, 2022.

Housing Cost Burden

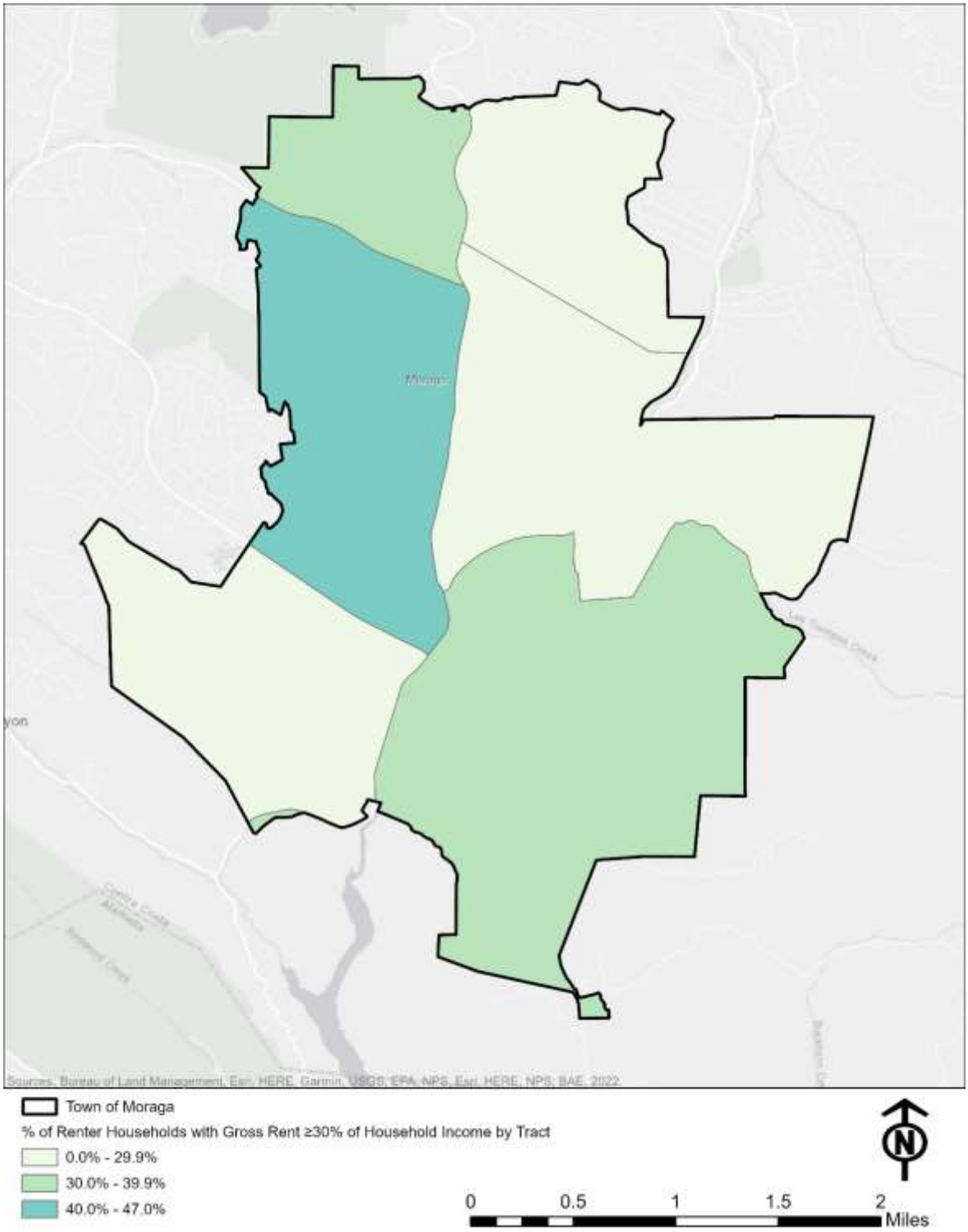
As described in the housing needs assessment, overpayment for housing is defined as a household paying more than 30 percent of its gross income on housing related expenses, such as rent, utilities, or mortgage payments. By this measure, 32 percent of all households in Moraga were cost-burdened during the 2015-2019 ACS survey period. This proportion is slightly lower than that for Contra Costa County overall and for the Bay Area (both at 36 percent). Slightly less than three-fourths of Moraga households earning less than 80 percent of the HAMFI were cost-burdened, compared to only 22 percent of households with incomes at 80 percent of HAMFI and above.

Figure A-47 shows the geographic distribution of overpayment for renters in Moraga and Figure A-48 shows the geographic distribution of overpayment for homeowners. Overall, 41 percent of renters overpaid for housing. The proportion of renters who were overpaying for housing in 2019 ranged from zero percent to 47 percent by Census tract. The highest proportions were found in a tract containing a large cluster of multifamily properties in central Moraga.

In Moraga, 29 percent of homeowners were overpaying for housing, and the percentage of those overpaying by tract ranges from 23 percent to 38 percent, likely due to the high ownership housing costs in the town. The highest proportion of those with high housing cost burdens is in the same part of Moraga as for renters. The Needs Assessment chapter of the Housing Element indicates some of the greatest cost burden falls on very low income seniors most of which spend more than half their incomes on housing (including property taxes, utilities, HOA dues, etc.).

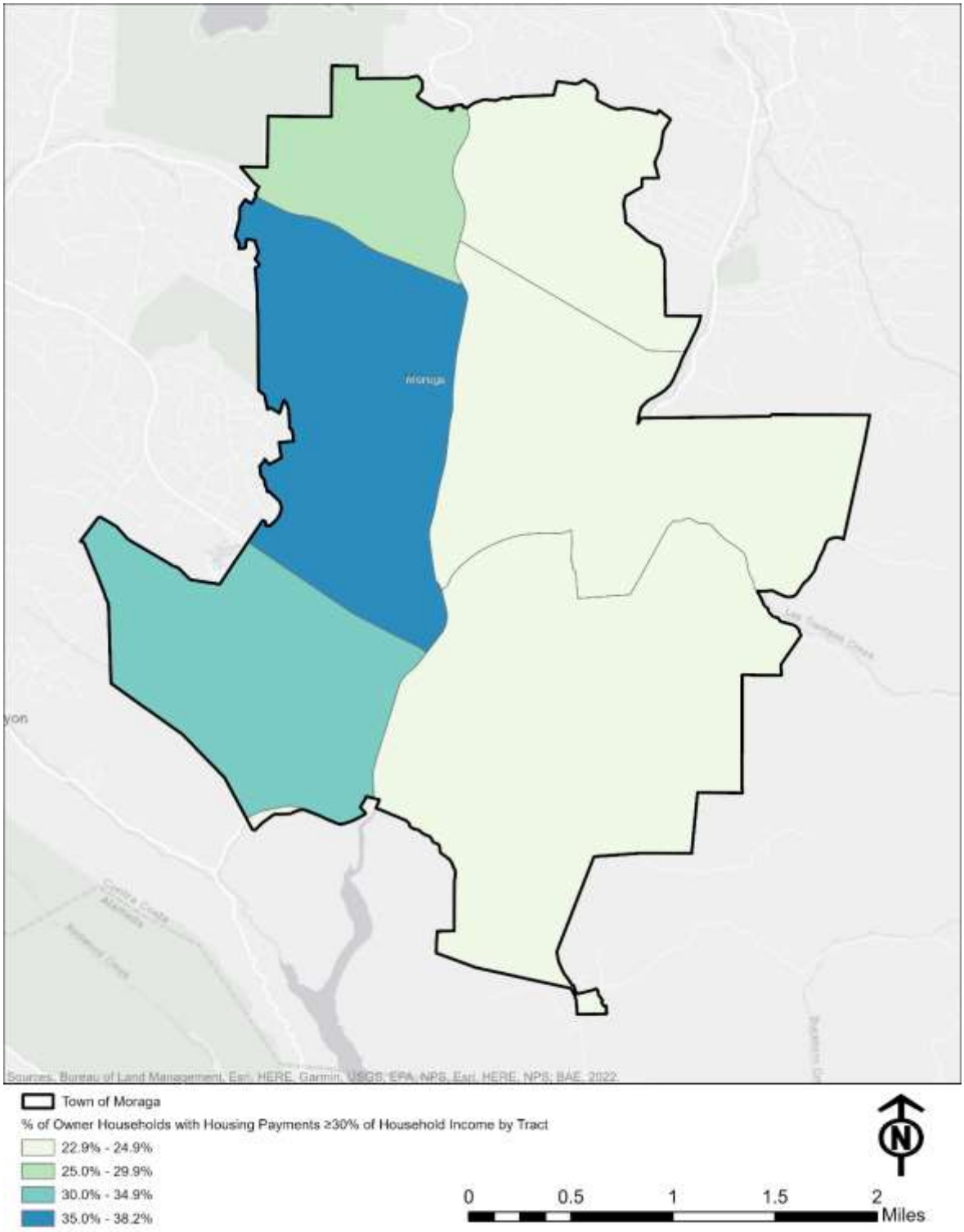
For the region, the proportion of renters overpaying for housing by Census tract ranged from zero percent to 83 percent, as shown in Figure A-47 below. The highest proportions were found in urban areas throughout the East Bay Region. For owners (see Figure A-48) the proportions range from zero to 75 percent, following a geographic pattern similar to that for renters.

Figure A-47: Overpayment by Renters, Moraga



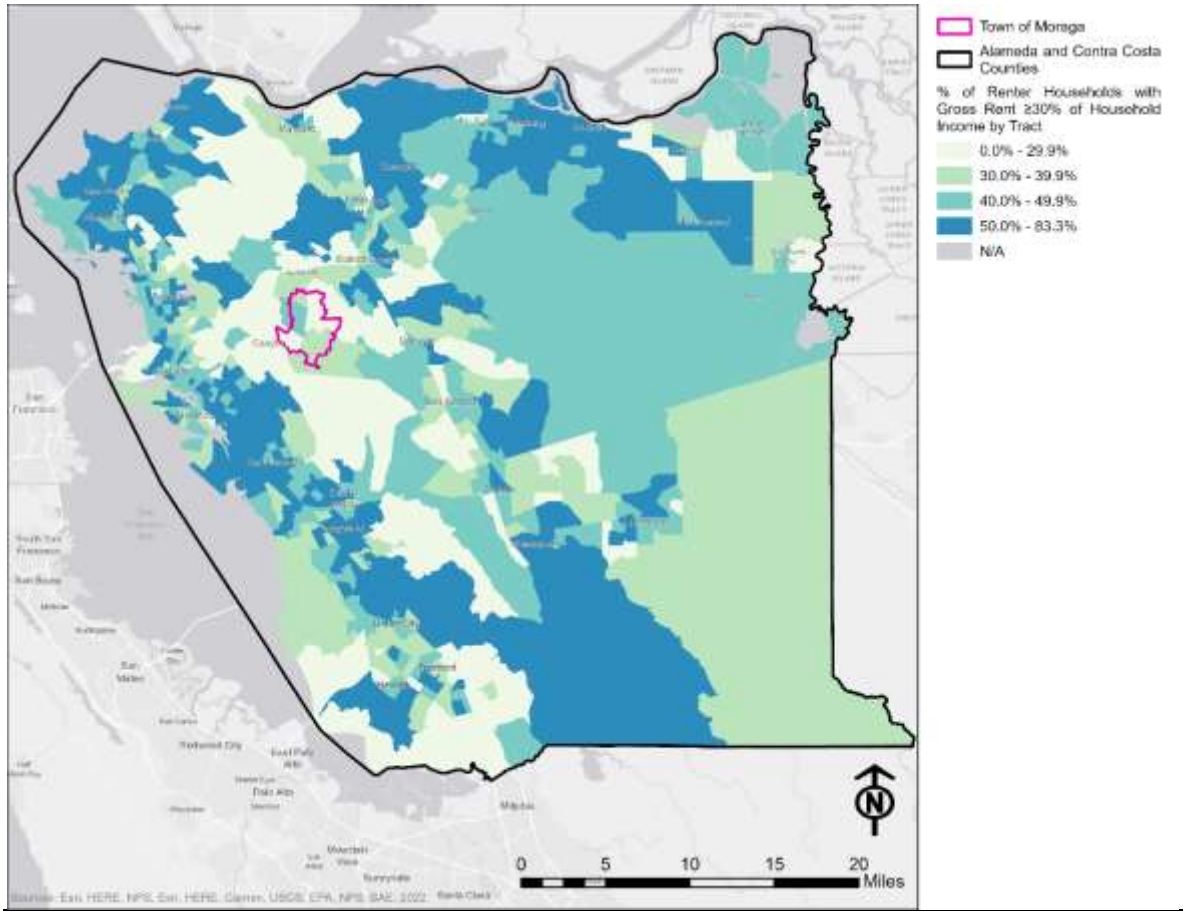
Source: U.S. Census American Community Survey, 2015-2019 data.

Figure A-48: Overpayment by Homeowners, Moraga



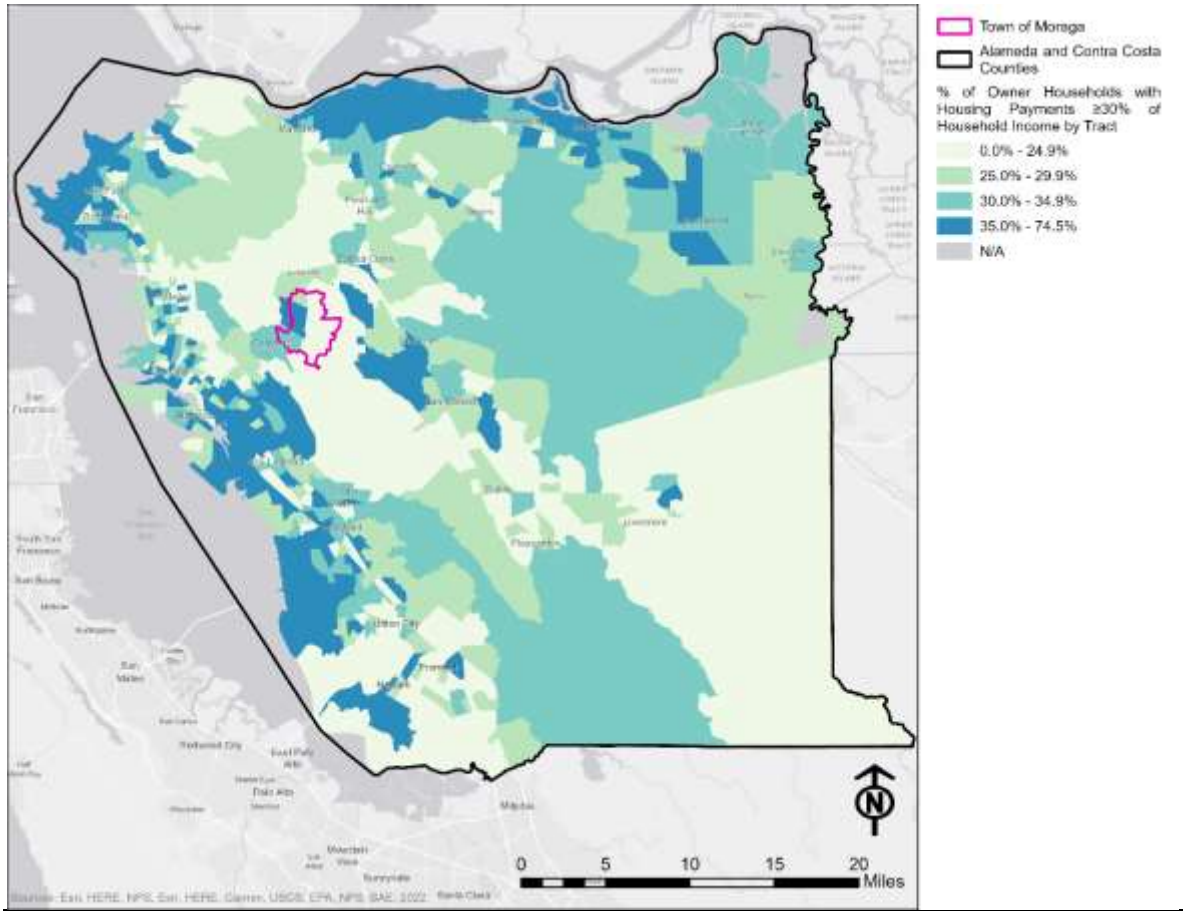
Source: U.S. Census American Community Survey, 2015-2019 data.

Figure A-49: Overpayment by Renters, East Bay Region



Source: U.S. Census American Community Survey, 2015-2019 data.

Figure A-50: Overpayment by Homeowners, East Bay Region



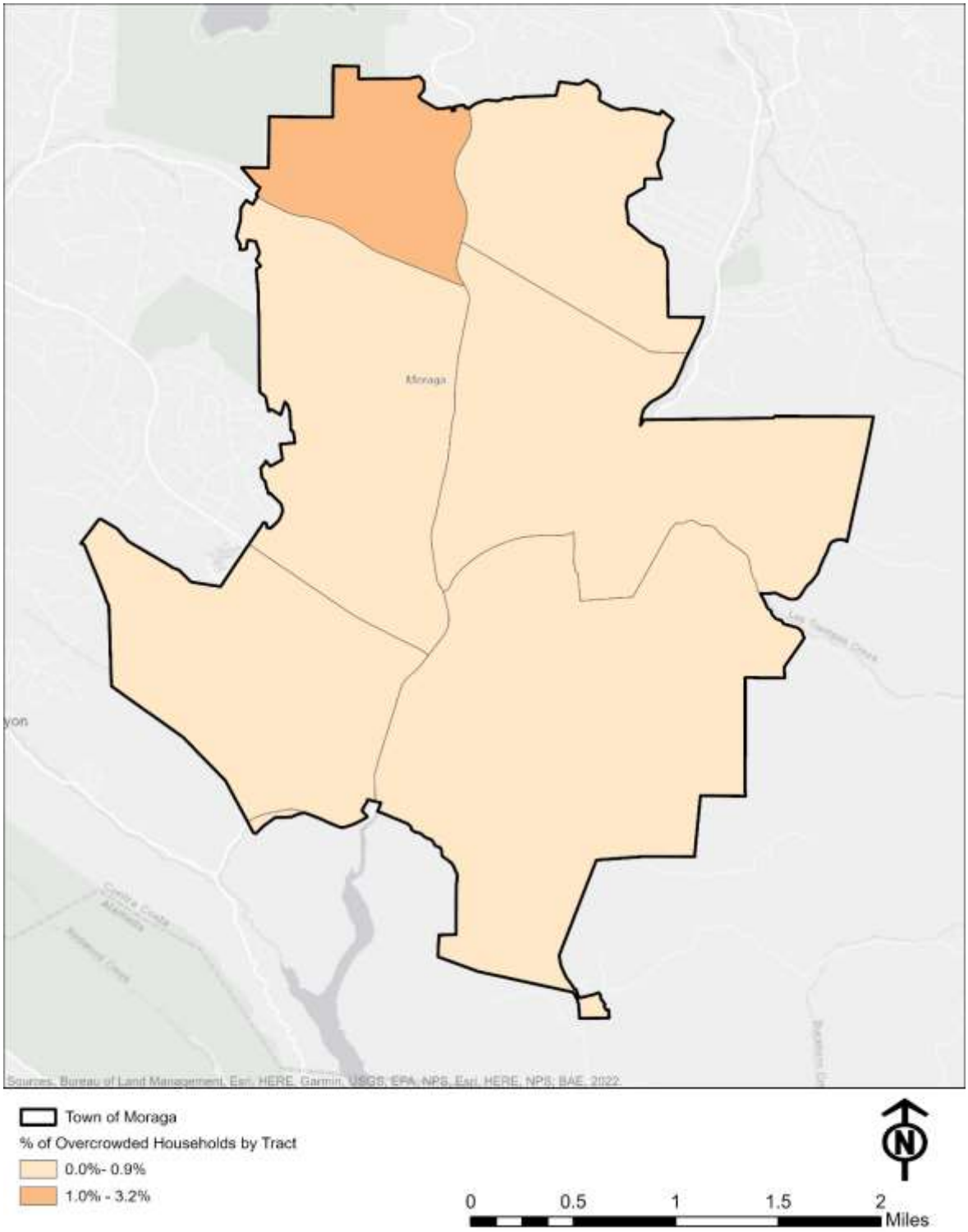
Source: U.S. Census American Community Survey, 2015-2019 data.

Overcrowded Households

Overcrowding of residential units, in which there is more than one person per room, can be a potential indicator that households are experiencing economic hardship and are struggling to afford housing. In Moraga, very few households show overcrowded conditions. The percentage of households by tract that are overcrowded ranges from zero to only 3.2 percent (see Figure A-51).

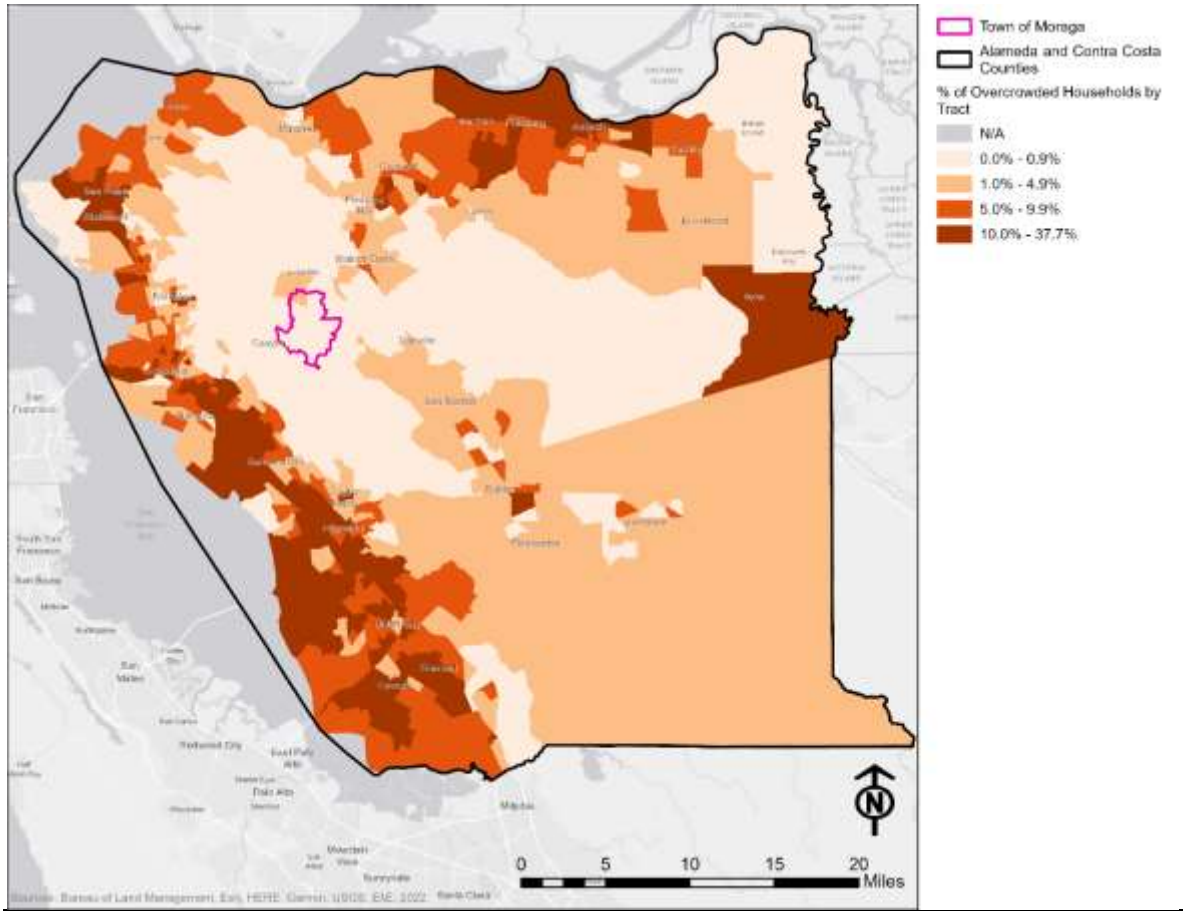
The East Bay Region, however, shows large areas exhibiting overcrowded conditions, with the proportion of overcrowded households by tract ranges from zero to nearly 38 percent. In comparing with some other variables, these tracts tended to be those with lower incomes and higher minority concentrations, with many of these tracts in the most urbanized areas in the region (see Figure A-52). This is evidence that many households in the region likely cannot find and/or afford suitable housing.

Figure A-51: Overcrowded Households, Moraga



Source: U.S. Census American Community Survey, 2015-2019 data.

Figure A-52: Overcrowded Households, East Bay Region



Source: U.S. Census American Community Survey, 2015-2019 data.

Resident Displacement Risk

Displacement occurs when housing costs or neighboring conditions force current residents out and rents become so high that lower-income people are excluded from moving in. Table A-11 reports the number of households by income level and tenure by housing cost burden. A household is considered to have a moderate housing cost burden if housing expenses exceed 30 percent of income, and to have a severe cost burden when housing expenses exceed 50 percent of income. Particularly for lower-income households, having housing costs that exceed 30 percent of household income often means that households are unable to afford housing while also meeting other basic needs such as food and healthcare. As shown in Table A-11, there were an estimated 225 renter households in Moraga who earned less than 100 percent of HAMFI and paid more than 30 percent of income for housing between 2014 and 2018. These households are more likely than others to experience displacement as a result of increasing housing costs. Owner households are generally less susceptible to housing displacement because owners typically have a fixed mortgage payment, although low-income owner households may still experience displacement pressure if they lack the resources for upkeep and maintenance of their property or if they experience a reduction in income due to a job loss

or other factors. The data in Table A-11 indicate that there were an estimated 585 owner households with incomes at or below 100 percent of HAMFI and moderate or severe housing costs burden between 2014 and 2018. As discussed above, some minority groups in Moraga are disproportionately likely to experience one or more housing problems (see Table A-9 and Table A-10), making these groups particularly vulnerable to displacement.

Table A-11: Housing Cost Burdens by Income Bracket and Tenure, Town of Moraga, 2014-2018

	Renter Households		Owner Households		All Households	
Housing Cost Burden by Income Level	**Number**	**Percent**	**Number**	**Percent**	**Number**	**Percent**
Household Income ≤30% HAMFI (a) (b)	**190**	**100.0%**	**185**	**100.0%**	**375**	**100.0%**
With ≤ 30% Housing Cost Burden	55	28.9%	10	5.4%	65	17.3%
With > 30%, but ≤ 50% Housing Cost Burden	10	5.3%	0	0.0%	10	2.7%
With > 50% Housing Cost Burden	125	65.8%	120	64.9%	245	65.3%
Not Computed (No or Negative Income)	0	0.0%	55	29.7%	55	14.7%
Household Income >30% to ≤50% HAMFI (b)	**65**	**100.0%**	**250**	**100.0%**	**315**	**100.0%**
With ≤ 30% Housing Cost Burden	0	0.0%	50	20.0%	50	15.9%
With > 30%, but ≤ 50% Housing Cost Burden	0	0.0%	45	18.0%	45	14.3%
With > 50% Housing Cost Burden	65	100.0%	155	62.0%	220	69.8%
Household Income >50% to ≤80% HAMFI (b)	**175**	**100.0%**	**285**	**100.0%**	**460**	**100.0%**
With ≤ 30% Housing Cost Burden	0	0.0%	195	68.4%	195	42.9%
With > 30%, but ≤ 50% Housing Cost Burden	90	52.9%	20	7.0%	110	24.2%
With > 50% Housing Cost Burden	80	47.1%	70	24.6%	150	33.0%
Household Income >80% to ≤100% HAMFI (b)	**15**	**100.0%**	**190**	**100.0%**	**205**	**100.0%**
With ≤ 30% Housing Cost Burden	0	0.0%	135	71.1%	135	65.9%
With > 30%, but ≤ 50% Housing Cost Burden	0	0.0%	20	10.5%	20	9.8%
With > 50% Housing Cost Burden	15	100.0%	35	18.4%	50	24.4%
Household Income >100% to ≤120% HAMFI (b)	**65**	**100.0%**	**440**	**100.0%**	**505**	**100.0%**
With ≤ 30% Housing Cost Burden	20	30.8%	285	65.5%	305	61.0%
With > 30%, but ≤ 50% Housing Cost Burden	45	69.2%	90	20.7%	135	27.0%
With > 50% Housing Cost Burden	0	0.0%	60	13.8%	60	12.0%
Household Income >120% HAMFI (b)	**620**	**100.0%**	**3,430**	**100.0%**	**4,050**	**100.0%**
With ≤ 30% Housing Cost Burden	595	96.0%	2,895	84.4%	3,490	86.2%
With > 30%, but ≤ 50% Housing Cost Burden	25	4.0%	495	14.4%	520	12.8%
With > 50% Housing Cost Burden	0	0.0%	39	1.1%	39	1.0%
Total Households (b)	**1,130**	**100.0%**	**4,780**	**100.0%**	**5,910**	**100.0%**
With ≤ 30% Housing Cost Burden	670	59.6%	3,570	74.8%	4,240	71.9%
With > 30%, but ≤ 50% Housing Cost Burden	170	15.1%	670	14.0%	840	14.2%
With > 50% Housing Cost Burden	285	25.3%	479	10.0%	764	13.0%
Not Computed (No or Negative Income)	0	0.0%	55	1.2%	55	0.9%

Notes:
(a) CHAS data reflect HUD-defined household income limits. HAMFI stands for HUD Area Median Family Income.
(b) Totals do not equal the sum of individual figures due to independent rounding.

Sources: U.S. Department of Housing and Urban Development, 2014-2018 Comprehensive Housing Affordability Strategy (CHAS) data; BAE, 2022.

Fair Housing Issues and Contributing Factors

The following sections summarize known fair housing issues and their contributing factors, as identified through the fair housing assessment documented above. Where applicable, the discussion notes instances where protected classes are disproportionately impacted.

Issue: The harm caused by segregation is manifest in disproportionate housing needs and disparities in access to opportunities.

Contributing Factors: Moraga is a high opportunity environment that provides access to high-quality resident services, job opportunities, and good quality schools. However, due to segregated regional housing conditions, there are significant geographical and racial disparities in access to opportunities in the East Bay Region. These disparities are evident through differences in poverty rates, homeownership rates, and housing problems.

Issue: The high cost of housing in Moraga may disproportionately impact special needs populations and non-White residents, who tend to have lower-incomes and therefore have a disproportionate need for affordable housing.

Contributing Factors: Many special needs populations and households that that tend to have low incomes, such as persons with disabilities, seniors on fixed incomes, and single parent households, are disproportionately impacted by the high housing costs in Moraga. Due to the high cost of housing, there are limited opportunities for lower income households to find housing units they can afford in the town, so they end up clustered in other parts of the region. Throughout the region, there are limited numbers of housing units that are designed specifically with both accessibility and affordability in mind for residents with disabilities or other special housing needs, which further exacerbates housing problems for these groups. As a result, special needs populations and some minority residents tend to experience housing problems at higher rates, with high housing cost burden being perhaps the most common housing problem.

Issue: Transportation problems and challenges create barriers in access to opportunities, especially for residents with disabilities.

Contributing Factors: There is limited transit service available to residents of Moraga, potentially limiting access to opportunities such as employment, education, health care services, community amenities, and other public services. Transportation barriers and problems disproportionately impact persons with disabilities. At least in some cases, access to public transportation and/or alternative transportation infrastructure may present an impediment to fair housing choice for those who rely on such services/facilities to access employment, resident services, and educational opportunities.

Issue: High housing costs in Moraga have created a high housing cost burden for many residents, particularly low-income renters, which makes these households particularly vulnerable to displacement.

Contributing Factors: High housing cost burden, and the associated displacement risk, disproportionately impacts non-White residents, residents with disabilities, and other residents with special needs that tend to have lower incomes. Households are also vulnerable to displacement to the extent that high housing costs and a strong real estate market create an incentive for property owners to convert deed-restricted affordable units to market rate, increase rents on market-rate rental properties, or convert existing affordable units to other uses. Displacement due to these changes has a disparate impact on communities of color, seniors, people with disabilities, and other households that disproportionately rely on affordable units.

Prioritization of Contributing Factors

Housing Element law requires an identification and prioritization of contributing factors to fair housing issues based on the fair housing assessment above. This identification and prioritization must give the highest priority to factors that limit or deny fair housing choice or access to opportunity, or that negatively impact fair housing or civil rights.

Segregation and disproportionate impacts in Moraga are due in large part to historic causes of segregation regionally, such that minority families were often not able to build the equity to "move up" to Moraga's more expensive housing and the community's high quality of life. At present, the barriers to entry into Moraga today are largely about household income and the ability (or lack thereof) to afford the expensive market rate housing in the community rather than race or other characteristics of protected classes. Groups that have been unable to build wealth due to historic discrimination in housing and employment generally cannot afford to buy or rent homes in Moraga. The limited minority representation in Moraga is not due to gentrification and displacement – the town has never hosted a large lower-income population - but has become less affordable over time, like the rest of the Bay Area. It is possible that children of some long-time residents cannot afford to live in the community and thus must move away when forming their own households. Moraga also has a lack of designated affordable housing and many of the local employment opportunities are service jobs with earnings inadequate to rent or buy housing locally, meaning that many people who are employed locally need to commute into their Moraga workplaces from residences in other more affordable communities.

To address these fair housing issues the Town of Moraga should prioritize mobility-based strategies that can help a more diverse socio-economic cross-section of the regional population successfully find and afford housing within the town. These strategies can include:

- Increasing the land available for the development of a diverse range of housing types, including multifamily housing that can be built at densities that can support below-

market rate housing development, particularly in areas that are near transit services, schools, jobs, and other community amenities and services.

- Increasing the local supply of affordable housing that can be made available to lower-income workers, people with disabilities, seniors, and others with special needs through various types of assistance, such as:
    - assisting and facilitating affordable housing development through approval streamlining, and partnerships with affordable housing developers.
    - considering requirements for inclusionary housing in market rate housing projects and providing density bonuses to project with qualifying affordable units.

- Advocating for increased resources, such as Section 8 vouchers to assist lower-income households in affording housing in Moraga.

- Educating property owners, real estate agents, and others on their obligations under state law not to engage in unlawful discrimination in renting or selling homes, including to not discriminate based on source of income as well as other protected factors, and educating tenants on their rights under fair housing law.

APPENDIX B:

HOUSING OPPORTUNITY SITE INVENTORY

Overview of Appendix Contents

This Appendix provides an inventory of Moraga's 2023-2031 Housing Opportunity Sites, including information required by the State of California for each site. A narrative summary of this information is contained in Chapter 4 of the Housing Element. This appendix presents the following information for each site:

Column	Title	Description
1	ID	A unique alpha-numeric ID has been assigned to each site. The letter corresponds to the site typology as follows: (A) = Entitled (already approved) project; (B) = Vacant sites zoned for low density development; (C) Vacant sites zoned for medium density development; (D) Vacant sites zoned for high density development; (E) Vacant sites zoned for mixed use development; (F) Non-vacant sites zoned for mixed use development. The number simply distinguishes each site in each lettered category.
2	APN	Assessor Parcel Number. Some sites have multiple APNs and some sites occupy only a portion of a given APN. These are noted in the "Comments" column in each table.
3	Address/Location	Either a street address or a narrative description of the location of each property
4	Acres	Total (gross) acres of the housing opportunity site
5	GP Des	Existing General Plan Designation
6	Zoning	Existing Zoning Designation. In a few cases, an asterisk is used to indicate a proposed zoning change (this is documented in footnotes)
7	Existing Use	A narrative description of the current use of each site
8	Units per Acre	Number of units per acre permitted based on the General Plan designation and/or zoning of the site. In Tables B-4, B-5, and B-6, the current maximum units per acre is cited, followed by the proposed maximum units per acre (including zoning changes). For instance "20/24" means the current zoning allows 20 Dwelling Units/ Acre (DUA)while the new zoning will allow 24 DUA.
9	Theoretical Capacity	The land area for each site multiplied by the maximum zoning density, inclusive of any proposed increases in allowable density. For already approved projects, the actual number of approved units is used.
10	Realistic Capacity	(1) For already approved projects, the actual number of approved units is used (2) For sites with development constraints such as steep slopes and limited access, the estimate is generally 60-80 percent of what is allowed by zoning. This accounts for areas likely to be dedicated as open space, as well as the possibility of larger lots than the zoning minimum. (3) Most of the multi-family and mixed use sites have a minimum density as well as a maximum density. In most cases, the minimum density was used to estimate capacity. For sites with no constraints, the number of units was presumed to be 80 percent of theoretical capacity. The estimate of a site's "realistic capacity" does not preclude a site from developing with more units than are shown in this column. This is intended as a conservative estimate based on guidance provided by the State Department of Housing and Community Development.

Column	Title	Description
11	Income Distribution	Indicates whether the site is expected to serve above moderate, moderate, or lower (low + very low) income households. As noted in Chapter 5, the designation of a site as "lower income" does not mandate that it be developed with lower income housing. However, if it is developed with another use, the City must find that it still has capacity to meet its lower income assignment in the remaining sites (or identify additional opportunity sites to make up the deficit).
12	Pub/Private	Indicates whether the site is publicly or privately owned. PR = private. PU = public
13	Constraints	Indicates development constraints on each site, with an emphasis on environmental constraints. Listed constraints include slopes over 20 % (such projects require Hillside Development Permits), biological resources (including sensitive natural communities such as oak woodlands), creek setbacks (a 50' setback along Laguna Creek impacts several of the sites), power lines, location in a very high fire hazard severity zone, location in the 100-year flood plain, and similar factors. In many cases (such as flood plain), these constraints only affect a small portion of the site and do not affect its realistic capacity. The 500-year FEMA flood plain and "High" fire hazard areas are not listed, as these are less constraining than the 100-year flood and "Very High" fire hazard designations.
14	Infrastructure	Indicates the improvements that would be required for site development, including road access and internal streets and utilities. Sites with utilities available in the street right-of-way abutting the site are considered to have infrastructure. Sites without adjacent water, sewer, or dry utilities are noted as needing infrastructure. This is not intended as an evaluation of the town-wide availability of water supply or sewer/drainage capacity, not does it consider the need for maintenance or replacement of town-wide infrastructure.
15	Counted Before?	Indicates if the site was counted in the 4th and 5th Cycle Housing Elements
16	Comments	Provides additional remarks and comments about each site, including background information and context for why it is listed as a housing opportunity.

The location of the sites listed in Tables B-1 through B-6 is shown in Chapter 5 of the Housing Element. Site ID numbers are shown on the maps.

Table B-1: Entitled Development Projects (2023-2031)

Site Features							Capacity Factors										
										Income Distribution							
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre	Theoretical Capacity	Realistic Capacity	Low	Moderate	Above Mod	Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
A1	256-490-001 to -037; 256-500-001 to -058; 256-510-001 to-016; 256-520-001 to -018	Palos Colorados (e/side Moraga Rd just south of Lafayette border)	123	1 DU/AC	1 DU/AC	Vacant	1	123	123	0	0	123	Pr	Slopes over 20%	Internal roads and utilities required	4, 5	This is a 460-acre project, most of which is designated open space. About 123 acres are zoned 1 DU/AC. A 123- lot subdivision has been approved and recorded. The project is fully entitled, including a certified EIR.
A2	covered above	Palos Colorados ADUs	0	1 DU/AC	1 DU/AC	Vacant	NA	NA	30	0	15	15	Pr	See above	See above	5	Palos Colorados was approved with 30 accessory dwelling units.
A3	271-360-002 to -013; 271-370-001 to -010; 271-380-001-028; 271-390-001 to -015	Country Club Drive Extension	22	3 DU/AC	3 DU/AC	Vacant	3	66	65	0	0	65	Pr	None	Complete d	4,5	Project is fully entitled and infrastructure is complete. Street and utilities are constructed. Grading and building permits needed for individual homes.
A4	258-600-06	Hetfield Estates	58	MOSO Open Space	MOSO Open Space	Vacant	.2	11	7	0	0	7	Pr	Slopes over 20%	Planned as part of project	5	Project is fully entitled. Allowable capacity is being clustered, allowing most of site to be preserved as open space.
SUBTOTAL, ENTITLED PROJECTS									225	0	15	210					

Table B-2: Vacant Sites Zoned for Low Density Residential Development

Site Features								Capacity Factors									
										Income Distribution							
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre	Theoretical Capacity	Realistic Capacity	Low	Moderate	Above Mod	Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
B1	258-160-062	Wickham-Del Rio	7.0	3 DUA	3 DUA	Vacant	3	21	10	0	0	10	Pr	Slopes over 20%	Internal roads and utilities required	5	Total parcel is 132 acres. This is a 7-acre portion zoned for 3 DU/AC. Remainder of parcel is open space.
B2	258-160-028	End of Sanders	7.1	3 DUA	3 DUA	Vacant	3	21	10	0	0	10	Pr	Slopes over 20%	Internal roads and utilities required	5	Moderate slope constraints, clustering possible
B3	256-210-001	E. of Campolindo HS	4.9	1 DUA	1 DUA	Vacant	1	4	4	0	0	4	Pr	Slopes over 20%	Available	5	Recent proposal to divide into 4 units
B4	255-010-006	N. of Campolindo HS	8.2	1 DUA	1 DUA	Vacant	1	8	2	0	0	2	PU	Slopes over 20%	Available	5	Previous element only assumed 1 unit
B5	258-250-046	6 Madsen Ct	0.25	3 DUA	3 DUA	Vacant	3	1	1	0	0	1	Pr	None	Available	N	vacant lot
B6	256-061-016	Rheem Blvd (west of Fernwood)	1.12	2 DUA	2 DUA	Vacant	2	2	1	0	0	1	Pr	None	Road access	N	Current for sale, former EBMUD
B7	256-070-032	Chalda Way West	1.11	2 DUA	2 DUA	Vacant	2	2	2	0	0	2	Pr	Slope >20%, Long narrow parcel	Available	5	Same owner as adjacent mini-warehouse. Sloped site
B8	258-160-028 plus 258-541-007 and -008	E. end of Country Club, plus Glen Alpine	2.49	3 DUA	3 DUA	Vacant	3	7	3	0	0	3	Pr	Power lines at rear property line	Available	N	Site(s) not counted before
B9	258-470-040, 042, -044	David Drive vacant lots	4.36	1 DUA	1 DUA	Vacant	1	3	3	0	0	3	Pr	Slopes over 20%	Available	N	Three individual vacant lots, same owner

Table B-2, continued

Site Features							Capacity Factors										
										Income Distribution							
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre	Theoretical Capacity	Realistic Capacity	Low	Moderate	Above Mod	Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
B10	256-110-043	Moraga Road, opposite Corliss	2.84	1 DUA	1 DUA	Vacant	1	2	2	0	0	2	Pr	Slope over 20%	Road access	N	Site is being advertised for sale
B11	255-381-003 and -008	Rear of 15 Ashbrook	3.34	1 DUA	1 DUA	Vacant	1	3	2	0	0	2	Pr	Slope over 20%	Road access	N	Two vacant flag lots. Driveway access from Ashbrook.
B12	258-520-003	Alta Mesa	4.26	2 DUA	2 DUA	Vacant	2	9	4	0	0	4	Pr	Slope over 20%	Available	5	Previous element assumed 8 units.
B13	255-310-024 and 255-310-025 (pt)	MCSP Area 4 Camino Ricardo-	7	3 DUA	3 DUA	Vacant	3	21	16	0	0	16	Pr	None	Available along Camino Ricardo	5	In MCSP--no changes proposed. Previous Housing El. assumed 5 acres at 2 DUA or 10 unit potential. Actual zoned area is 7 ac. These units are covered by MCSP EIR
B14	257-180-034; -037 (pt); -038 (pt); -040 (pt); -041 (pt)	Indian Valley (Canyon Rd s/w of urban area)	107	1.5 DUA		Ag	1.5	160	150	0	0	150	Pr	Very high fire severity zone, areas of slope over 20%, biological resources	Water, and sewer extension needed, plus internal roads and utilities	5	There is an active proposal for 150 units. Site is in a very high fire severity zone. Local fire district is meeting and examining fire safety standards.

Table B-2, continued

Site Features							Capacity Factors										
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre	Theoretical Capacity	Realistic Capacity	Income Distribution			Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
B15	237-160-037 and -073	E/side St Mary's Road s/of Lafayette border	41.6	1 DUA	1 DUA	Ag	1	41	32	0	0	32	Pr	Slopes over 20%, biological resources	Would require internal roads and utilities	5	Site has slope and infrastructure constraints but could support clustered development. Prior Element assumed 40.
SUBTOTAL, VACANT LOW DENSITY SITES									242	0	0	242					

Table B-3: Vacant Sites Zoned for Medium Density Residential Development

Site Features							Capacity Factors										
										Income Distribution							
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre	Theoretical Capacity	Realistic Capacity	Low	Moderate	Above Mod	Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
C1	255-471-004	Behind 2009 Ascot	2.38	6 DUA	6 DUA	Vacant	6	14	4	0	0	4	Pr	Slope over 20%, Geology	Road access	N	"Plateau" site above Rheem Ctr accessed by flag lot off Ascot. Slope and visual constraints.
C2	255-461-001	2062 Ascot	1.06	6 DUA	6 DUA	Vacant	6	6	2	0	0	2	Pr	Slope over 20%	Available	N	Steep vacant parcel with slope constraints
C3	255-183-011	1800 Donald	0.29	6 DUA	6 DUA	Vacant	6	1	1	0	0	1	Pr	Slope over 20%	Available	N	Currently listed for sale, slope constraints
C4	258-520-001	MCSP Area 16 Hillside orchard site on Moraga Rd E of shopping center	5.35	Moraga Center	R-12	Vacant	12	64	33	0	3	30	Pr	Slope over 20%	Available (along Moraga Rd)	N	Covered by Specific Plan, which was intended to streamline development and resulted in rezoning of this site from 3 DUA to 12 DUA. Site was not included in the 510/630 unit estimate for MCSP (in 2010) and not counted as a housing site in 2015. Site is in scenic corridor and any development would require grading, which would add to project cost and viability.

Table B-3, continued

Site Features										Capacity Factors							
										Income Distribution							
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre	Theoretical Capacity	Realistic Capacity	Low	Moderate	Above Mod	Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
C5	258-410-012; 258-410-026	MCSP Area 15	6.37	Moraga Center	6 DUA	Vacant	6	38	36	0	3	33	Pr	None	Available	4, 5	Covered by Moraga Center Specific Plan, which was intended to streamline development. In 2015 Housing Element, half of this site (3.1 ac) was counted, with 12 DU assumed. At the time, the remainder was zoned Office. Site was rezoned in 2020 as 100% residential (6 DUA). A proposal for 33 SF homes was submitted.
C6	255-310-025 (pt); 255-310-026 (pt)	MSCP Area 3 (Hillside orchard west of creek)	12.4	Moraga Center	R-12	Vacant	12	148	124	0	12	112	Pr	Moderate slope, very small pt in flood plain, creek setback requirement on eastern edge	Internal roads and utilities will be needed	4, 5	Covered by Moraga Center Specific Plan, which was intended to streamline development. including zoning of this site for 12 DU/A. Site consists of portions of two parcels, one 9.7 ac and the other 2.7 ac. Total 12.4 acres. 10 units/ acre assumed as "realistic capacity" since it is the minimum density allowed by zoning. Counted in the MCSP as approximately 120 units
SUBTOTAL, VACANT MEDIUM-DENSITY SITES									200	0	18	182					

Table B-4: Vacant Sites Zoned for High Density Residential Development

Site Features							Capacity Factors										
										Income Distribution							
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre (*)	Theoretical Capacity	Realistic Capacity	Low	Moderate	Above Mod	Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
D1	257-500-006	MCSP Area 14	6.135	Moraga Center	R-20B	Vacant	20/24	146	122	12	110	0	Pr	None	Available	4,5	Covered by Moraga Center Specific Plan, which was intended to streamline development. Zoning change now ~~will~~ allows 24 DUA. Proposal for 123 MF units has expired. Site presumed to be available for high-density res. 122 units were assumed in prior Element. Site is subject to provisions of GC 65583.2(c) which allows by-right (ministerial) construction of multi-family housing meeting objective design standards.
D2	255-310-026 (pt)	MCSP Area 5-"A" portion	6.1	Moraga Center	R-20A	Vacant	20/24	146	97	97	0	0	Pr	Small area in flood plain, creek setback requirement on eastern edge	Internal roads and utilities will be needed	4,5	Covered by Moraga Center Specific Plan, which was intended to streamline development. Zoning change now ~~will~~ allows 24 DUA. Realistic capacity is based on 16 DUA, since this district as a min. density standard of 16 DUA. Counted as lower income site in 2015 Element. Site is subject to provisions of GC 65583.2(c) which allows by-right (ministerial) construction of multi-family housing meeting objective design standards. ~~Yield for this site plus Site D3 is consistent with MCSP (300 units)~~
D3	255-310-026 (pt)	MCSP Area 5 - "B" portion	12.4	Moraga Center	R-20B	Vacant	20/24	248	198	0	100	98	Pr	Moderate Slope, small area in flood plain, creek setback requirement on eastern edge	Internal roads and utilities will be needed	4,5	Covered by Moraga Center Specific Plan, which was intended to streamline development. Realistic capacity based on 16 DUA, since R-20 has a min. density standard of 16 DUA. Yield for this site plus Site D2 is consistent with MCSP (300 units).
SUBTOTAL, VACANT HIGH-DENSITY SITES									417	109	210	98					

(*) Note: Existing zoning allows 20 DU/A, or 30DU/A for senior housing. Zoning change will increase allowable density to 24 DUA (additional units possible through State Density Bonus Law)

Table B-5: Vacant Sites Zoned for Mixed Use Development

Site Features							Capacity Factors										
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre (*)	Theoretical Capacity	Realistic Capacity	Income Distribution			Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
										Low	Moderate	Above Mod					
E1	255-321-003, -004 and -005; 256-110-004; 251-321-016	S/side Moraga Rd west of future School St extension	1.33	Moraga Center	MCSP-RR	Vacant	20/ 24	32	24	24	0	0	Pr	None	Available , site has frontage on Moraga Rd	N	Vacant site, flat and unimproved; no previous development. Frontage on Moraga Road and future School St extension.
E2	255-321-023 (pt); 255-321-005; 255-321-019	MSCP Area 8; North end of School St on east side.	7.71	Moraga Center	MCSP-RR	Vacant	20/ 24	185	123	62	0	61	Pr	None	Available but will require School Street extension	N	Covered by Moraga Center Specific Plan, which was intended to streamline development. Also part of the planned Mixed Use Village. The Town allowed batting cages as a a temporary use (through a TUP) on a corner of the site, but there are no permanent improvements. 16 DUA assumed based on zoning min.
E-3	255-321-013; plus parts of 255-321-008, 022-, and -023	1405 Moraga Way	1.00	Moraga Center	MCSP-C: w/ rezone to MCSP-RR	Vacant	0/ 24	24	20	20	0	0	Pr	None	Available	N	Vacant development site in the Moraga Shopping Center—marketed for sale/ lease as development opportunity. Requires rezone to allow residential (rezone currently underway)

Site Features							Capacity Factors										
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre (*)	Theoretical Capacity	Realistic Capacity	Income Distribution			Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
E4	255-140-052	West of Rheem Theater	1.26	Rheem Center	SO (**)	Vacant	0/ 24	30	25	25	0	0	Pr	None	Available	N	Vacant lot, has been proposed for housing in the past. Zoning change will allow 24 DUA (20 assumed)
E5	256-070-013; 256-070-028	SE corner Moraga Road and Lucas Drive	1.18	Rheem Center	LC (**)	Vacant	0/ 24	28	23	23	0	0	Pr	None	Available	N	Vacant flat parcel along Moraga Road next to 7-11. Owner has expressed in housing here. New zoning will allow up to 24 DUA
SUBTOTAL, VACANT MIXED USE SITES									215	154	0	61					

(*) Note: MCSP-RR density being increased from 20 DUA to 24 DUA as part of Housing Element adoption. Sites E4 and E5 are being rezoned to permit housing up to 24 DUA as part of Housing Element adoption.

Table B-6: Non-Vacant Sites Zoned for Mixed Use Development

Site Features							Capacity Factors										
										Income Distribution							
ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre (*)	Theoretical Capacity	Realistic Capacity	Low	Moderate	Above Mod	Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
F1	257-190-054; 257-190-055	MSCP Area 11 – S/ side Moraga Way b/w School Street and Viader	0.77	Moraga Center	MSCP-C	Two lots-one vacant, the other a small non-vacant bungalow used for day care	0/ 24	18	15	15	0	0	Pr	None	Available	N	The eastern portion of this site is a vacant unimproved lot. The western part is a day care center in a converted house. Parcels have same owner. Both parcels are to be rezoned from MCSP-C to MCSP-Mixed RR, with density of 24 DUA.
F2	255-321-021 (pt)	MCSP Area 8 Former Moraga Garden Center, 1400 Moraga Road	1.2	Moraga Center	MCSP-C	Vacant, closed plant nursery	0/ 24	28	24	24	0	0	Pr	None	Available	N	Covered by Moraga Center Specific Plan, which was intended to streamline development. Site was the Moraga Garden Center, now closed. It is part of a larger parcel, most of which will retain commercial zoning. The rezone of this portion will allow multi-family housing on a site where it is not allowed today.
F3	257-190-049, 257-190-050; 257-190-051; 257-190-052	Portion of MCSP Area 13 1620 School; 1600 School; 1640 School; 1660 School	2.89	Moraga Center	MCSP-OR	Non-vacant, Underutilized office	20/ 24	69	56	28	0	28	Pr	Small flood plain area and creek setback on wester n edge	Available	N	Covered by Moraga Center Specific Plan, which was intended to streamline development. Site includes four office buildings built in 1979. High vacancy, low improvement value. Parcels can be aggregated for redevelopment as multi-family. Zoning density being increased to 24 DUA. 20 DU/AC assumed as realistic capacity. High interest from property owner to redevelop with housing.

Table B-6, continued

ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre (*)	Theoretical Capacity	Realistic Capacity	Income Distribution			Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
										Low	Moderate	Above Mod					
F4	255-321-015 (pt); 255-321-002; 255-321-016	MCSP Area 2: North end of School St on west side (southern part);	3.63	Moraga Center	MCSP-RR	RVs stored on pt.; also has 2 vac. cottages	20/24	87	58	29	0	29	Pr	Small area in flood plain, creek setback require-ment on western edge	Available but will require School Street extension	N	Covered by Moraga Center Specific Plan, which was intended to streamline development. Identified in MCSP as site for Mixed Use "Village"--including multi-family residential, retail and other commercial uses. Site is flat and vacant. Portion is used for RV storage. 16 DUA assumed based on zoning min.
F5	255-140-048	346 Rheem Blvd	1.69	Rheem Center	SO	Office bldg	0/24	40	33	17	0	16	Pr	None	Available	N	16,290 SF office building for sale, being advertised as "high-density housing opportunity" site. Current FAR is 0.22 and housing is not permitted. Rezone will allow housing at 24 DUA (20 DUA assumed)
F6	255-140-046	350 Rheem Blvd	1.75	Rheem Center	SO	Former Orion Academy	0/24	42	35	18	0	17	Pr	None	Available	N	Former private school in leased 8,100 SF office building. School has relocated and building is available for sale. Current FAR is 0.1 and site is mostly parking and lawn. Rezone will allow housing at 24 DUA (20 assumed)

Table B-6, continued

ID	APN	Address/ Location	Acres	GP Des	Zoning	Existing Use	Units Per Acre (*)	Theoretical Capacity	Realistic Capacity	Income Distribution			Pub/ Private	Environmental Constraints	Infrastructure	Counted in Cycles 4 or 5?	Comments
										Low	Moderate	Above Mod					
F7	255-030-013	380 Moraga Road	2.51	Rheem Center	SO	Admin Offices	0/24	60	50	50	0	0	Pr	Small area of flood plain on eastern edge	Available	N	Owned by St Mary's and used for admin offices and campus services. Existing FAR is 0.25. The college has expressed interest in lower income housing here, including for faculty and staff.
F8	255-150-019 plus buildings (255-150-012, -014,-015, -016)	370-380 Park 422-440 Center (Rheem Shopping Ctr NE corner	4.0	Rheem Center	CC	Older retail center, with some office. Mostly non-vacant	0/24	96	80	40	0	40	Pr	None	Available	N	This site includes the NE corner of the Rheem Center (Park St and Center St), including retail and offices. It does not include the area east of Center St, which is also part of parcel -019. New zoning will allow up to 24 DUA. Owner is exploring mixed use with housing options.
F9	255-160-037 and -041; plus buildings : 255-160-009, -010, -011, -012, -020	460 Center St 472 Center St 504 Center St 518 Center St 470 Moraga Rd	6.0	Rheem Center	CC	Older retail, parking, automotive, mostly non-vacant	0/24	144	120	120	0	0	Pr	None	Available	N	This site includes the portion of the Rheem Shopping Center from the Post Office south to the Dollar Tree store, including the large parking lots between Center Street and Moraga Road and Rheem Valley Automotive. Current zoning does not allow housing. New zoning will allow up to 24 DUA. 18 DUA assumed.
SUBTOTAL FOR NON-VACANT MIXED USE SITES									471	341	0	130					

(*) Note: Sites F1 and F2 to be rezoned to MCSP-RR upon adoption of Element, thereby allowing 24 DU/AC. Density in MCSP-RR and MCSP-OR to be increased from 20 to 24 DU/AC upon adoption of Housing Element. Sites F5 through F9 are to be rezoned to new mixed use zoning districts allowing densities of 24 DUA as part of Housing Element adoption.

Table B-7: Summary of Housing Opportunities

Site Type	Income Category			TOTAL
	Lower (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	109	210	98	417
Vacant, zoned for Mixed Use	154	0	61	215
Non-Vacant, zoned for Mixed Use	341	0	130	471
Accessory Dwelling Units	11	16	5	32
TOTAL	**615**	**259**	**928**	**1,802**
RHNA	501	172	445	1,118
Buffer	+114	+87	+483	+684
Percent Buffer for Lower Income Sites	23%			

Source: Barry Miller Consulting, 2022.

MORAGA 2023-2031 HOUSING ELEMENT

APPENDIX C RESIDENT SURVEY

Barry J. Miller, FAICP
June 28, 2022

Moraga Housing Survey

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Question 1. What is your current housing situation? *7*

Question 2. Do you work in Moraga? *8*

Question 3. What is your age? *9*

Question 4. What is your race/ethnicity? *10*

Question 5. How long have you lived in Moraga? *11*

Question 6. Which of the following best describes your residence? *12*

Question 7. How well does your current housing meet your needs? *13*

Question 8. Please indicate which of the following housing challenges, if any, you experience as a Moraga resident. *15*

Question 9. What types of housing should the Town of Moraga support to meet its lower income needs? *18*

Question 10 - Level of Concern About Housing Issues. *22*

Question 10 - renters only *24*

Question 11 – Concern about impacts of adding more housing in Moraga. *28*

Question 12 – What solutions would you support (or oppose) to add more housing in Moraga? *32*

Question 12 – renters only *34*

Question 13. Please use the space below to share any other thoughts you'd like to share about housing in Moraga. *38*

APPENDIX under separate cover

EXECUTIVE SUMMARY

- The Moraga Housing Survey was open and available from February 2, 2022, to April 30, 2022. It served as one of several strategies aimed at hearing from Moraga residents about their housing concerns, needs and preferences. A separate survey polled Moraga students about their housing needs and concerns.
- The survey was accessible via the SurveyMonkey platform in English, Spanish and Chinese versions.
- A total of 1,008 people completed the survey or portions of it. This included 842 respondents who identified themselves as Moraga residents and 165 who said they lived elsewhere. Of the 842 Moraga residents, 96 (11%) identified themselves as renters.
- The survey consisted of 12 multiple-choice or interval scale questions and one open-ended question.
- In terms of demographics, survey respondents matched the overall Moraga population fairly closely, with several possible exceptions: Residents under the age of 35 were under-represented, while residents 50 and over were over-represented. Hispanic / Latino residents also may have been under-represented. The student survey was developed in an effort to increase response rates from younger residents.
- 60% of all respondents reported living in Moraga for over 10 years, including 64% of owners and 34% of renters.
- Five out of six Moraga homeowners (84%) reported residing in a detached, single-family home, compared with just two in five (40%) renters. About one in eight Moraga homeowners (12%) reported residing in a townhouse or duplex, while one in five renters (20%) said they lived in a townhouse or duplex.
- Moraga homeowners overwhelmingly (88%) found their current housing satisfactory, while a relative few (1%) reported their housing as being unsatisfactory. For Moraga renters, the situation was quite different. Just 4 in 10 renters thought their housing was satisfactory, while another 4 in 10 found their housing "just okay." One in five renters said their housing was unsatisfactory.
- Almost one-half of owners and just over one-third of renters said their housing costs exceeded 30% of their income. One in five renters and one in seven owners said their housing costs exceeded 50% of their income. Renters were more likely than owners to say their housing unit was in poor condition and needed repairs.
- With respect to options for meeting Moraga's housing goals, residents tended to favor the creation of more independent and assisted living apartments for seniors, as well as townhomes and apartments for families. Non-residents tended to favor creation of more townhomes and apartments.
- Owners and renters both shared "high cost of housing" as their top concern. Renters rated "unaffordable rents" as their second greatest concern. Owners, by contrast, rated "high cost of

permits" as their second greatest concern. Renters expressed lack of housing choices as their third greatest concern, while the third greatest concern among owners was lack of commute options.

- When asked what concerned them most about the proposed addition of housing in Moraga, respondents overwhelmingly indicated a high level of concern about new housing's impact on roads and traffic (especially with respect to evacuation time in the event of an emergency), open space, and critical infrastructure and water supplies.
- When asked about their preferences for creation of new housing in Moraga, owners and renters found common ground with respect to redeveloping/reusing underused retail and commercial properties. However, whereas renters favored allowing housing on vacant sites in neighborhoods, owners were more inclined to support housing above existing retail and office uses. Both groups favored allowing housing on church and college properties as well as creating a new Moraga Town Center.
- Respondents were given the opportunity to provide comments and/or expand on their multiple choice answers. Not surprisingly, the comments revealed a range of views on various subjects. However, several clear themes emerged.
    - Moraga needs to address road congestion and traffic issues, regardless of any decision to add additional housing. Moraga roads provide inadequate capacity to accommodate a mass evacuation, should it become necessary (for example, during a wildfire).
    - To the extent Moraga takes steps to add housing, preference should be given to locating it in / adjacent to / in replacement of the Town's underused shopping centers and commercial properties. With few exceptions, residents opposed adding new housing in open spaces or within existing single-family residential neighborhoods.
    - A clear split exists within the Town's population as to whether new housing should be approved or opposed.
    - Open space is an important asset that should be protected and preserved. The joy of living in Moraga is due, in part, to its peaceful, semi-rural environment. Open space plays an important part and is crucial for maintaining the Town's character.
    - Moraga's infrastructure (streets, utilities, water) is aging and requires attention and investment.

SECTION 1. INTRODUCTION

As part of the 2021-22 update to the Housing Element of its General Plan, the Town of Moraga (Town) launched an online public opinion survey for the purpose of gaining information about residents' housing concerns, needs and preferences.

The Town employed SurveyMonkey as the platform for hosting the survey. The survey was made available in three languages – English, Spanish and Chinese – in hopes of reaching the broadest possible audiences. The Town announced the survey via public notices, email communications, media ads, on public signage within Town limits, and through community meetings and public events. The survey period started on February 2, 2022, and ended on April 30, 2022.

The response to the survey exceeded all expectations; 1,008 individuals completed the survey, including 842 who identified themselves as Moraga residents, and 165 who said they lived elsewhere. In total, approximately 7% of all Moraga adult residents completed the survey.

This report describes the mechanics of the survey, summarizes the responses to each question, and provides insights on the implications of the responses relative to the Housing Element update. An appendix to this report provides verbatim transcripts of all open-ended responses. Due to the volume of open-ended responses, the appendix has not been included in the document submitted to the State of California Housing and Community Development Department, but it is available on the Town's website in an expanded version of this report.

SECTION 2. SURVEY OVERVIEW

The survey consisted of 13 questions: 12 multiple choice or interval scale questions and one open-ended question. The first five questions asked basic demographic information about respondents and were used to determine whether various sectors of the Moraga community were adequately represented in the responses. The remaining questions focused on respondents' perspectives about living in Moraga, the challenges they face, their main concerns relating to housing, and their level of support for various potential housing solutions. An open-ended question at the end gave respondents a chance to add anything else they thought was important that wasn't already captured by the survey.

The 13 survey questions are summarized below:

- Question 1 asked respondents to disclose their current housing situation. Three possible responses included living in an owned home in Moraga; renting a home in Moraga; or living someplace other than Moraga.
- Question 2 asked whether or not respondents worked in Moraga. Respondents could answer "yes," "no," and "I do not work (retired, unemployed, unable to work, student, etc.)."

- Question 3 asked respondents to disclose their age by selecting an age range most closely corresponding with their own age. Choices included “Under 18,” “18-34,” “35-49,” “50-64,” and “65 or older.”
- Question 4 asked respondents to disclose their race / ethnicity. Choices included, “White,” Asian/Pacific Islander,” “Black/African American,” “Native American/Indigenous,” “Two or More Races,” and “Other.”
- Question 5 asked respondents how long they had lived in Moraga. Since this question was directed explicitly to residents, responses from non-residents were excluded in tabulation. Choices included “Less than 2 years,” “2-5 years,” “5-10 years,” “10-20 years,” and “More than 20 years.”
- Question 6 asked respondents to describe their residence. Choices included “Single family detached home,” “Townhouse / duplex,” “Multi-family home (condo, apartment, in-law unit),” and “Other (please specify.)”
- Question 7 asked respondents to evaluate how well their current housing meets their needs. Choices included, “I am satisfied with my housing,” “Generally OK, but could be better,” and “I am unsatisfied with my housing.”
- Question 8 asked residents to indicate the kinds of housing challenges they were experiencing. Choices included high housing costs, e.g., “My housing costs consume more than 30% of my income;” the physical condition of their housing; whether their housing was adequate for their needs (e.g., because of disability, difficulty with stairs, etc.); the physical size of their housing; housing discrimination; and “Other (please specify).” Respondents could choose one single or multiple responses.
- Question 9 asked respondents what types of housing the Town should prioritize in order to meet its statutorily mandated low-income housing targets. Choices included in-law apartments; townhomes, duplexes/triplexes/fourplexes; one-bedroom apartments; apartments for families; independent living for seniors; assisted living for seniors; apartments for students; emergency shelters and transitional housing for persons experiencing homelessness; and “Other (please specify).” Respondents could choose one single or multiple responses.
- Question 10 asked respondents to indicate their level of concern about various housing issues facing Moraga. They were asked to select from the following scale: “Not sure / no opinion,” “Not concerned,” “Somewhat concerned,” “Concerned,” and “Extremely concerned.” Housing issues included housing maintenance; displacement/eviction; high costs/unaffordability; lack of housing choices; discrimination/fraud; lack of transportation options; and more.
- Question 11 asked respondents to express their level of concern about various impacts of adding more housing in Moraga using the same rating scale applied in Question 10. Potential impacts

included loss of small town character; views and aesthetics; evacuation time in the event of an emergency; police and fire services; water supply; and more.

- Question 12 asked respondents to indicate their level of support for various options for adding more housing in Moraga. Options included different approaches for redevelopment; creating a new town center; encouraging housing above existing retail / commercial space; allowing homeowners to split their lots to build more housing; allowing housing to be built on church, college and open space land; and more. For each option, respondents were to indicate whether they strongly opposed, moderately opposed, moderately supported, or strongly supported the options listed. Respondents could also choose a "Neutral /no opinion" option.
- Question 13 provided respondents a space to share other thoughts or opinions pertaining to housing.

SECTION 3. SURVEY RESPONSE COLLECTION and TABULATION

The survey was open and available on SurveyMonkey from February 2 to April 30. During that time, the Town sent emails, published reminder messages, and posted signage encouraging residents to complete the survey.

Figure 1. Survey responses received over time.

The survey was published in three languages. In the final tabulation of responses, information collected from Chinese and Spanish surveys was translated into English and incorporated in this report.

The survey was intended to provide a snapshot of public opinion relative to the questions asked, but it never presumed to be "scientific" in design or administration. The survey was made available online to the general public, but responses came only from persons living or working in Moraga and others who happened to hear about it through various communication channels. Some of the questions were open-ended, and since post-coding of replies is a subjective process, interpretation of comments could vary. Finally certain groups (such as long-time Moraga residents) may have been over-represented in the

completed surveys, while other groups (such as residents ages 18-34) may have been under-represented.

Nonetheless, the sheer volume of replies and the thoughtfulness of the responses made this survey a valuable and extremely important research tool for the Town. The replies provided an opportunity for Town staff, the Planning Commission, and the Town Council to hear from hundreds and hundreds of constituents. Respondents offered many good ideas along with useful constructive criticism. The survey provided Moraga decision makers "food for thought" in considering the development and implementation of the Town's updated Housing Plan.

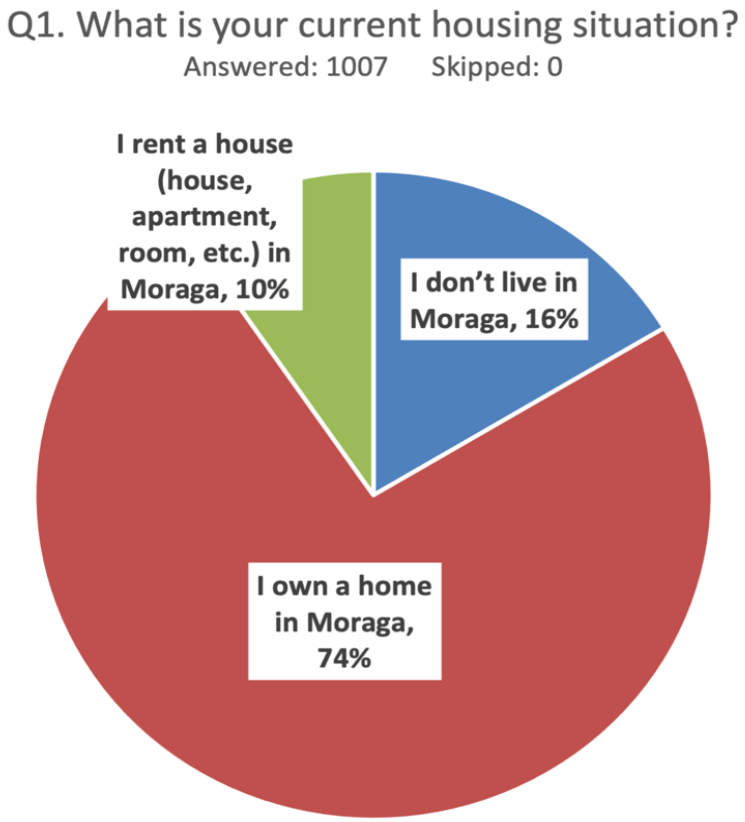
SECTION 4. TABULATION and ANALYSIS of SURVEY RESPONSES

Responses from the three surveys (English, Spanish and Chinese versions) were downloaded into separate Excel spreadsheets. The Chinese and Spanish versions were translated to English using the "Google Translate" service and merged with the English responses into a single new file. Responses were scrubbed to ensure consistent terminology. The new spreadsheet was used as source data for subsequent analysis. Excel pivot tables were used extensively to tabulate and analyze survey responses. Charts and tables were prepared in Excel and imported into this document.

Throughout this report, responses from each question are depicted visually using graphs and charts. The data behind each chart appears in corresponding tables.

Some questions in this survey offered respondents an opportunity to provide written comments and open responses in place of/in addition to multiple choice answers. The report includes sample comments to highlight themes. All comments appear in the Appendix.

Question 1. What is your current housing situation?

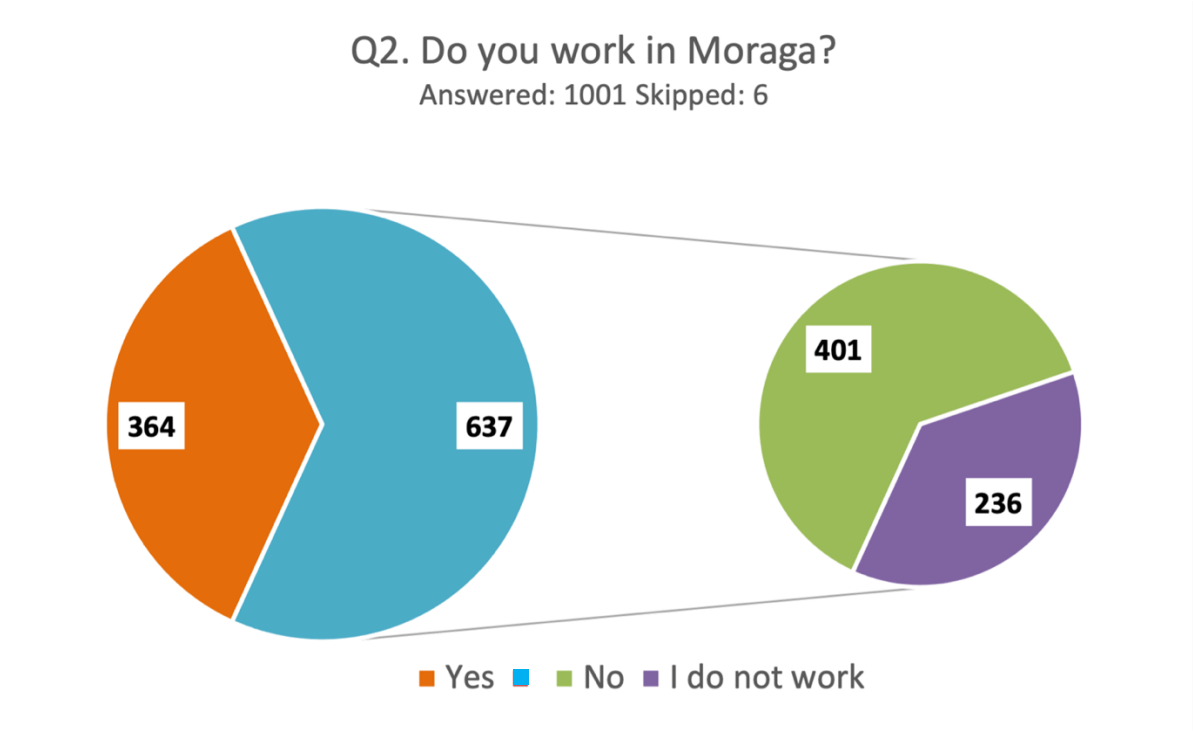


I don't live in Moraga	165 (16%)
I own a home in Moraga	746 (74%)
I rent a house (house, apartment, room, etc.) in Moraga	96 (10%)

Notes:

- 74% of respondents reported living in Moraga and owning their own homes, while 10% said they rented in Moraga.
- 16% reported living elsewhere. It's important to note that, while Moraga residency was not a pre-condition for taking the survey; some questions in this survey focused on Moraga residents specifically. A majority of the non-residents taking the survey were persons working in Moraga.

Question 2. Do you work in Moraga?

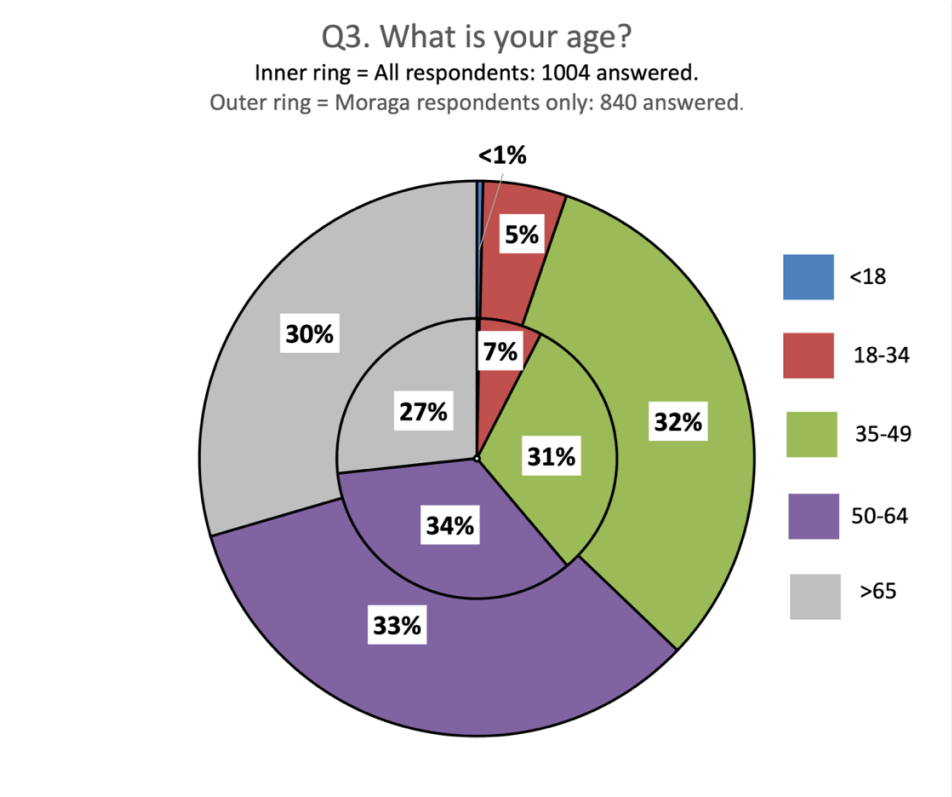


Yes	No	
364	637	
	Do not work in Moraga	**Do not work at all.**
	391	236

Notes:

- 1001 people answered this question; six skipped it.
- 36% said they worked in Moraga, while 64% said they did not. Of those answering "No," 37% said they did not work at all (retired, unemployed, etc.). The rest are assumed to work outside of Moraga.

Question 3. What is your age?

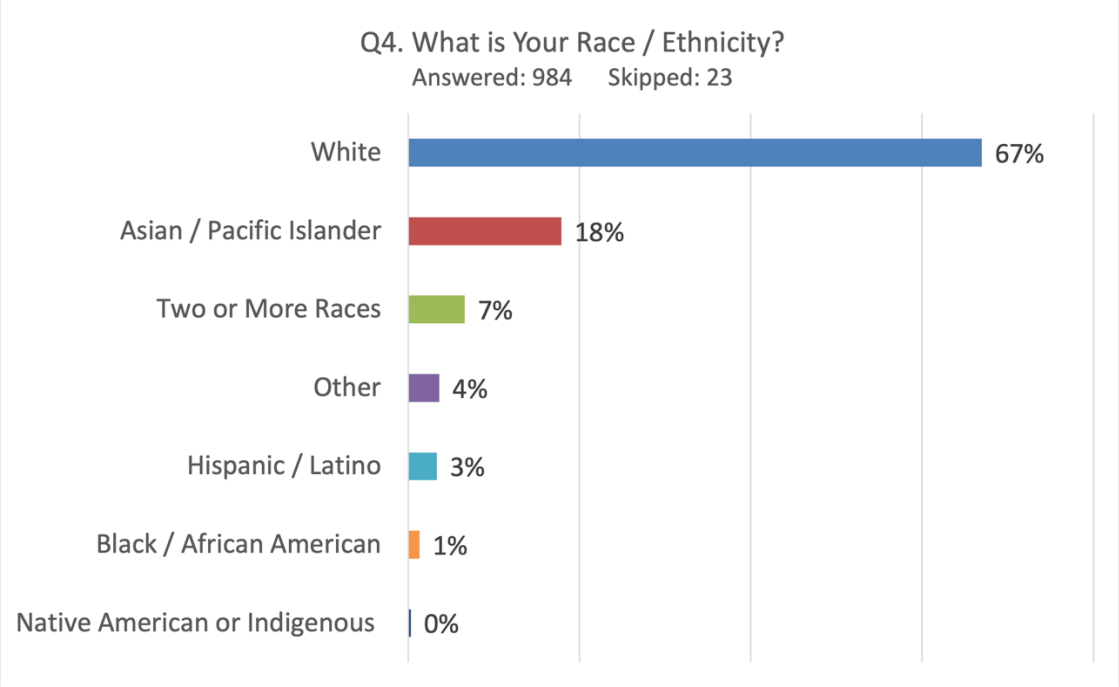


Who	Under 18	18-34	35-49	50-64	> 65
All respondents	3 (<1%)	73 (7%)	314 (31%)	346 (34%)	268 (27%)
Moraga residents	3 (<1%)	41 (5%)	268 (32%)	280 (33%)	248 (30%)
2022 US Census	20.5%	22.4%	17.0%	18.4%	21.6%

Notes:

- A total of 1004 people completed this question, including 840 Moraga residents and 164 non-residents.
- The chart above shows two rings. The inner ring shows the age distribution of all people who responded to this question. The outer ring shows the age distribution of Moraga respondents only. The table above includes data from the most recent U.S. Census for comparison purposes.
- Survey responses reflect fairly even age distribution; however, residents between the ages of 18-34 are under-represented in survey responses. When children under 18 are factored out, the percentage of the respondents is closer to Moraga's average.

Question 4. What is your race/ethnicity?

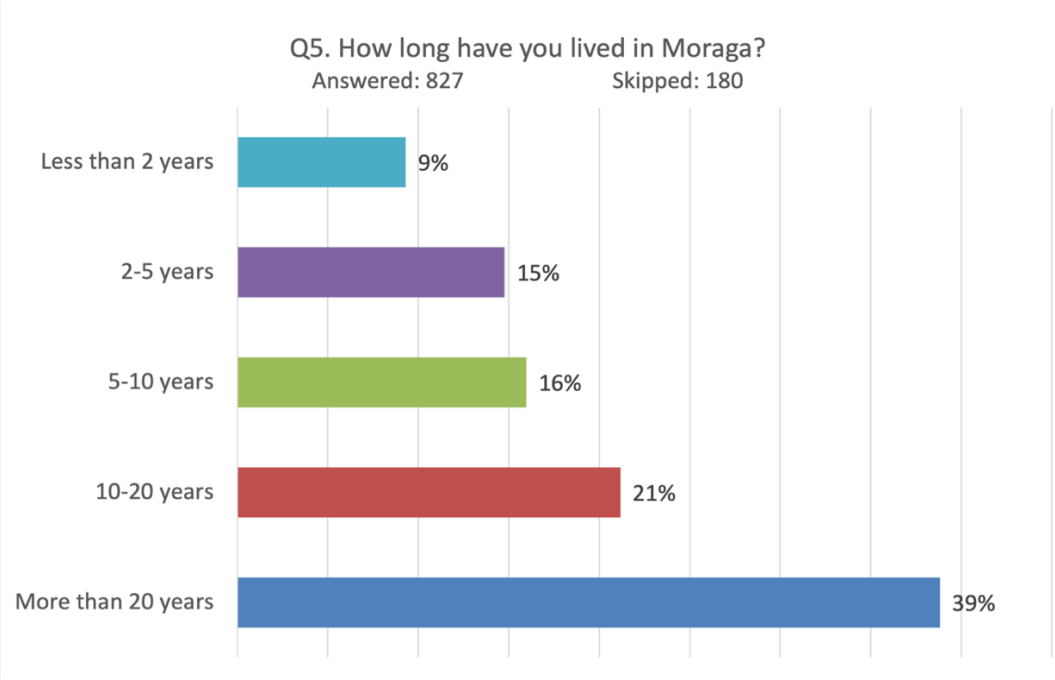


Who:	White	Asian / Pacific Islander	Two or More Races	Hispanic / Latino	Black / African American	Native American/ Indigenous	Other
All Respondents	658 (67%)	176 (18%)	65 (7%)	33 (3%)	13 (1%)	3 (<1%)	36 (4%)
Moraga only	550 (67%)	153 (18%)	55 (7%)	21 (3%)	7 (1%)	3 (<1%)	33 (4%)
2020 U.S. Census	69.7%	20.5%	7.5%	7.6%	0.7%	0.1%	----

Notes:

- The purpose of Question 4 was to determine whether the demographics characteristics of those completing the survey were consistent with the entire community.
- With the possible exception of Hispanic/Latino residents, demographics reported by respondents align closely the latest data reported in the 2020 U.S. Census.
- The ”Other” category generated 36 comments, the overwhelming majority of which said, “Prefer not to answer,” or equivalent. Several people indicated they were of Indian or Middle-Eastern descent or of multiple ethnicities.

Question 5. How long have you lived in Moraga?

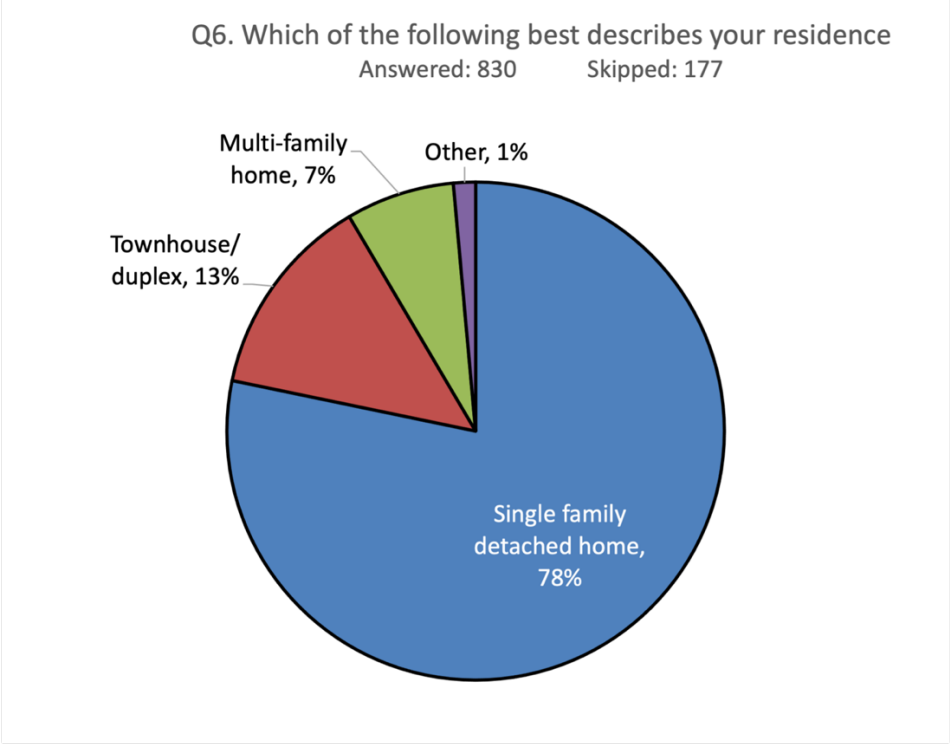


Who:	< 2 years	2-5 years	6-10 years	11-20 years	> 20 years	Total
Owners	61 (8%)	91 (12%)	116 (16%)	158 (22%)	306 (42%)	732
Renters	16 (17%)	31 (33%)	16 (17%)	17 (18%)	15 (16%)	95
Total	77 (9%)	122 (15%)	132 (16%)	175 (21%)	321 (39%)	827

Notes:

- 60% of all respondents reported living in Moraga for over 10 years, including 64% of owners and 34% of renters.
- All but one renter answered this question. On average, renters reported having lived in Moraga for less time than owners.
- Responses from Moraga non-residents were excluded from the tabulation.
- The greatest percentage of renters reported living in Moraga just 2 to 5 years.

Question 6. Which of the following best describes your residence?

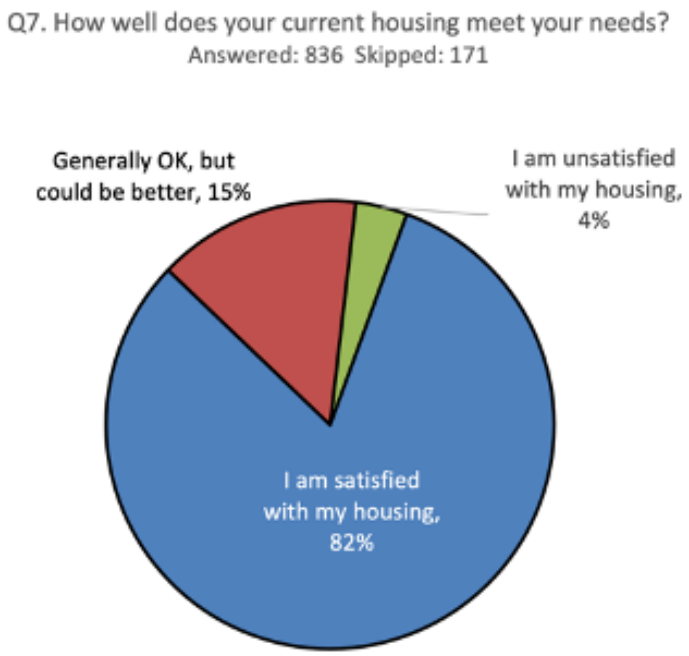


Who:	Single family detached home	Townhouse/ duplex	Multi-family home	Other
Owners	616 (84%)	92 (12%)	22 (3%)	5 (1%)
Renters	38 (40%)	19 (20%)	34 (36%)	4 (4%)
Total	655 (78%)	111 (13%)	59 (7%)	12 (1%)

Notes:

- Five out of six Moraga homeowners (84%) reported residing in a detached, single-family home, compared with just two in five (40%) renters.
- About one in eight Moraga homeowners (12%) reported residing in a townhouse or duplex, while one in five renters (20%) said they lived in a townhouse or duplex.
- Only 3% of Moraga homeowners reported living in a multi-family building, such as a condominium or apartment building. By contrast, the largest share of renters (36%) reported living in a multi-family building.
- Responses from 7 non-residents were excluded from the tabulation.
- "Other" responses are included in the Appendix.

Question 7. How well does your current housing meet your needs?



Respondents who:	Are satisfied with their housing	Say their housing is generally OK, but could be better	Are unsatisfied with their housing	Grand Total
Own a home in Moraga	645 (88%)	85 (12%)	6 (1%)	736
Rent in Moraga	37 (39%)	37 (39%)	21 (22%)	95
Total	682 (82%)	122 (15%)	27 (4%)	831

Notes:

- Moraga homeowners overwhelmingly (88%) found their current housing satisfactory, while a relative few (1%) reported their housing as being unsatisfactory.
- For Moraga renters, the situation was quite different. Just 4 in 10 renters thought their housing was satisfactory, while another 4 in 10 found their housing "just okay." One in five renters said their housing was unsatisfactory.
- Non-resident responses were excluded from the tabulation.
- Respondents were allowed to add comments to help clarify their specific housing needs. Ninety-one people offered comments. See Table 1, below.

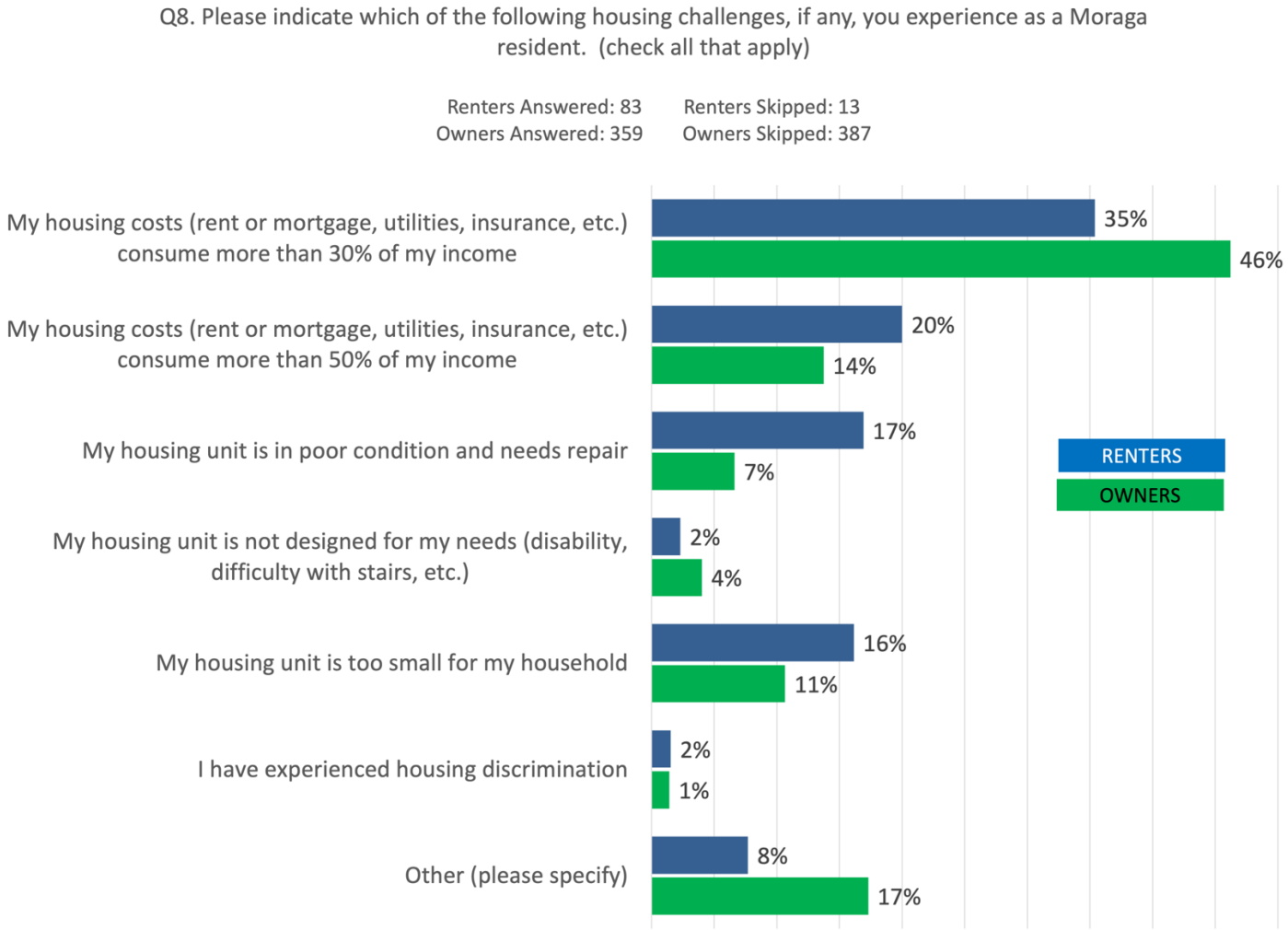
Table 1. Comments Relating to Question 7

This question garnered 103 open-ended (write-in) comments from respondents. Many pertained to home / property configurations (e.g., home too large, too small, number of stories, etc.); cost considerations (e.g., cost to purchase, cost to own, cost to rent, cost to maintain, etc.); construction quality; community character; neighbors, neighborhoods, and upkeep; traffic and parking; maintenance; open space and environment; adequacy of town services; evacuation concerns; and aging issues. Sample comments are listed here. The full list of comments for Question 7 can be found in the Appendix.

Topic	# Received	Sample Comments (lightly edited for clarity)
Building size / configuration	33	• *"Family has outgrown the space and renovating is cost-prohibitive."* • *"Small, not enough bedrooms/bathrooms."* • *"The house is too large and the yard is too big."* • *"Would like to add to home however due to lot size can only go taller. Would like that option."*
Cost	26	• *"I would like to be able to own a house or townhouse in Moraga."* • *"Like most, the cost of ownership is extremely high for working and middle-class."* • *"We are a young couple (I grew up here). We want to provide our family the childhood I had but can't afford to buy."*
Construction / structure quality	9	• *"The current rental (stock) is very old, for example, the windows are single layer and lose a lot of heat and seals. They don't prevent the draft, heat or cold air, and waste much energy. But the owner is not willing to change them."* • *"Very poor noise insulation between top/bottom floor."* • *"Very small house that needs lots of work, and the rats in the area are out of control."*
Community / neighborhood	7	• *"People move out and leave furniture and recently a piano, and the town does nothing sometimes for months."* • *"Less graffiti in the area"* • *"Just noisy living with someone above in a multi-unit complex."*
Cars /Traffic / Parking / Transit	7	• *"The other day I was walking my dog on Ascot and a pickup truck sped by approximately 80 miles per hour setting off car alarms along the way. These types of reckless drivers are a common occurrence…"* • *"Not enough street parking and crowded."* • *"There are not sufficient ways to move around the area not in a car, and the few walkable areas are partially vacant businesses."*

Topic	# Received	Sample Comments (lightly edited for clarity)
Maintenance	6	• *"My landlord is a slumlord. She does not remove the asbestos from the unit which is dangerous to my health."* • *"Badly maintained by landlord. Terrible HOA."*
Environment	6	• *"Live near the cow hill, which will be completely ruined by development. Leave us one last hill!"* • *"Keep original nature environment."* • *"More green space."*

Question 8. Please indicate which of the following housing challenges, if any, you experience as a Moraga resident.



My housing / housing unit…	Number (percentage)					I have experienced housing discrimination	Other (please specify)
	consumes >30% of my income	consumes >50% of my income	is in poor condition and needs repair	is not designed for my needs	is too small for my household		
Own a home in Moraga	195 (46%)	58 (14%)	28 (7%)	17 (4%)	45 (11%)	6 (1%)	73 (17%)
Rent in Moraga	46 (35%)	26 (20%)	22 (17%)	3 (2%)	21 (16%)	2 (2%)	10 (8%)
Total	241 (44%)	84 (15%)	50 (9%)	20 (4%)	66 (12%)	8 (1%)	83 (15%)

Notes:

- Almost one-half of owners and just over one-third of renters said their housing costs exceeded 30% of their income. One in five renters and one in seven owners indicated their housing costs exceeded 50% of their income.
- Renters were more likely than owners to say their housing unit was in poor condition and needed repairs.
- Respondents were allowed to add comments to help clarify their specific housing needs. Eighty-three people offered comments. See Table 2, below.

Table 2. Comments Relating to Question 8

This question garnered comments from 83 respondents – 73 from homeowners and 10 from renters.

Homeowner comments. Many homeowners reported no significant housing challenges. Some encouraged the Town of Moraga to leave well enough alone and not try to fix or adjust housing. Other people raised concerns about taxes and other costs; traffic and safety; development and density; infrastructure; and more.
Following are sample homeowner comments. A full list of comments pertaining to Question 8 is available for review in the Appendix.

Topic	# Received	Sample Comments (lightly edited for clarity)
No challenges at this time	37	• *"I am happy with my living situation, and my house is paid off."* • *"I have no challenges. Please stop looking for problems. Ask what people like instead."* • *"My housing fits my needs and budget."* • *"It is all fine; don't mess with it"* • "No *issues. Except this town is getting increasingly unaffordable for young families."*

Topic	# Received	Sample Comments (lightly edited for clarity)
Taxes and other costs	10	• *"I do not have huge housing costs, as I own my home."* • *"High property tax and power outages."* • *"Property taxes are sky high with no increased benefit, compared to someone who pays less taxes in a different area."* • *"Small selection of very expensive housing."*
Traffic and safety	7	• *"Increased vehicular traffic and property crime"* • *"Traffic in and out of Moraga, this is a danger if major fire."* • *"Traffic is so dense on Moraga Road, it has become dangerous to pull out of my home on Paseo Linares to go in either direction on Moraga Road."* • *"Roadways entering Moraga are not large enough to handle community traffic exiting/entering Moraga."* • *"Complete lack of road infrastructure, which is unsafe."*
Housing usability and functionality	7	• *"My housing does not allow for solar and off the grid energy savings or adding an EV charging port. old design."* • *"My home is too large for my needs."* • *"Need more space to include a work from home office now given the pandemic."* • *"Updating to cleaner energy options, solar and EV plug ins can be challenging."* • *"My housing unit needs to be remodeled to support older adults."*
Various Other	-	• *"Lack of restaurants, far from schools, no school buses."* • *I don't care for all the high density housing being built."* • *"We love living in Moraga, since 1978. We agree with State guideline of adding 1200 units in 8 years, in and around 2 shopping centers, 2-story multiunit structure, a small hotel."*

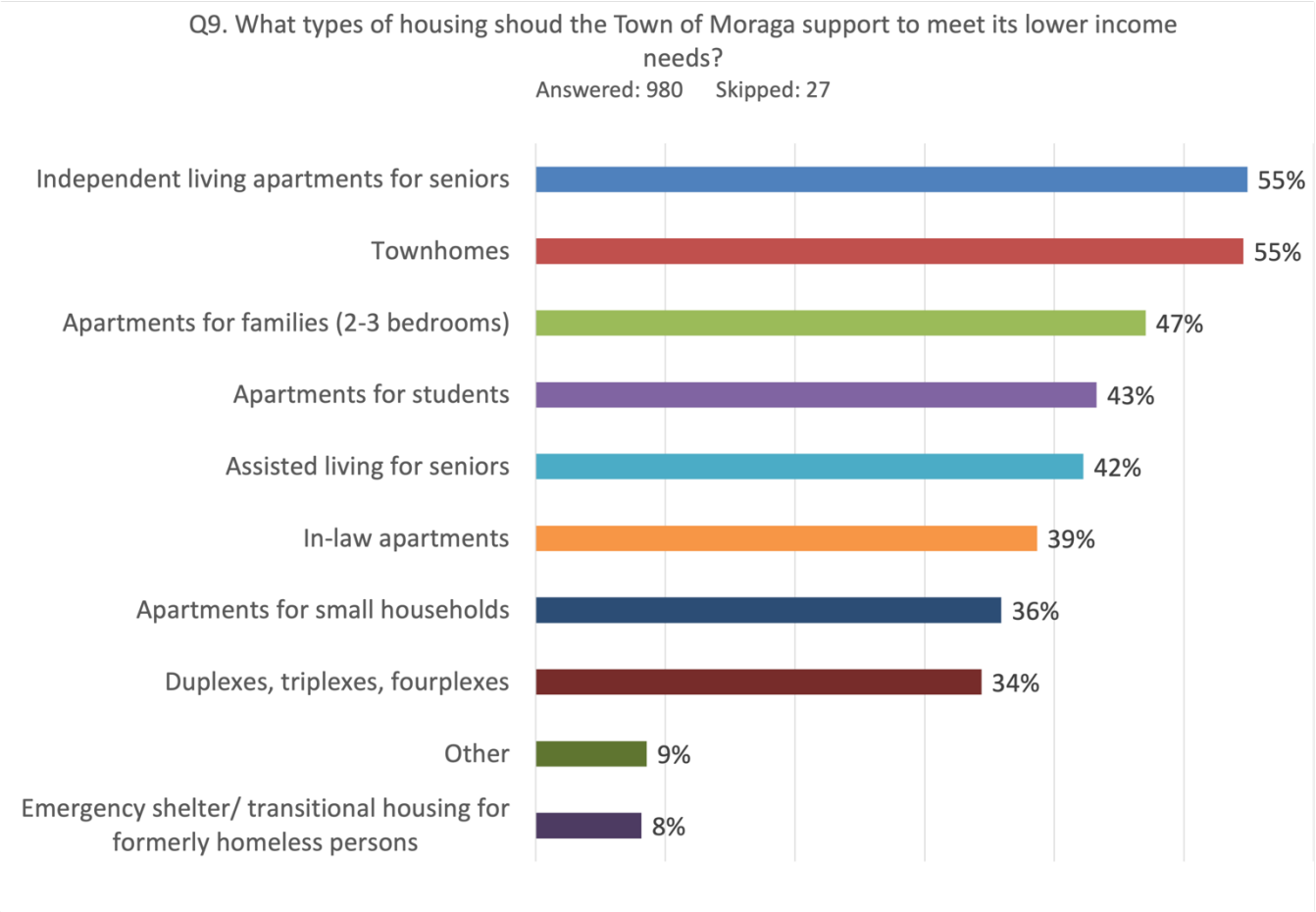
Renter comments: Renter comments focused on concerns about low housing inventory, need for yard space, housing quality, and noise and neighbor issues. Following are some examples OF renter comments. A full list of all comments for Question 8 is available for review in the Appendix.

Various other	-	• *"My landlord likely to move back in; very little rental availability for family of 6 (at any price)."* • *"Nothing available to purchase, forced to rent a house."* • *"I have a young child and there's no yard."*

		• *"My rented apartment on Ascot has asbestos on the walls and ceiling. I tested them myself. There is no enforcement of any kind for environmental or safety hazards in Moraga…"*

Question 9. What types of housing should the Town of Moraga support to meet its lower income needs?

The State of California requires that Moraga show that it can accommodate the development of 1,118 new housing units in the next eight years, including about 500 units affordable to lower income households. In Question 9, respondents were asked to select from a range of options for how Moraga should best meet its lower income housing goals. Respondents could pick more than one option. Respondents could also provide written comments to clarify / expand upon their answers.



Housing Options:	Number (Percentage) Supporting:			
	Renters	Owners	Non-Residents	Overall
Townhomes	56 (58%)	393 (53%)	98 (59%)	547 (55%)
Independent living apartments for seniors	41 (43%)	443 (59%)	57 (35%)	541 (55%)
Apartments for families (2-3 bedrooms)	53 (55%)	316 (42%)	94 (57%)	463 (47%)
Apartments for students	31 (32%)	304 (41%)	91 (55%)	426 (43%)
Assisted living for seniors	17 (18%)	354 (47%)	45 (27%)	416 (42%)
In-law apartments (also called "Accessory Dwelling Units") on single family lots	28 (29%)	288 (39%)	64 (39%)	380 (39%)
Apartments for small households (studios, 1-bedroom)	29 (30%)	257 (34%)	66 (40%)	352 (36%)
Duplexes, triplexes, fourplexes	32 (33%)	233 (31%)	74 (40%)	339 (34%)
Emergency shelter/ transitional housing for formerly homeless persons	6 (6%)	48 (6%)	26 (16%)	80 (8%)
Other (please specify)	11 (11%)	61 (8%)	14 (8%)	86 (9%)

Notes:

- Question 9 garnered responses from 980 people, including 727 owners, 93 renters, and 161 non-residents. While the chart above shows aggregate responses, the data table for Question 9 provides breakouts for Moraga renters, homeowners, and non-Moraga residents.
- With respect to options for meeting Moraga's housing goals, residents tended to favor the creation of more independent and assisted living apartments for seniors, as well as townhomes and apartments for families.
- Non-residents tended to favor creation of more townhomes and apartments.
- Owners expressed a strong preference for senior housing and townhomes. Renters likewise listed "townhomes" more often than any other choice but also expressed majority support for family apartments.
- Interestingly, levels of support for Accessory Dwelling Units were higher among homeowners than among renters.
- Note that because people could select more than one answer, the sum of percentages shown may be greater than 100%.
- Respondents were allowed to add comments to help clarify their thoughts about adding housing. See the Table 3, below, for details.

Table 3. Comments Relating to Question 9

The survey garnered 76 comments addressing a variety of topics and reflecting various themes. The theme expressed most often (by 26 respondents) was that Moraga should refrain from adding any more housing. Some people thought additional housing should be delayed until roads are improved and traffic capacity is increased. Others disagreed with the State of California's housing requirements altogether and felt Moraga should fight back. Others simply said, "no more housing!"

The housing option most frequently recommended (by 14 respondents) was addition of more detached single-family dwellings, with many suggesting smaller houses could be appropriate. Other ideas included encouraging more mixed-use and infill developments, particularly adjacent to or above retail centers; building more assisted living for seniors; adding more housing dedicated to teachers, public employees, students, and minorities; and expanding use of accessory dwelling units (ADUs). Following are some examples of comments received. A full list of all the comments for Question 9 is available for review in the Appendix.

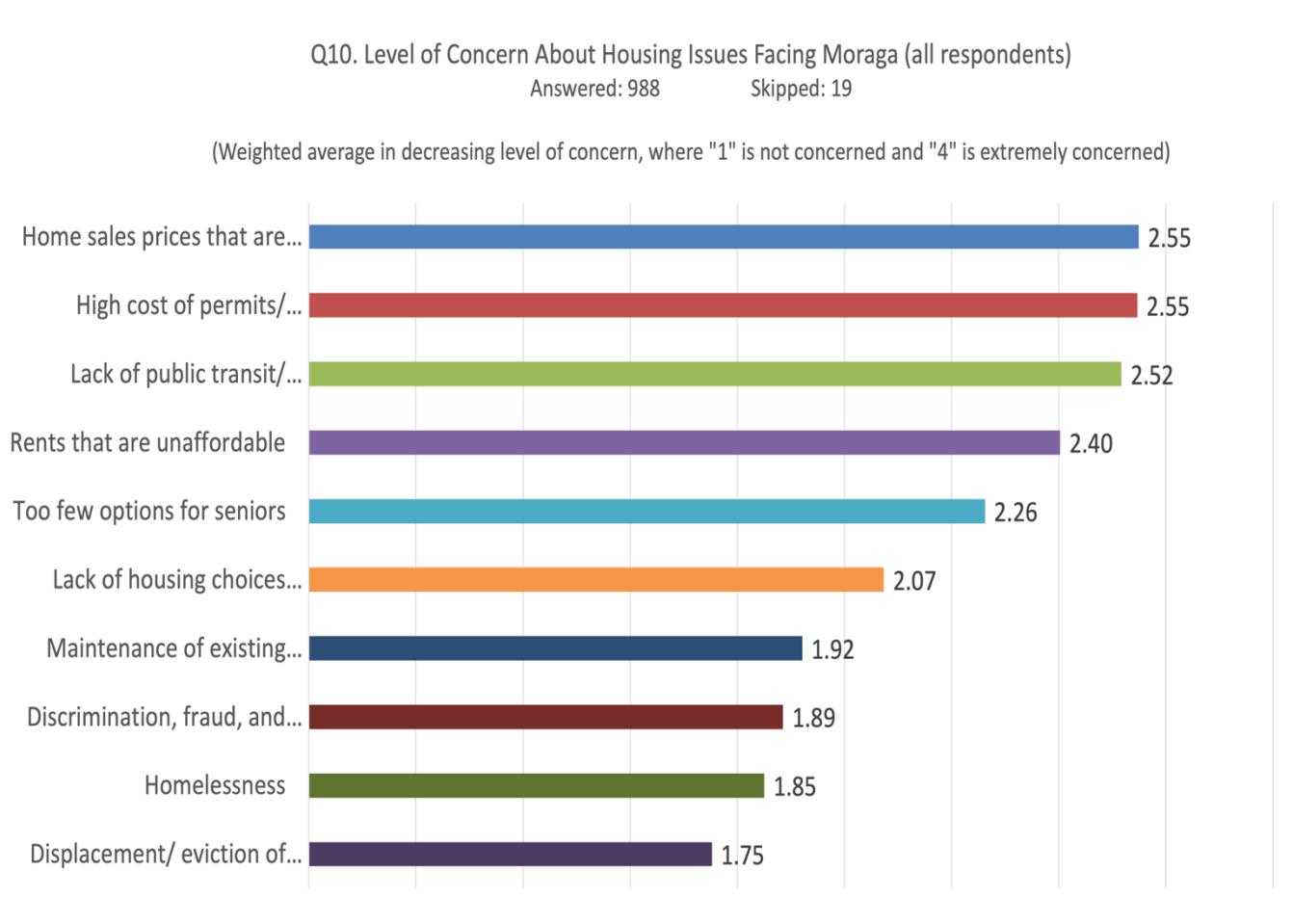
Theme	Received	Sample Comments (lightly edited for clarity)
No new housing	26	• *"I can't imagine why we would want to do this. Might as well be a trailer park."* • *"Moraga can't possibly build more housing until the town figures out how to get people in and out. Traffic horrible during rush hours. And if there is a fire??? No more building! "* • *"No buildings should be added without more road access to get out if town in case of an emergent such as a fire. Example is how congested roadways are during school start and ending and any road work that is being done."* • *"None, the town should fight it. Don't turn us into Oakland."* • *"None. The California analysis is wrong. Moraga can't accommodate 1000 units. The roads do not have the capacity at rush hours, school drive times, emergency evacuation times. This should be challenged."*
Add more detached single-family dwellings	14	• *"SFR - Single Family Residential (ie, houses) so I can stop paying rent and we can buy."* • *"Should consider additional single family home developments."* • *"Single family smaller homes instead of McMansions."* • *"Affordable single family homes"*
Emphasize mixed use and infill development	5	• *"Build apartments above the shopping centers. Avoid building on open space."* • *"Mixed commercial and residential dwellings."* • *"State guideline is fair: 1200 units in 8 yrs., in and by 2 shopping centers, this will help our 2 shopping centers."* • *"Urban infill - Use the existing, derelict spaces in and around the various shopping areas rather than rather than building on open space."*
Build housing for teachers and	4	• *"Apartments for faculty and teachers who work in Moraga."* • *"Housing for faculty of the college (perhaps with special priority)."*

other public employees		• *"Housing for Saint Mary's faculty and staff."* • *"Housing available to teachers and first responders that work in area."*
Other comments	--	• *"1) Apartments for people with disabilities; 2) mixed-age apartments with elevators and wheelchair accessible units on at least first floor."* • *"Apartments for seniors to free up existing inventory of houses would be helpful."* • *"Literally anything that will increase density and make town businesses and transit systems viable."* • *"Affordable housing for all especially minorities."* • *"We want additional low-income housing in Moraga."*

Question 10 - Level of Concern About Housing Issues.

Question 10 asked respondents to gauge their level of concern about various housing issues facing Moraga using a four-point rating scale: "Not Concerned," "Somewhat Concerned," "Concerned," and "Extremely Concerned." Respondents could also choose a "Not sure / no opinion" option. From the data collected, it was possible to compute weighted averages of levels of concern for each listed issue (a higher weighted average means a higher level of concern).

Two bar charts and tables are shown below. The first set represents all 988 respondents who answered this question. The second set represents the responses for renters only. The charts show the issues listed in descending order. Due to space limitations, the tables should be consulted for the full text of each choice.



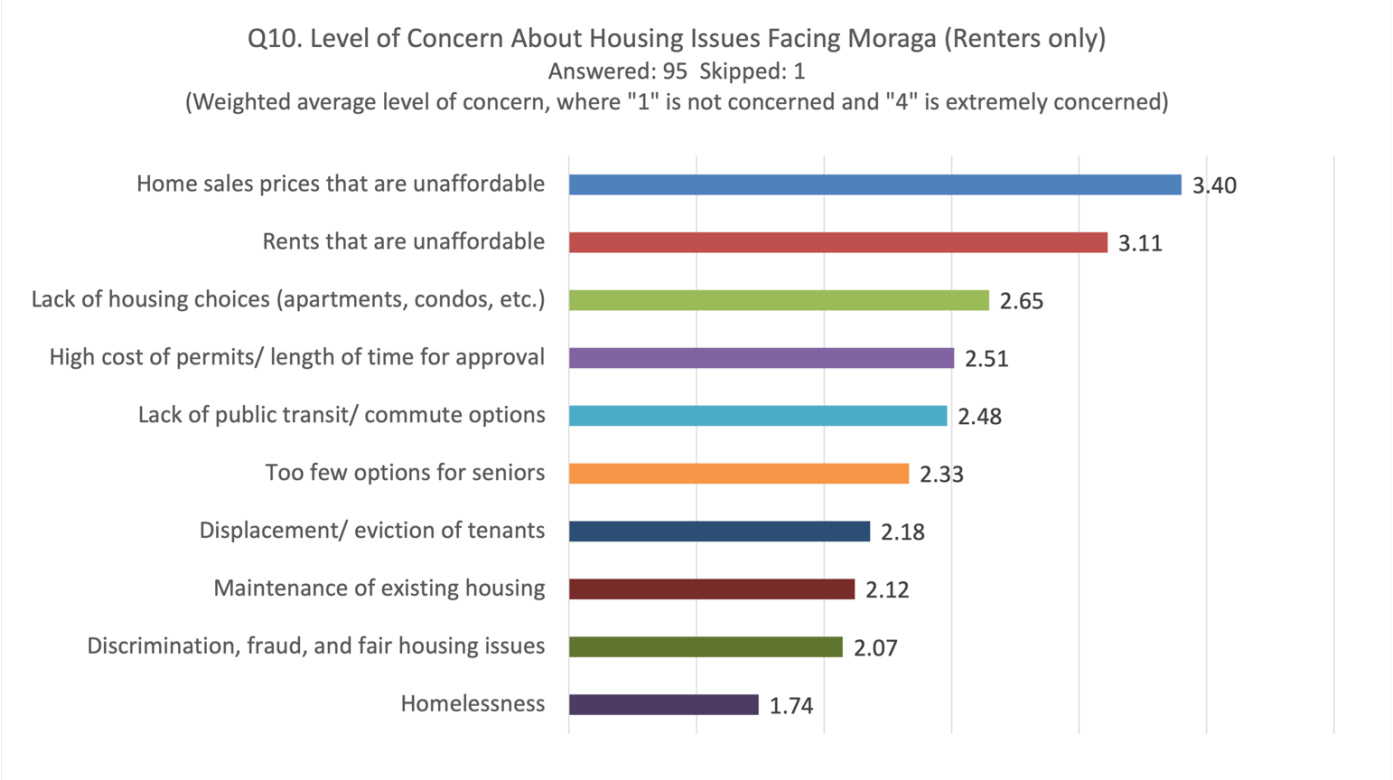
	Total Number of Respondents Who Were….					
Housing Issue:	**Not concerned**	**Somewhat concerned**	**Concerned**	**Extremely concerned**	**Not sure / no opinion**	**Weighted Average**
Maintenance of existing housing	392	196	147	90	138	1.92
Displacement/ eviction of tenants	376	155	115	45	266	1.75
Rents that are unaffordable	250	207	216	191	108	2.4
Home sales prices that are unaffordable	247	188	213	269	60	2.55
Homelessness	405	179	108	90	175	1.85
Lack of housing choices (apartments, condos, etc.)	341	223	182	111	112	2.07
Too few options for seniors	235	254	224	114	140	2.26
Discrimination, fraud, and fair housing issues	365	176	122	79	214	1.89
High cost of permits/ length of time for approval	185	176	228	192	185	2.55
Lack of public transit/ commute options	223	230	225	235	60	2.52

Notes:

- 988 out of 1007 survey respondents answered this question, including 95 of 96 renters. 19 people skipped this question. For each issue listed in the data table header, the numbers in the corresponding column reflect the number of respondents who expressed a particular level of concern for that issue. For example, the first column of numbers indicates 392 people expressed no concern about maintenance of existing housing, whereas 90 people were extremely concerned about this issue.
- Respondents were also allowed to add comments to help clarify their specific housing challenges. Comments are qualitative and not included in weighted average calculations. See Table 4 for a review of comments submitted in response to Question 10.

Question 10 - Renters Only

Because renters and homeowners sometimes face different circumstances and issues, a separate renter-only analysis and weighted average computation was conducted for comparison purposes. The chart below shows renter-only weighted averages of housing issue concerns in decreasing order. There were 96 responses.



	Total Number of Renter Respondents Who Were….					
Housing Issue:	**Not concerned**	**Somewhat concerned**	**Concerned**	**Extremely concerned**	**Not sure / no opinion**	**Weighted Average**
Home sales prices that are unaffordable	4	11	21	56	3	3.4
Rents that are unaffordable	6	18	25	40	5	3.11
Lack of housing choices (apartments, condos, etc.)	17	17	30	21	8	2.65

	Total Number of Renter Respondents Who Were….					
Housing Issue:	**Not concerned**	**Somewhat concerned**	**Concerned**	**Extremely concerned**	**Not sure / no opinion**	**Weighted Average**
High cost of permits/ length of time for approval	19	6	10	18	38	2.51
Lack of public transit/ commute options	21	22	19	21	7	2.49
Too few options for seniors	21	19	19	13	19	2.33
Displacement/ eviction of tenants	27	16	18	11	19	2.18
Maintenance of existing housing	33	21	15	14	10	2.12
Discrimination, fraud, and fair housing issues	30	16	9	13	23	2.07
Homelessness	40	26	4	8	14	1.74

Notes:

- While owners and renters shared "high cost of housing" as their top concern, renters rated unaffordable rents as their second greatest concern. Owners, by contrast, rated "high cost of permits" as their second greatest concern.
- The third highest concern listed for renters was lack of housing choices, while for owners it was lack of commute options.

Table 4. Comments Pertaining to Question 10

Question 10 garnered 73 comments, including 59 from homeowners, 7 from renters, and 7 from non-Moraga residents.

Owner comments: Homeowner comments aligned around several topics and themes. The topic garnering the most comments related to traffic safety – especially around evacuation routes and Moraga road capacity in the event of a wildfire. Other comments addressed impacts of development on Moraga; the lack of public transportation; concerns about wildfire; infrastructure; and more. Following are a few examples of owner comments received. A full list of all the comments for Question 10 is available for review in the Appendix.

Theme	# Received	Sample Comments (lightly edited for clarity)
Traffic safety, evacuation routes and capacity	24	• *"Access. We need to deal with ingress and egress to accommodate housing without increasing fire risk. We need to reconsider the road through Wilder (Orinda)."* • *"Escape and evacuation plans with proposed increase of residents and housing."* • *"Extremely concerned about roads and traffic mitigation."* • *"If one tree falls on Moraga Road during a wildfire, or any natural disaster, the town will be in serious mortal danger."*
Development impacts	8	• *"Building by developers will run short on workers and supplies, thus leaving empty, unbuilt housing. Measure should be taken to hold developers/builders responsible."* • *"Concerned about the civil engineering that is wildly out of date and the need to accommodate an unquestionable amount of growth that is already occurred in the event of an emergency."* • *"Mc-mansions- too many square feet covering up too much land, then scraping all vegetation away for fire prevention."*
Public transportation	7	• *"Bus transportation has come to a halt in my area due to discontinued service."* • *"Public transit and road conditions have to be improved before we can accommodate a large increase in Moraga population."* • *"There is no reliable public transit. The 603 route for Campolindo is about to be cancelled. Too many cars on the road during school hours. Moraga needs better public transit for students."* • *"Commuting is a necessity. Public transportation is necessary to support employed workforce. Traffic can't be sustained for 1100+ households."*
Wildfire	5	• *"Fire abatement requirements are very important. However, the work the fire department is requiring homeowners to complete is cost prohibitive and the costs are only getting higher. The city of Moraga should provide contractors who can do this work at a lower cost than having homeowners have to search for services. Homeowners are being cheated by exorbitant prices to do the work."*
Various other	--	• *"1) current zoning does not allow sufficient density for affordability 2) height limits may be too low to allow 3-story units with elevators 3) parking requirements may be too strict in many areas."* • *"The RV storage area behind Safeway is blighted and should be a priority to redevelop."* • *"There are not jobs in Moraga to support a large number of additional households."*

Theme	# Received	Sample Comments (lightly edited for clarity)
		• *"I am equally concerned about the nature of this questionnaire as it uses language which asserts problems, where no problems may exist."*

Renter comments: Renters submitted 7 comments in response to Question 10. There were no overarching themes identified. Following are a few examples of renter comments. The full list of comments for Question 10 can be found in the Appendix.

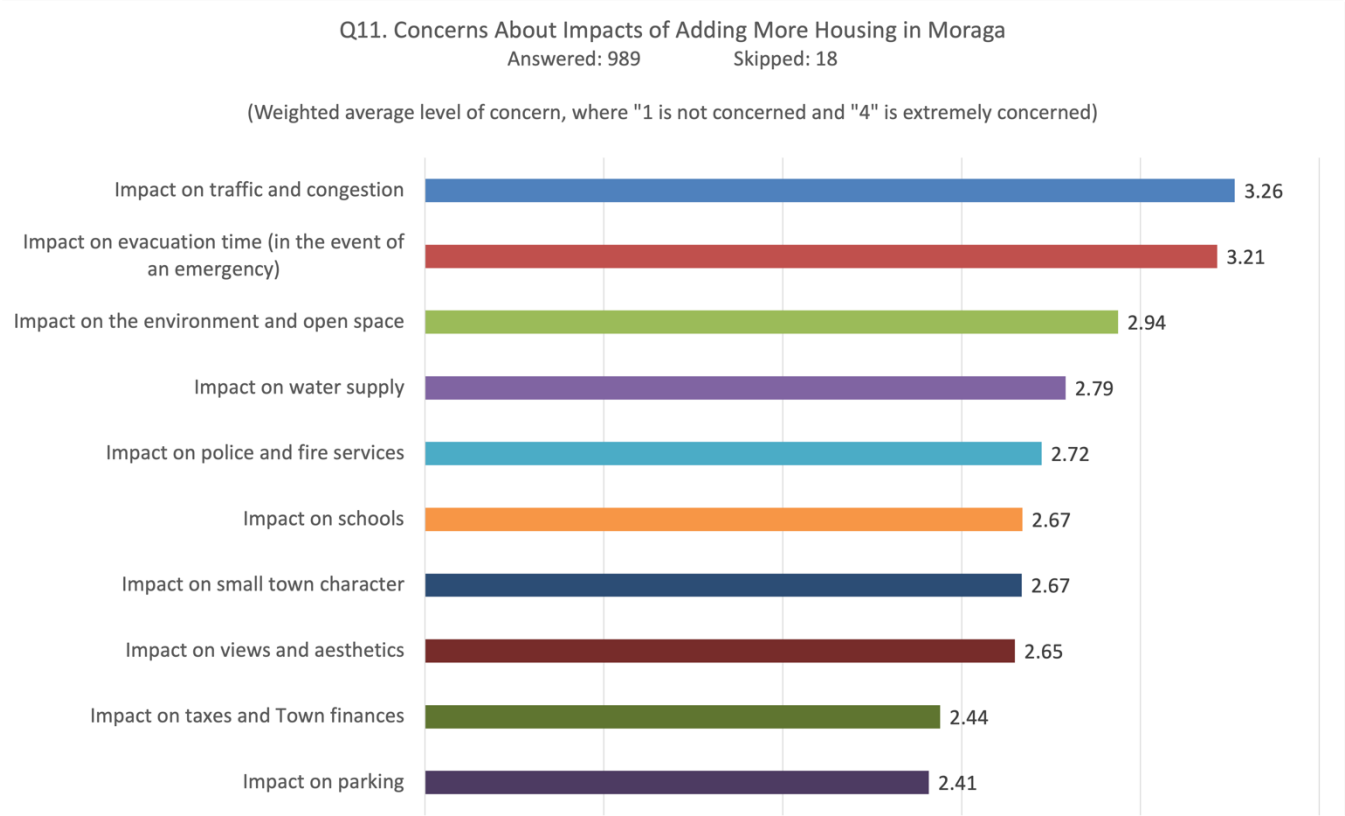
Various	7	• *"Concerned mostly about emergency evacuation routes."* • *"Housing options for SMC students."* • *"Rents were less here than in 3 nearby cities I looked. Excited it was affordable and not higher."* • *"So many empty stores. Retail space needs updating. Better restaurants."* • *"Ten years from now this will still be in the discussion phase. Look at the grand School Street proposed downtown. Will never happen. This will never be a college town. It will always be nothing more than a town with a college."*

Non-resident comments: Non-residents submitted 7 comments in response to Question 10. There were no overarching themes identified. Following are a few examples of non-resident comments. The full list of comments for Question 10 can be found in the Appendix.

Various	7	• *"Current zoning perpetuates racial and socioeconomic disparities."* • *"Housing policy leads to de-facto segregation."* • *"If housing increases in Moraga, Orinda should move to make Moraga Way 25 mph at all times so as to protect Orinda s along Moraga Way and redirect the traffic through other arteries. Moraga has no direct freeway access. So any change in Moraga housing negatively impacts other towns and cities."* • *"There needs to be low income housing for individuals earning $55,000 per year, for all age groups in every town."*

Question 11 – Concern about impacts of adding more housing in Moraga.

Question 11 asked respondents to gauge their level of concern about the impacts of adding more housing in Moraga using a four-point rating scale: “Not Concerned,” “Somewhat Concerned,” “Concerned,” and “Extremely Concerned.” Respondents could also choose a “Not sure / no opinion” option. From the data collected, it was possible to compute weighted averages of levels of concern for each listed issue. (A higher weighted average means a greater level of concern.) The chart below shows weighted averages of concerns, in decreasing order.



	Total Number of Respondents Who Were….					
Impacts of housing:	**Not concerned**	**Somewhat concerned**	**Concerned**	**Extremely concerned**	**Not sure / no opinion**	**Weighted Average**
Impact on small town character	243	172	212	338	21	2.67
Impact on views and aesthetics	226	197	218	314	24	2.65
Impact on evacuation time (in the event of an emergency)	100	140	184	548	19	3.21
Impact on schools	231	184	197	334	34	2.67
Impact on police and fire services	206	191	223	338	28	2.72
Impact on water supply	205	161	201	374	45	2.79
Impact on the environment and open space	163	170	203	435	18	2.94
Impact on traffic and congestion	85	137	194	566	10	3.26
Impact on parking	283	234	206	234	24	2.41
Impact on taxes and Town finances	261	202	184	232	95	2.44
Impact on small town character	243	172	212	338	21	2.67

- 989 respondents answered Question 11; 18 skipped the question.
- For each issue listed in the data table header, the numbers in the corresponding column reflect the number of respondents who expressed a particular level of concern for that issue. For example, the first column of numbers indicates 243 people expressed no concern about impact on small town character, whereas 21 people were extremely concerned about this issue.
- Respondents overwhelmingly indicated a high level of concern about the impact new housing would have on roads and traffic (especially with respect to evacuation time in the event of an emergency), open space and critical infrastructure and water supplies.

- Respondents were also allowed to add comments to help clarify their specific housing challenges. Comments are qualitative and not included in weighted average calculations. See Table 5 for a review of comments submitted in response to Question 11.

Table 5: Comments Relating to Question 11

51 respondents provided comments pertaining to Question 11. Many comments focused on traffic and road capacity, evacuation routes and wildfire safety. Other comments reflected the need for more / better retail growth, public safety and crime, quality of life issues, and taxes.

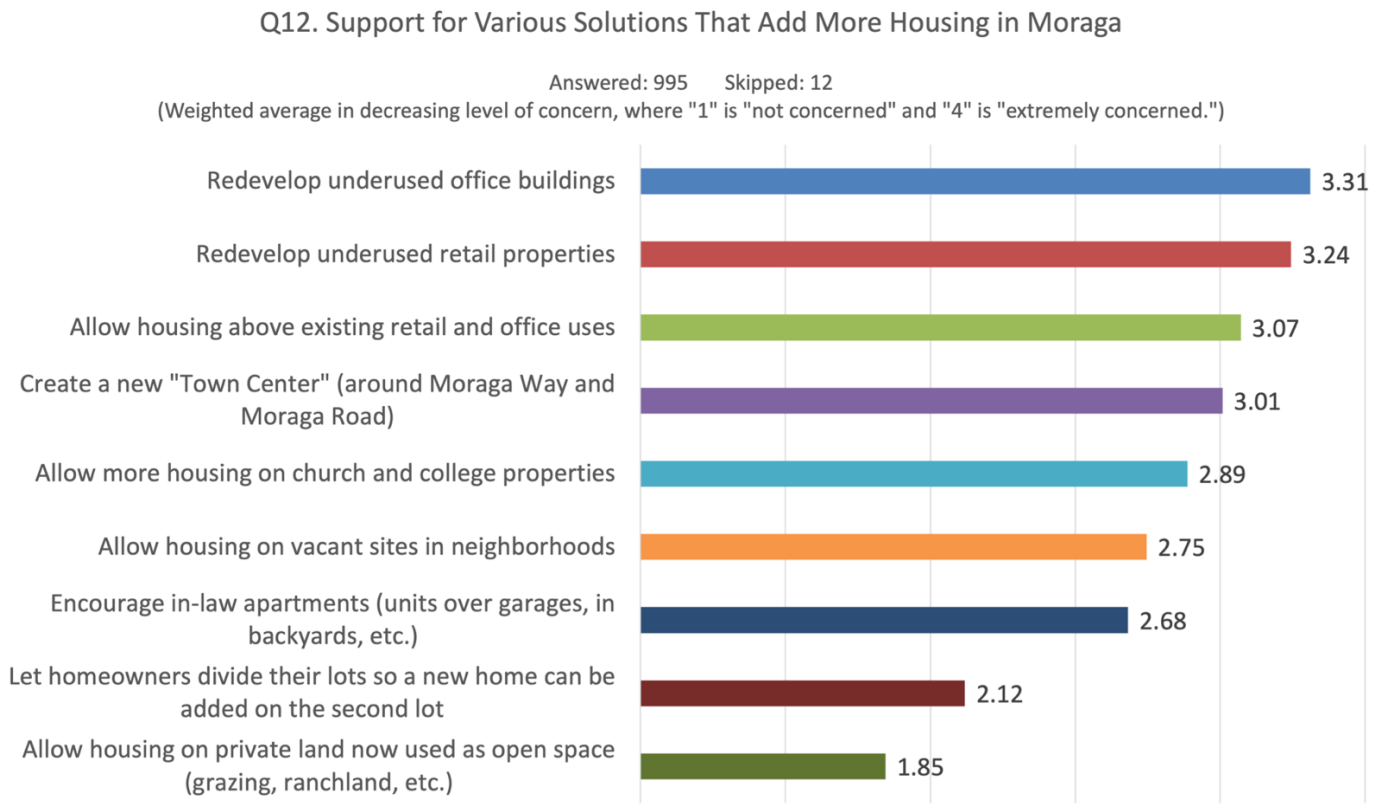
Following are a few examples of owner comments received. A full list of all the comments for Question 11 is available for review in the Appendix.

Theme	# Received	Sample Comments (lightly edited for clarity)
Inadequate road capacity for traffic and evacuation/ wildfire hazards	13	• *"Add 1100 more housing units and the 3 roads into Moraga will be like Saint Mary's Graduation every day."* • *"Additional housing would further impact existing limited ingress/egress of Moraga."* • *"Concerned most about evacuation and traffic - cannot pull out onto Moraga Road safely from Paseo Linares."* • *"I am concerned about Moraga being forced to add an additional 30-40% of its population, all to meet the ABAG or State mandates, but in rushing to do so the town is endangering the lives of its citizens, all to get state funds. The fact is Moraga has very few points of egress for its current population, and no matter what assurances the Town or State claims they would install to offset the population growth, these are falsehoods."* • *"The building of new homes is very concerning because of the drought and road congestion. Traffic is already horrible on some days as it takes 25 minutes to get from MCC to BART"* • *"Dangerous to add this many homes. Death sentence in the event of a fire."*
Need more retail / commercial growth	7	• *"Adequate / destination support services such as retail and professional services must be available locally."* • *"If we improved the shopping center we would have more taxes. Our shopping center is blighted and vacant. How can we change poor leasing skills. Must be done with ordinance that sets a maximum empty storefront number. It's terrible. That center is depressing home values."* • *"More people will draw better business to Moraga."* • *"The two shopping centers are never going to be improved because of the good old boys that own them…. There are too many tax incentives for these owners to keep the shops empty in these centers. The town does nothing to*

		drive these owners to improve these shopping centers into tax generators. So the homeowners pay extravagant property taxes and go out of town to do their shopping."
Need urban infill.	5	• *"I do not look forward to my neighbor subdividing and adding a triplex to his property."* • *"Infill is best- please don't encroach on more open space."*
Quality of life issues	5	• *"I work to live here because i like how it is. If i wanted to live in a crowded place, I would live in Oakland. but i don't."* • *"Increasing supply of affordable housing will have a POSITIVE impact on our local schools. New families = more new students. Increased attendance by new students will increase state funding for schools, allowing Moraga to maintain and improve current excellent educational programs. New affordable housing will also enable local schools to attract and retain excellent teachers who may find current high housing costs a barrier to living and working in Moraga schools."* • *"Not enough parks and open space."*
Crime and public safety	5	• *"With more homes bringing in more folks and potentially crowding the now open spaces, maintaining a safe environment would be more difficult. Maintain a safe environment for all."* • *"Folks moved here to get away from crime and homelessness."*
Use development to generate more taxes.	4	• *"Urban infill is the best and most scalable way to start."* • *"If we improved the shopping center we would have more taxes. Our shopping center is blighted and vacant...that center is depressing home values."* • *"Get the Planning Dept to act as facilitator rather than obstruction to building. Permit process should not be considered a revenue source. Seriously."*
Various other	--	• *I am [not concerned] about the feelings of NIMBYs who have not been excluded from the Moraga real-estate market.* • *I believe adding more housing would be a net positive for the environment as people would not have to commute as far to work in Moraga thus decreasing carbon in the atmosphere.*

Question 12 – What solutions would you support (or oppose) to add more housing in Moraga?

Question 12 asked respondents to gauge their level of support for various approaches to adding more housing in Moraga using a four-point rating scale: “Strongly Oppose,” “Moderately Oppose,” “Moderately Support,” and “Strongly Support.” Respondents could also choose a “Neutral / No Opinion” option. From the data collected, it was possible to compute weighted averages of levels of support for each approach suggested. (A higher weighted average means a greater level of support.). The chart below shows weighted averages of support, in decreasing order. A separate bar chart for “renters only” appears at the end of the data table and notes.



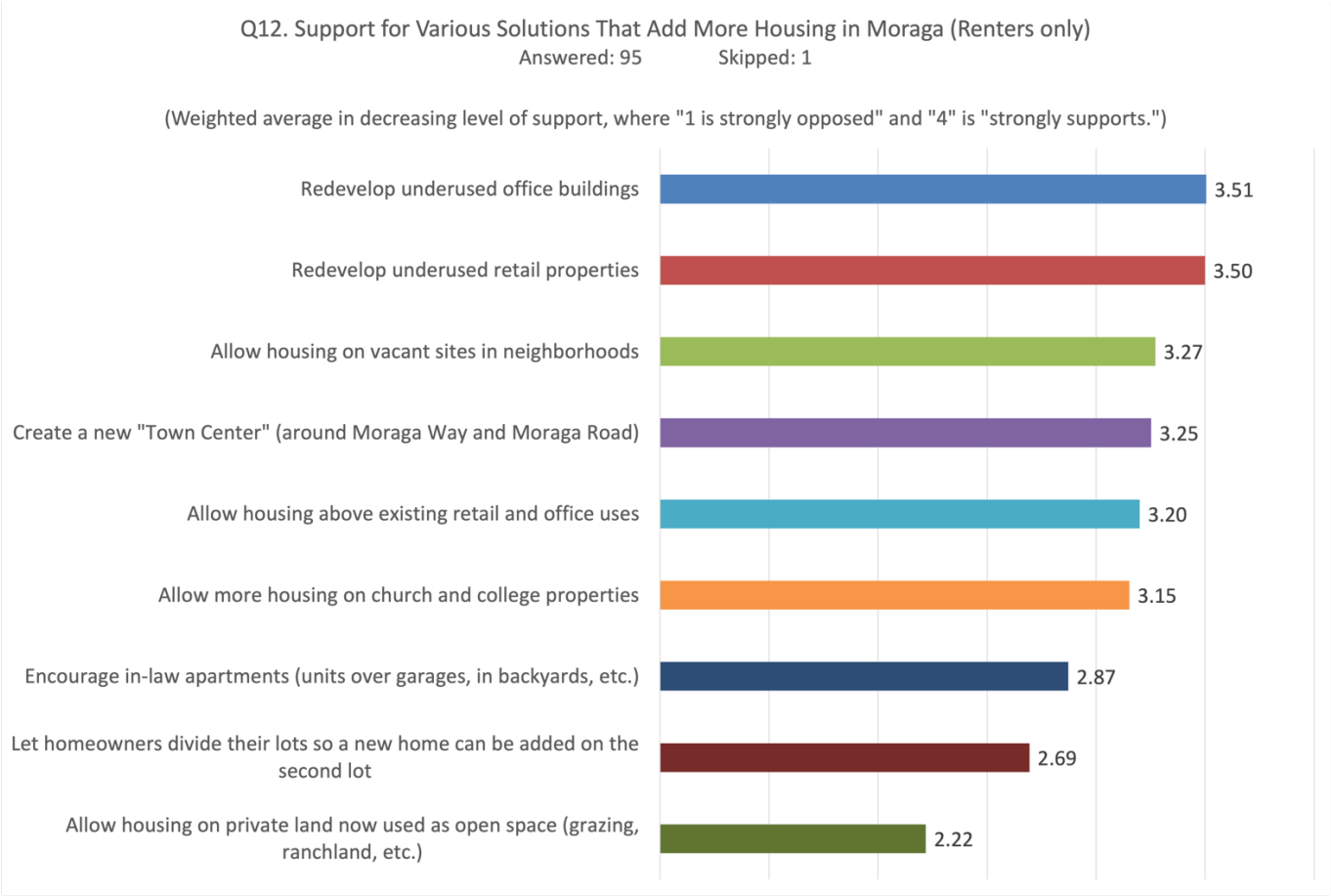
	Total Number of Respondents Who					
Proposed Solution:	**Strongly opposed**	**Moderately opposed**	**Moderately supported**	**Strongly supported**	**Not sure / no opinion**	**Weighted Average**
Redevelop underused retail properties	74	65	318	430	106	**3.24**
Redevelop underused office buildings	58	44	346	434	111	**3.31**
Allow housing above existing retail and office uses	95	98	293	347	158	**3.07**
Create a new "Town Center" (around Moraga Way and Moraga Road)	127	79	247	339	192	**3.01**
Encourage in-law apartments (units over garages, in backyards, etc.)	172	126	264	221	201	**2.68**
Let homeowners divide their lots so a new home can be added on the second lot	352	185	141	155	155	**2.12**
Allow more housing on church and college properties	125	98	255	264	242	**2.89**
Allow housing on private land now used as open space (grazing, ranchland, etc.)	458	189	129	97	113	**1.85**
Allow housing on vacant sites in neighborhoods	168	132	254	261	167	**2.75**

Notes:

- 995 respondents answered Question 11; 12 skipped the question.
- For each idea listed in the data table header, the numbers in the corresponding column reflect the number of respondents who expressed a particular level of support for the idea. For example, the first column of numbers indicates 74 people strongly opposed redeveloping underused retail properties, while 430 strongly support the approach.

Question 12 – renters only

A separate renter-only analysis and weighted average computation was conducted for comparison purposes, since renters often have different views than owners about housing issues. There were 95 renter responses.



	Total Number of Respondents Who					
Proposed Solution:	**Strongly opposed**	**Moderately opposed**	**Moderately supported**	**Strongly supported**	**Not sure / no opinion**	**Weighted Average**
Redevelop underused retail properties	1	4	30	47	13	**3.50**
Redevelop underused office buildings	2	1	36	50	7	**3.51**
Allow housing above existing retail and office uses	6	9	28	37	16	**3.20**
Create a new "Town Center" (around Moraga Way and Moraga Road)	6	7	27	39	15	**3.25**
Encourage in-law apartments (units over garages, in backyards, etc.)	10	10	21	22	30	**2.87**
Let homeowners divide their lots so a new home can be added on the second lot	16	13	20	23	22	**2.69**
Allow more housing on church and college properties	8	6	25	33	22	**3.15**
Allow housing on private land now used as open space (grazing, ranchland, etc.)	28	24	14	16	12	**2.22**
Allow housing on vacant sites in neighborhoods	6	7	24	40	17	**3.27**

Notes:

- In general, owners and renters found common ground with respect to redeveloping/reusing underused retail and commercial properties. However, whereas renters favored allowing housing on vacant sites in neighborhoods, owners favored allowing housing above existing retail and office uses.
- Both groups favored allowing housing on church and college properties as well as creating a new Moraga Town Center.

- Respondents were also allowed to add comments to help clarify their specific housing challenges. Comments are qualitative and not included in weighted average calculations. See Table 6 for a review of comments submitted in response to Question 12.

Table 6. Comments Relating to Question 12

Question 12 garnered 48 comments, including 2 comments from renters, 5 comments from non-residents, and 41 comments from Moraga homeowners. Comments revealed a tension between support for and opposition to using open space for housing. Some commenters thought Moraga should prioritize re-use and expanded use of existing properties, especially expanding existing residential (e.g., ADUs), commercial spaces currently occupied by shopping centers and retail buildings, and smaller, currently unused property in town. Other respondents felt the standards for housing development in Moraga were too vague, and additional rules should be developed before entertaining specific proposals. Traffic/congestion, quality of life and public safety were other themes that emerged from Question 12 comments.

A full list of comments for Question 12 is available for review in the Appendix.

Theme	# Received	Sample Comments (lightly edited for clarity)
Consider building on open land	5	• *"Accept plans from big landowners to build on open land."* • *"No more buildings in current neighborhood. Go to outskirts of the town."* • *"The best place for expansion in Moraga is the grossly underdeveloped area along Rheem Blvd. It is a perfect location for multiple housing complexes, apartment buildings, condos, etc. The other neighborhoods are substantially built out, traffic is already heavy at certain times of the day, and the small areas of open space surrounding these creates the great neighborhoods we have in Moraga."* • *" Would like to see any open space used for housing been done in a creative manner that maintains the open space and creates a community space -- I like the idea of creating hobbit houses with community gardens as an aesthetic way of reaching housing needs."* • *"Find smaller spots of un-used land throughout Moraga and re-zone."*
Re-develop / reuse existing residential, retail and commercial property for housing	13	• *"Again, fill up the empty buildings and office space for housing."* • *"I would prefer using existing unused or under-used developed sites rather than tap into open space."* • *"More housing should be built near existing shopping/supermarkets to minimize need for auto travel."* • *"Provide information for homeowners who want to convert their master suite or garage to a JADU."*

		• *"There is plenty of opportunity to add housing without disrupting or taking away open space. The open space is an important characteristic of Moraga."* • *"Moraga needs to keep retail so build on top of what exists rather than decide what is underused."*
More retail and commercial	2	• *"I'd prefer for more business to move in, so we can keep our dollars local, and cut down the commuting need for household supplies and family activities, shopping and good restaurants"* • *"The town center should be at Rheem and Moraga Rd , not Moraga Road ad Moraga Way."*
Quality of life	3	• *"Folks moved here to get away from crime and homelessness."* • *"Growth will destroy character of Moraga, get creative to slow growth."* • *"We moved here to escape the destruction of neighborhoods by conversion to high density rental housing. Crime went up, on street parking was a mess. Do it here and watch those who can slowly go elsewhere, retail sales will further decline, and of course the cost of policing will go up."*
Vague / unclear standards for new housing	7	• *"'Allow housing' is too vague. There are workable zoning parameters that have to be in place, it is not a free for all stack-and-pack allowance."* • *"Curtail development until we have an agreed upon master plan."* • *"Dividing lands and rezoning really depends on the location. This question is too general and you won't get good data. The main key point is to do infill and protect remaining open space. Protecting hillsides and ridgelines."* • *"Each of these suggestions are not one size fits all and should be assessed individually."*

Question 13. Please use the space below to share any other thoughts you'd like to share about housing in Moraga.

Question 13 garnered comments from 304 respondents. Many respondents wrote lengthy comments offering a range of opinions, ideas, and preferences on a variety of topics. However, some clear themes emerged. Notably, comments revealed a tension between advocates of additional housing in Moraga and those who believe Moraga's roads and infrastructure cannot accommodate additional housing. Many respondents advocating for more housing believed the town should concentrate development of new housing along central town corridors and existing retail and commercial centers. Many commenters said the town should prioritize preservation of open space, since it is central to Moraga's "semi-rural" character. There was strong agreement that the roads leading into and out of Moraga put residents in peril in the event of a catastrophic wildfire. Many views expressed in response to Question 13 echo views expressed in earlier questions in this survey.

Following are sample comments and excerpts from comments (some lightly edited for clarity) that tend to characterize many of the views expressed in response to Question 13. A full listing of comments received in response to Question 13 is available in the Appendix.

For reviewing convenience, excerpted comments are organized into four sections: Problems With / Concerns About Moraga; Things People Like About Moraga; Ideas Supported; Ideas Opposed.

Problems With / Concerns About Moraga:

- *Moraga has inadequate roads for ingress/egress and/or evacuation.*
- *Moraga is vulnerable to wildfires.*
- *If there is a fire in town, we are all trapped.*
- *Need to make it possible for teachers, police and fire, and food service workers, etc. to live in Moraga.*
- *Traffic congestion is already bad and will only get worse with additional housing.*
- *Need better / more reliable and expansive public transportation.*
- *Moraga is facing water shortages.*
- *I'm concerned about water and electricity. California doesn't have enough of either. Building more housing seems irresponsible.*
- *Infrastructure is generally needing upgrading / updating.*
- *There is too much housing in Moraga already and the infrastructure cannot even support what is already here.*
- *Moraga has the space to add moderate income/student/senior housing. Doing so would add inclusivity and retail businesses. Of course it must be planned well.*
- *People choose other cities for dining and entertainment.*
- *Moraga is not a transit hub.*

- *Moraga town center businesses are failing; need to reimagine.*
- *It is ridiculously expensive to buy and hardly any rental options that are bigger than 2 bedroom apartments.*
- *The Town's two shopping centers are abysmally underused and under serving our town. Whatever current barriers to entry for small businesses needs to be addressed immediately. The businesses and services of the town are decades behind the beautiful, efficient & space enhancing shopping centers that exist today.*
- *…be creative with housing solutions - more efficient use of space and remodeling existing properties for students/seniors/small families.*
- *I think this law that CA has passed is absurd*
- *Consider if the state's "one size fits all" is appropriate for Moraga*
- *The number of proposed units is way too many for a town of this size.*
- *Please do not make decisions about this with only 10% of Moraga's population providing feedback. This can affect people's lives and everyone should be made aware.*

Things People Like About Moraga:

- *Moraga is quiet, naturally beautiful, semirural, open, not crowded.*
- *The living environment of Moraga itself is very superior, safe, calm, and beautiful, which is very suitable for the elderly to live in, and because of its own school district, many young families are already residents here, and the development of elderly housing can also help a lot of separation.*
- *The open space here is incredible.. What's unique about Moraga is the amount of open space despite being so close to SF.*
- *Moraga is small town living and open spaces.*
- *Saint Mary's is our greatest asset and the state's push housing should be seen as an opportunity to invest in that asset.*
- *As a college expands it tends to offer more opportunities to the local community -- from adult education, to sporting events and other classes. Young people add vitality to any community.*
- *… (we) enjoy the schools and community.*
- *There's plenty of buildable land in Moraga that easily could be developed with new houses, for example, in Moraga Country Club, off Bollinger Canyon, and elsewhere.*
- *There's plenty of space for higher density housing by OSH, by the Christmas Tree lot, by the Rheem Theater, and meeting the requirements set by the state would not be a problem in our town.*

Ideas Supported:

- *…providing some diverse housing options which can help minimize the impact on our open spaces.*
- *…adding moderate income/student/senior housing*
- *… redeveloping existing housing to be higher density (e.g. ADUs, condos, townhomes, redevelop underused offices)*
- *…providing more parks and recreation activities or privately owned leisure businesses*
- *…preserving the open space and unique natural aesthetics of the town.*
- *…using our existing building space more efficiently to welcome lower income families. We also definitely need nice spaces for current local seniors to "downsize" and free up single family homes for families that need the space.*
- *…more communication about a plan for safety with wildfire evacuation*
- *…addressing infrastructure problems*
- *…being more open to housing and green space opportunities.*
- *…providing better public transit*
- *…building housing in the flats, not the hills.*
- *…creating an assistance program for first-time home buyers.*
- *…using Bollinger Canyon for multi-family, student housing. Access thru back side of St. Mary's.*
- *…rebuilding Moraga Center/old School and Rheem Center to include dense mixed use first, before open space.*
- *…widening roads in and out of Moraga to 4 lanes at all points as a way to deal with the evacuation problem and increased traffic.*
- *… more transit-oriented, multi-family housing and zoning rules changes to accommodate that*

Ideas Opposed:

- *… usage of open space, as that's what gives Moraga its character.*
- *…duplexes and apartments next to detached, single-family residential.*
- *…allowing development of outlying areas that are difficult to access (such as Indian Valley or Bollinger Canyon).*
- *We have enough housing in Moraga it would not be good for the town to add housing.*
- *We would strongly oppose subdividing current property lots, creating in-laws, or high density housing*
- *Oppose zoning through high-density infill in established neighborhoods*

MORAGA 2023-2031 HOUSING ELEMENT

APPENDIX D COLLEGE STUDENT SURVEY

Barry J. Miller, FAICP
June 15, 2022

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Q1. Please select the choice that best describes your current situation. *8*

Q2. What best describes your current housing situation? *9*

Q3. What is your age? *10*

Q4. What is your race/ethnicity? *11*

Q5. How far do you travel from home to school (each way)? *12*

Q6. During the last 12 months, have you experienced an of the following? (Check all that apply) *14*

Q7. How well does your current housing meet your needs? *15*

Q8. What is your approximate monthly housing cost? (including your share of rent and utilities) *18*

Q9. What type of housing would best meet your future needs? *19*

Q10. Would you be interested in affordable (subsidized) apartments for students if they were available? *21*

Q11. What solutions would you support (or oppos to add more housing in Moraga? *22*

Q12. Please use the space below to share any other thoughts you'd like to share about housing in Moraga: *24*

(Note: highlighted items reflect general themes appearing in the comments) *24*

EXECUTIVE SUMMARY

- From March 29 to April 22, 2022, the Town of Moraga (Town) conducted an opinion survey of Saint Mary's College (SMC) students about their housing concerns, needs and preferences. The purpose was to outreach to a specific population in Moraga as part of the Town's efforts to affirmatively further fair housing for all residents. The student survey was intended as a complement to a general public opinion survey the Town had launched previously on the same topic and was prepared with input from Saint Mary's staff.
- This document reports findings from the student survey and serves as an adjunct to a similar report covering the general opinion survey of residents.
- The student survey consisted of 11 multiple-choice or interval scale questions and one open-ended question.
- In total, 143 students completed the survey or portions of it. Most reported living in Moraga, in either campus housing or with roommates in off-campus housing. Some students reported having to commute to school from other towns.
- Nearly 60% of student respondents said they were between 18 and 21 years of age, while nearly 30% said they were between 21 and 30. The remainder reported being over 30.
- With the possible exception of Asian / Pacific Islanders, respondents to student survey trended more diverse than respondents to the general opinion survey (and to the general Moraga population, as reported in the 2020 U.S. Census).
- Half of student respondents reported living close enough to school that their travel time took less than 10 minutes each way. Nearly one quarter of all respondents reported travel time to school exceeding 30 minutes, and of that group, almost half reported having a school commute exceeding one hour.
- Respondents were asked to disclose whether they had experienced any housing challenges in the prior twelve months; they were given a list of challenges from which to choose. Just under half of respondents (47%) skipped this question. Of those who answered, the most-often reported difficulty was finding or affording a place in Moraga to live. Disturbingly, one in five respondents reported living in places they regarded as unsafe, overcrowded or unacceptable for other reasons.
- Over 90% of students responding said their housing was fully satisfactory or "just okay," while 10% said their housing was unsatisfactory. Respondents were given the opportunity to provide comments and/or expand on their multiple-choice answers. Several themes were noted:

- Housing costs are too high or unaffordable.
- Some of the rental property available to students is substandard, either because it is contaminated with mold, structurally unsafe or otherwise uninhabitable.
- Some landlords (including Saint Mary's College) are indifferent to conditions or downright antagonistic to the tenants occupying their properties.
- Open space is an important asset that should be protected and preserved. The joy of living in Moraga is due, in part, to its peaceful, semi-rural environment. Open space plays an important part and is crucial for maintaining the Town's character.

- When asked about their support for ideas to improve housing for students, respondents strongly favored converting unused retail and office spaces into housing, as well as creating a new Moraga Town Center.
- Fully one-half of respondents report monthly housing costs in the range of $1,000 to $2,500 per month; an additional 17% report housing costs over $2,500 per month. Some students said they were able to mitigate high housing costs by sharing living expenses with roommates.
- When asked what type of housing would best meet their future needs, by a large margin, students expressed a preference for college-owned student housing or off-campus apartments. Less popular options included dormitories, private homes and in-law units.
- A large majority of respondents expressed interest in subsidized housing, should it ever become available.
- Respondents were given an opportunity to provide additional comments or express ideas that didn't come up during the rest of the survey. Several themes emerged and are discussed below.

SECTION 1. INTRODUCTION

St. Mary's College is important to Moraga. It is one of the town's largest employers and has been an important part of its history and culture. As part of the 2022 update to the Housing Element of its General Plan, the Town of Moraga (Town) launched an online public opinion survey on January 30 for the purpose of gaining information about Moraga residents' housing concerns, needs and preferences. The survey was accessible via the SurveyMonkey platform.

The Town observed that the general survey was garnering few responses from the 18-34 age group, despite this group constituting 22.4% of the Town's total population. The voice of an important housing constituency – students at Saint Mary's College—was underrepresented.

Town staff, with input from St. Mary's staff, created a special version of the survey focused on the specific experiences and challenges facing college students. The Town launched the student survey on March 29 and closed it on April 22 also on the SurveyMonkey platform. In total, 143 students responded.

This report describes the mechanics of the survey, summarizes the responses to each question, and provides insights on the implications of the responses relative to the Housing Element update. An appendix to this report provides excerpts from the returned surveys.

SECTION 2. SURVEY OVERVIEW

The survey consisted of 12 questions: 11 multiple choice or interval scale questions and one open-ended question. Several questions asked for basic demographic information about respondents. The remaining questions focused on respondents' perspectives about student living in Moraga, challenges students face, and their level of support for various potential housing solutions. An open-ended question at the end gave respondents a chance to add anything else they thought was important that wasn't already captured by the survey.

The survey questions are summarized below:

- Question 1 asked respondents to disclose their current situation. Response choices included attending college in Moraga and also living in Moraga; attending college in Moraga and living in another community; living in Moraga but attending college in another community; and "Other (please specify)."
- Question 2 asked respondents to describe their current housing situation. Response choices included living in campus housing at Saint Mary's College; living by themselves in an apartment or house off-campus; living with roommates in an apartment/ house off-campus; renting a room in someone else's home; living with family/ relatives; being housing insecure (couch-surfing, living in car, etc.); or "Other (please specify)."
- Question 3 asked respondents to disclose their age by selecting an age range most closely corresponding with their own age. Choices included "Under 18," "18-21," "21-30," and "30 or older."
- Question 4 asked respondents to disclose their race / ethnicity. Choices included, "White;" "Hispanic/Latino"; "Asian/Pacific Islander;" "Black/African American;" "Native American/Indigenous People;" "Two or More Races;" and "Other."

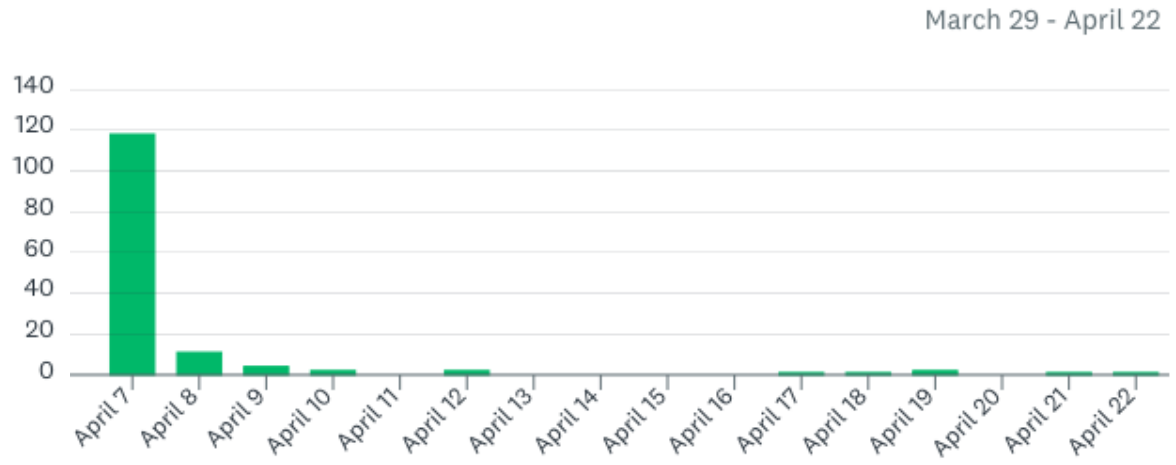
- Question 5 asked respondents how much time they spent traveling each way from home to school. Choices included "Less than 10 minutes;" "10-20 minutes;" "20-30 minutes;" "30-60 minutes;" "More than 60 minutes;" and "Other (please specify)."
- Question 6 asked respondents to disclose whether they had experienced any of the following circumstances. Choices included being unable to find a place to live; being unable to afford full rent or housing costs (including utility bills); being evicted or at risk of being evicted; having to move in with other people due to high housing costs; living in conditions they felt were overcrowded, unsafe or unacceptable; experiencing challenges with food, transportation, or medical costs due to their housing costs. Respondents could choose one or multiple answers.
- Question 7 asked respondents to evaluate how well their current housing situation meets their needs. Choices included, "I am satisfied with my housing;" "Generally OK, but could be better;" or "I am unsatisfied with my housing." Respondents who chose the second or third answers were asked to elaborate on what might make their housing situation better.
- Question 8 asked residents to disclose their approximate monthly housing cost (including their share of rent and utilities). Respondents were given eight cost ranges to pick from but could also add any additional commentary necessary to clarify or explain.
- Question 9 asked respondents what types of housing would best meet their future needs. Choices included "Dormitory;" "University-owned apartment designed for groups of 2-4 students;" "Off-campus studio and 1-bedroom apartments;" "Off-campus 2–3-bedroom apartments;" "Private homes;" "In-law units (garage apartments, basement apartments in homes, etc.);" and "Other (please specify)."
- Question 10 asked respondents if they would be interested in affordable (subsidized) apartments for students if they were available? Choices included "Yes," "No," "Maybe;" "Lack of assistance for extremely low-income persons;" "Public opposition to development;" and "Other (please specify)."
- Question 11 asked respondents to indicate their level of support for various options for adding more housing in Moraga. Options included redeveloping underused retail properties; redeveloping underused office buildings; creating a new town center; encouraging housing above existing retail / commercial space; allowing homeowners to split their lots to build more housing; allowing housing to be built on church, college and open space land; and more. For each option, respondents were to indicate whether they strongly opposed, moderately opposed, moderately supported, or strongly supported the options listed. Respondents could also choose a "Neutral /no opinion" option.

Respondents' answers were used to create a weighted average ranking of respondent preferences.

- Question 12 provided respondents a space to share other thoughts or opinions pertaining to housing that the survey didn't already elicit.

SECTION 3. SURVEY RESPONSE COLLECTION and TABULATION

The survey was open and available on SurveyMonkey from March 29 to April 22, 2022. The Town worked collaboratively with Saint Mary's College to promote the survey and increase return rates. The College sent notification of the survey on approximately April 6 and most of the responses were received during the first week it was open. In fact, more than half the responses were received during one 24 hour period on April 7 (see below)



Survey Responses by Day

The survey was intended to provide a snapshot of public opinion relative to the questions asked, but it never presumed to be "scientific" in design or administration. The general housing survey (designed for all residents) was made available online and anyone could respond, but responses for the student survey came primarily from students at Saint Mary's College.

The responses to this survey allow the Town staff, the Planning Commission, and the City Council to hear from a key subset of the Moraga population: the nearly 4,000 students attending Saint Mary's College. The survey was also available to faculty and staff, another important constituency since the college is the largest employer in Moraga.

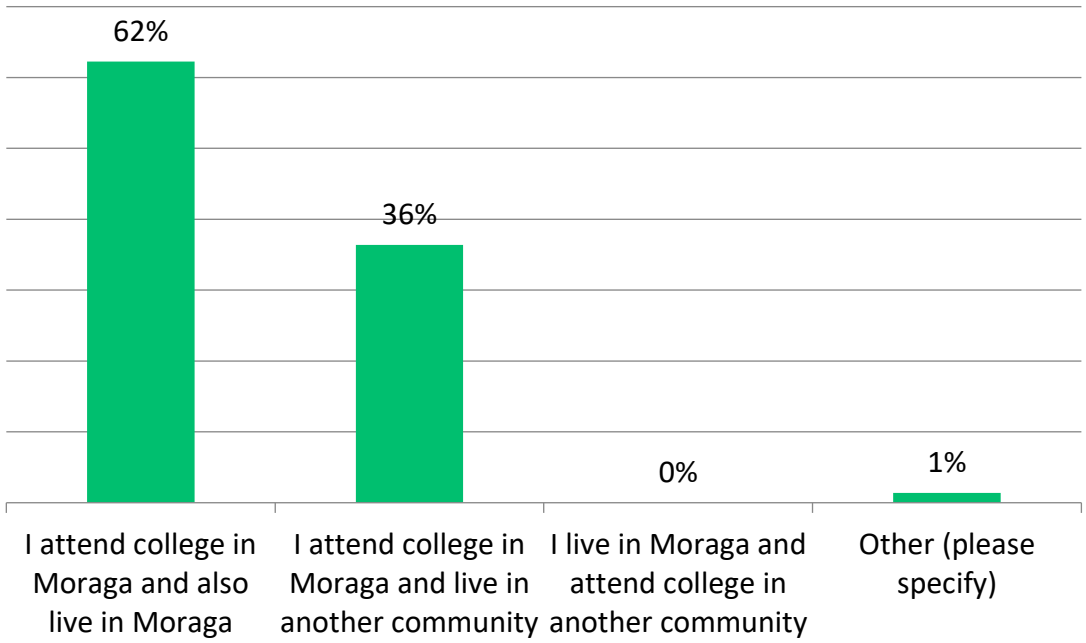
SECTION 4. TABULATION and ANALYSIS of SURVEY RESPONSES

As a general rule, the various charts and tables used in compilation of this report were imported directly from the Survey Monkey tool. In some cases, tables were modified to fit on a single page; but in no case was any data changed to accommodate size requirements.

Throughout this report, responses from each question are depicted visually using graphs and charts. The data behind each chart appears in corresponding tables.

Some questions in this survey offered respondents an opportunity to provide written comments and open responses in place of/in addition to multiple choice answers. The report includes sample comments to highlight themes.

Q1. Please select the choice that best describes your current situation.



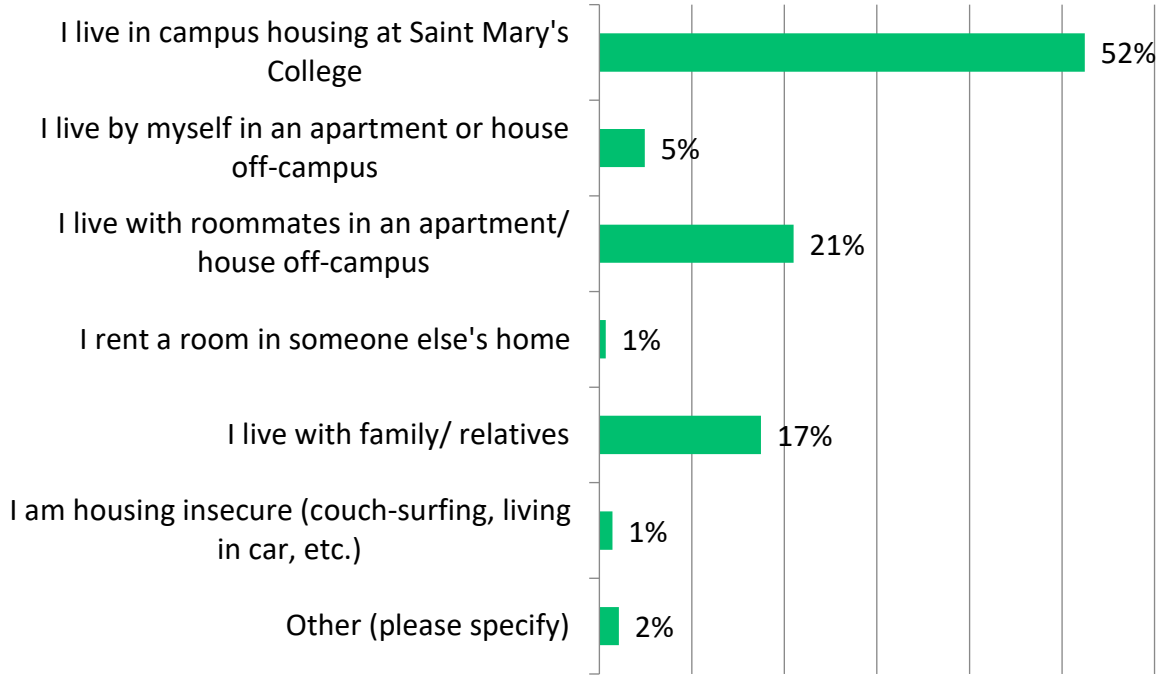
Q1. Answer Choices	Responses	
I attend college in Moraga and also live in Moraga	62.24%	89
I attend college in Moraga and live in another community	36.36%	52
I live in Moraga and attend college in another community	0.00%	0
Other (please specify)	1.40%	2
	Answered	**143**
	Skipped	**0**

Other (please specify)" Responses:

- I work in Moraga but live in Orinda
- Going to attend college in Moraga and live in another community.

Discussion: Nearly two-thirds of respondents reported living and attending college in Moraga, while the remainder reported attending school in Moraga but living elsewhere.

Q2. What best describes your current housing situation?



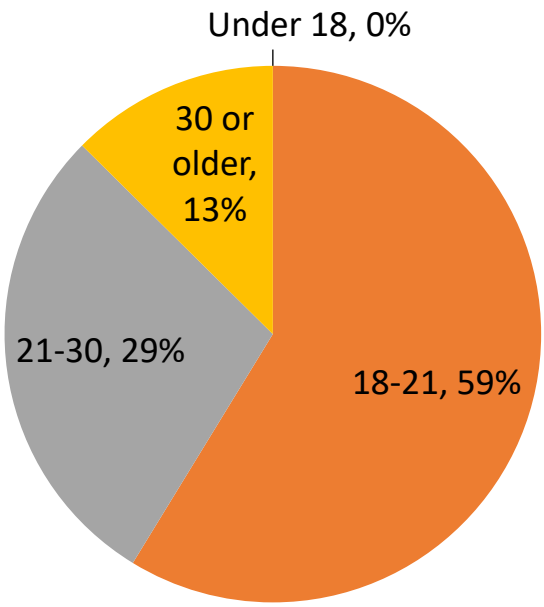
Q2. Answer Choices	Responses	
I live in campus housing at Saint Mary's College	52.45%	75
I live by myself in an apartment or house off-campus	4.90%	7
I live with roommates in an apartment/ house off-campus	20.98%	30
I rent a room in someone else's home	0.70%	1
I live with family/ relatives	17.48%	25
I am housing insecure (couch-surfing, living in car, etc.)	1.40%	2
Other (please specify)	2.10%	3
	Answered	**143**
	Skipped	**0**

"Other (please specify)" Responses:

- Own a house
- I live in a house with my child.
- I own my home in Moraga

Discussion: Just over half of respondents reported living in campus housing at Saint Mary's College. The remainder reported living with roommates in off-campus housing or living with family or relatives. Two respondents reported being "housing insecure," meaning they didn't have an established residence.

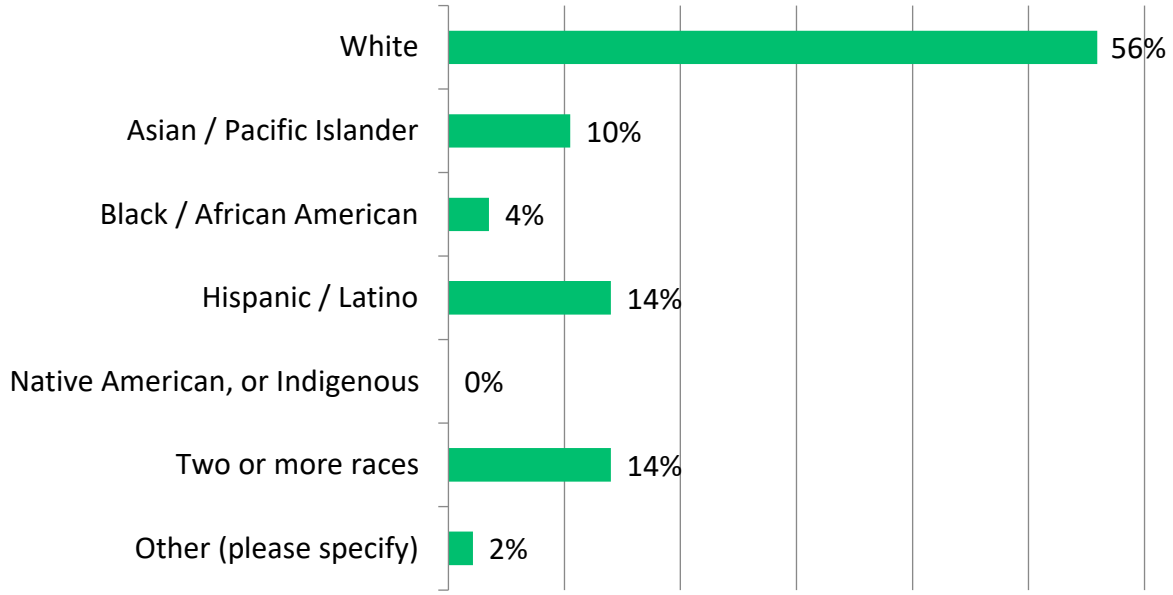
Q3. What is your age?



Q3. Answer Choices	Responses	
Under 18	0.00%	0
18-21	58.74%	84
21-30	28.67%	41
30 or older	12.59%	18
	Answered	**143**
	Skipped	**0**

Discussion: Nearly 60% of respondents said they were between 18 and 21 years of age, while nearly 30% said they were between 21 and 30. The remainder reported being over 30.

Q4. What is your race/ethnicity?



Q4. Answer Choices	Responses	
White	55.94%	80
Asian / Pacific Islander	10.49%	15
Black / African American	3.50%	5
Hispanic / Latino	13.99%	20
Native American, or Indigenous	0.00%	0
Two or more races	13.99%	20
Other (please specify)	2.10%	3
	Answered	**143**
	Skipped	**0**

"Other (please specify)" Responses:

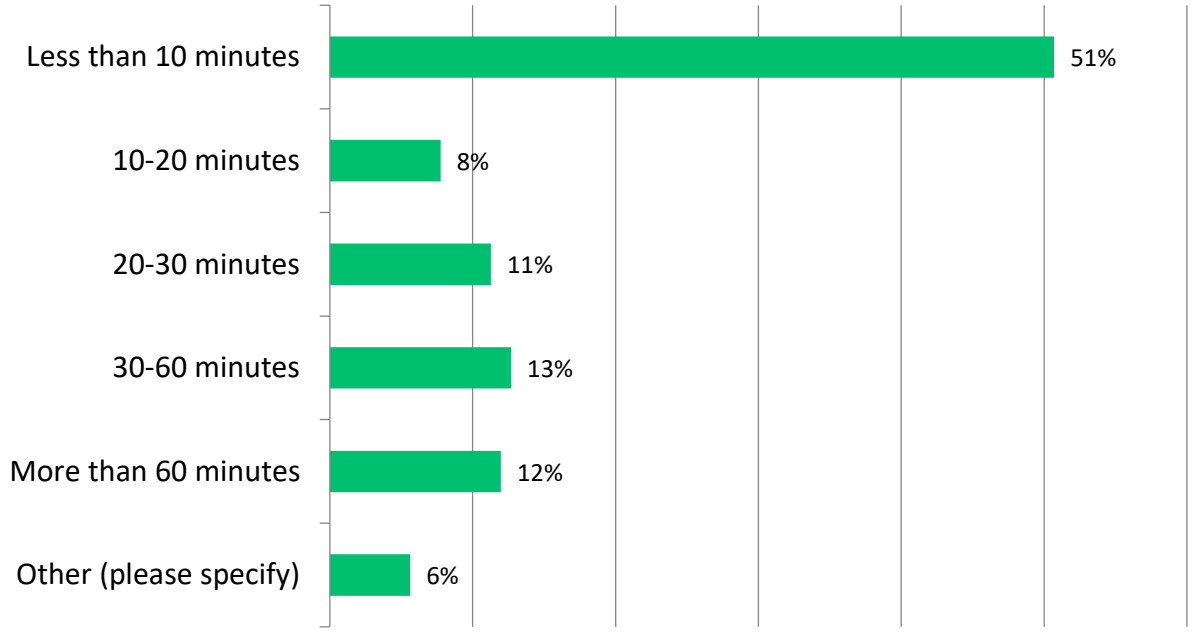
- Only one human race so please stop asking race and listing a color as an ethnicity.
- Native American Ancestry, European American.
- Italian/Sicilian.

Discussion: The purpose of this question was to gauge the extent to which the racial / ethnic demographic of Moraga's student population matched that of the people responding to the full survey; and also, the Town as a whole as reported in the 2020 U.S. Census.

	White	Asian / Pacific Islander	Two or More Races	Hispanic / Latino	Black / African American	Native American Indigenous
Moraga resident survey	67%	18%	7%	3%	1%	<1%
Moraga student survey	56%	10%	14%	14%	4%	0%
2020 U.S. Census	70%	21%	8%	8%	1%	<1%

The data collected show Moraga's student respondents as being somewhat more diverse than the population as a whole (with the possible exception of Asian / Pacific Islanders), and also more diverse than respondents of the primary resident survey.

Q5. How far do you travel from home to school (each way)?



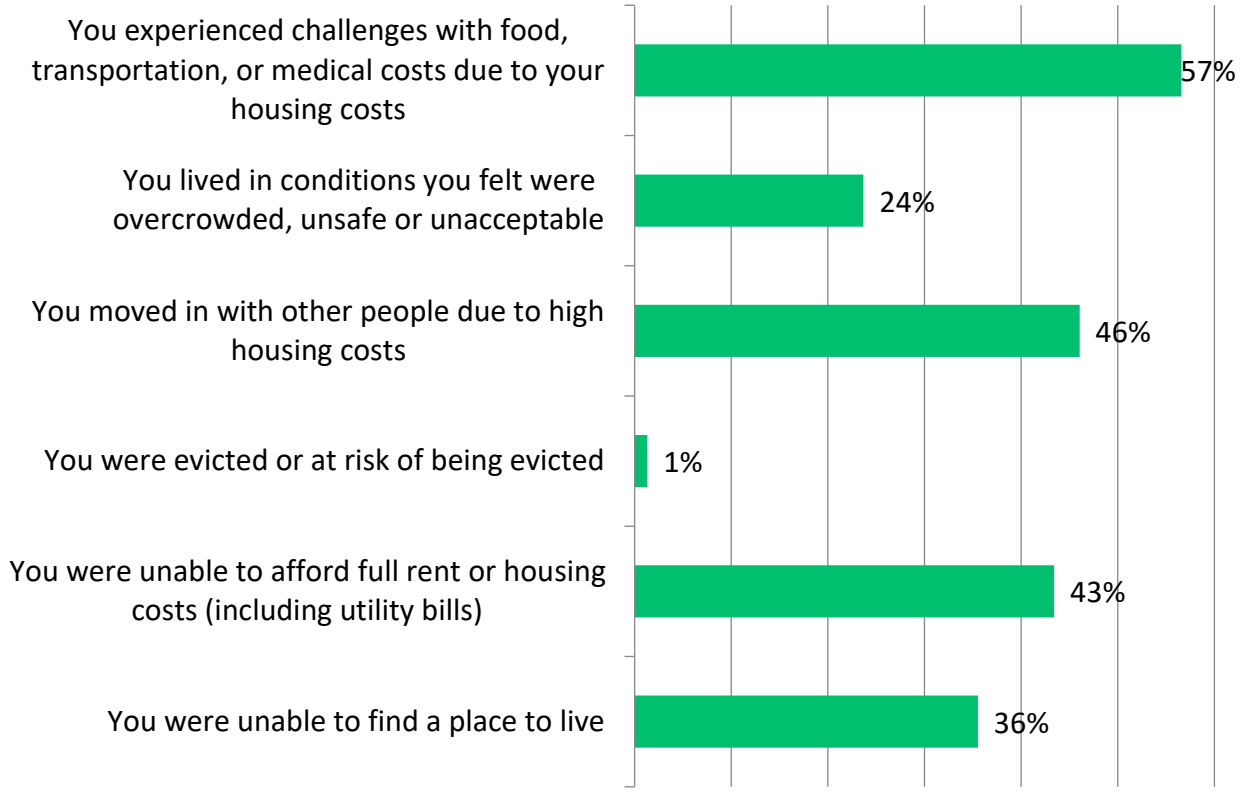
Q5. Answer Choices	Responses	
Less than 10 minutes	50.70%	72
10-20 minutes	7.75%	11
20-30 minutes	11.27%	16
30-60 minutes	12.68%	18
More than 60 minutes	11.97%	17
Other (please specify)	5.63%	8
	Answered	**142**
	Skipped	**1**

"Other (please specify) Responses:

- I'm not from the Bay Area.
- Remote student
- I live on campus.
- Well to go to my actual home it's a 5-hour trip but to get to my dorm its less than 10 minutes.
- I live on campus.
- On campus
- I live on campus.
- I study remotely.

Discussion: Half of student respondents reported living close enough to school that their travel time took less than 10 minutes each way. Nearly one quarter of all respondents reported travel time to school exceeding 30 minutes, and of that group, almost half reported having a school commute exceeding one hour. This may not be surprising, given one-third of all Moraga students report living elsewhere. What this does suggest, however, is a need for additional, affordable student housing closer to the Moraga campus.

Q6. During the last 12 months, have you experienced an of the following? (Check all that apply)



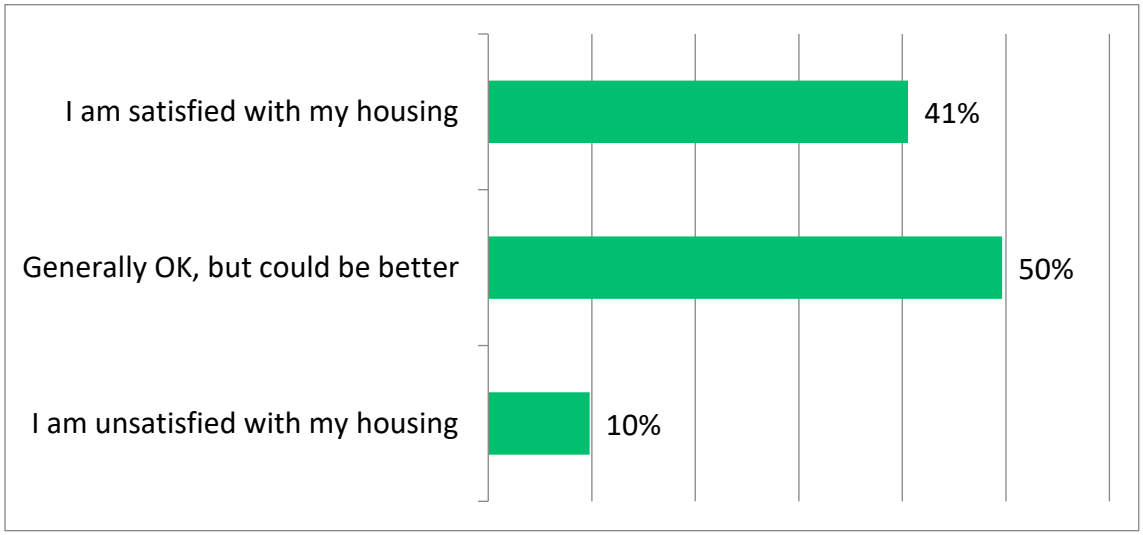
Q6. Answer Choices	Responses*	
You were unable to find a place to live	35.53%	27
You were unable to afford full rent or housing costs (including utility bills)	43.42%	33
You were evicted or at risk of being evicted	1.32%	1
You moved in with other people due to high housing costs	46.05%	35
You lived in conditions you felt were overcrowded, unsafe or unacceptable	23.68%	18
You experienced challenges with food, transportation, or medical costs due to your housing costs	56.58%	43
	Answered	**76**
	Skipped	**67**

* Total exceeds 100% because people were allowed to choose multiple answers.

Discussion: Respondents were asked to indicate whether they had experienced any of a variety of housing challenges in the prior twelve months. Most of the choices listed were driven by cost.

Of the 143 respondents to the survey, 67 (47%) skipped this question. Some may have not responded because they hadn't experienced any of the listed circumstances, although this is unclear. Over one-half - 53% - of respondents affirmed having experienced one or more of the listed housing challenges, suggesting for most students, cost is a significant factor in their housing.

Q7. How well does your current housing meet your needs?



Answer Choices	Responses	
I am satisfied with my housing	40.56%	58
Generally OK, but could be better	49.65%	71
I am unsatisfied with my housing	9.79%	14
If you selected the second or third option, please tell us a little about what could make your housing situation better		35
	Answered	**143**
	Skipped	**0**

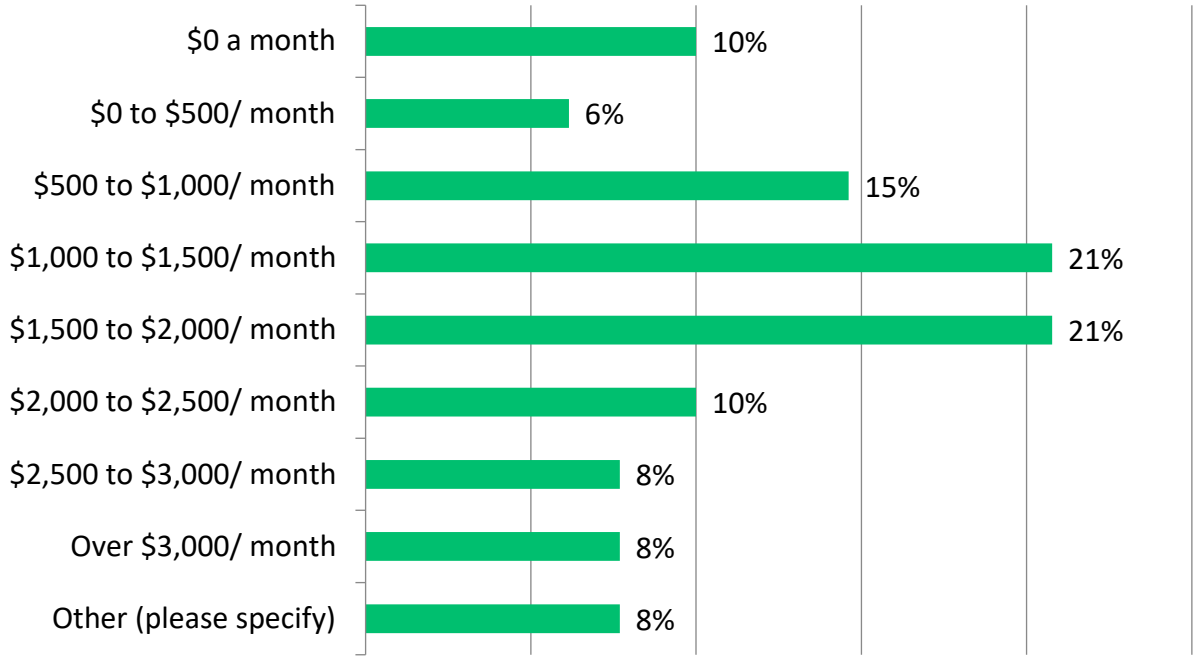
“What could make your housing better? (please specify)” Responses:

- I wished SMC had updated housing since there are concerns of black mold that is not addressed properly, no air conditioning, pipes that do not work resulting in flooding, and housing is still expensive which is why students move off campus. I stay on campus because I cannot pay every month the high costs and would rather have a loan taken out to live on campus.
- The walls are unfortunately riddled in mold, the fourth floor of my building traps extreme heat creating humidity, some buildings are not accommodating for individuals who cannot use stairs because there is no elevator.
- Closer apartments to campus.
- I am ready to not live in a school dorm.
- The apartment that my fiancé and I are currently living in is too small for the two of us, so we need a home with more space
- I do not want to live on campus, but it is the only option for me because I can’t afford to pay a full $1000 in rent off campus plus utilities and food and everything else.
- Rent is just a lot.
- I would like to be closer.
- The food is unacceptable
- More sunlight into apartment. Better upkeep.
- My landlord [name withheld] never fixes our issues or hesitates to. The heater was broken for all of winter due to damage and rat feces that she procrastinated on handling. When I bring up something that is broken, she asks me if I am sure it's broken and to double check even though she just needs to fix it.
- An affordable, low-income, or waived room somewhere. Access to a kitchen. More space.
- Our apartment is not built very well, and we run into issues with it often. It is also so expensive that I have to live with 6 people.
- Fewer roommates.
- On campus is over-priced but options nearby are limited for students.
- My neighbor is pretty disrespectful, he harasses my roommates and I and complains over everything. He has told us that college students shouldn't live near him because everyone is a "homeowner”, and we are not. He is very condescending and has actually verbally assaulted us.
- The management of my apartment unit does not tend to the conditions of the unit itself. For instance, a portion of the floor has been taken out by previous tenants, but the property manager has not fixed it yet, the windows are uneven and do not close completely, there are permanent stains and terrible paint jobs that the apartment manager has not fulfilled yet, and the kitchen faucet does not work well.

- It's so expensive on campus and they just raised it. It'll be 2K a month next year for a DOUBLE room and meal plan. That is absolutely absurd. I finance a lot of my own education so it's difficult. Also, there's not enough housing in the area or landlords that will work with students. All there is Ascot/Rheem and most of the time they're filled or there's a waiting list. Absolutely no rent controls either. Moraga is the worst place for a college, to be honest. I wish the city and residents were more open to student housing. We contribute just as much to the local economy, just saying. If not more.
- The heating could be improved, and an AC unit should be installed. The is apparently an option to have AC in our rooms but none of them work.
- More responsive property management. More support from Town of Moraga to prevent and address dumping, litter, property improvements, and vegetation removal.
- We could improve facilities in on campus housing especially in older buildings.
- The Saint Mary's dorms are below subpar with NO options for single bedrooms for upperclassman. ONLY doubles exist for Junior and Senior living, while Sophomore housing is required to have a meal plan and thus has no kitchen.
- Costing less and giving me more.
- A two-bedroom home would be great but is unaffordable.
- Cheaper and less people.
- Too expensive.
- I would like to live in an apartment, but they are too expensive.
- Too many roommates to make it affordable.
- Having another bedroom and yard space.
- (Name withheld)'s housing has multiple violations which make it an unsafe place to live.
- Rent is very high.
- I want to live off campus but cannot afford to do so.
- The cost is way too high but now gas is going up and living far away isn't an option either.
- Most apartments I've seen are outdated and require work that landlords are not willing to put into the house. With the pricing being so high this shouldn't be something we worry about and should otherwise lower prices if the standards are not met.
- I just don't want to live at home anymore.

Discussion: Four in ten respondents reported being satisfied with their housing arrangements. Five in ten said their housing was "okay, but could be better," while one in ten said their housing was unacceptable. Two main themes emerged in Question 7 comments: Housing costs are too high or unaffordable, and some of the rental property available to students is substandard. Some respondents felt that their landlords were indifferent to conditions or antagonistic to tenants.

Q8. What is your approximate monthly housing cost? (including your share of rent and utilities)



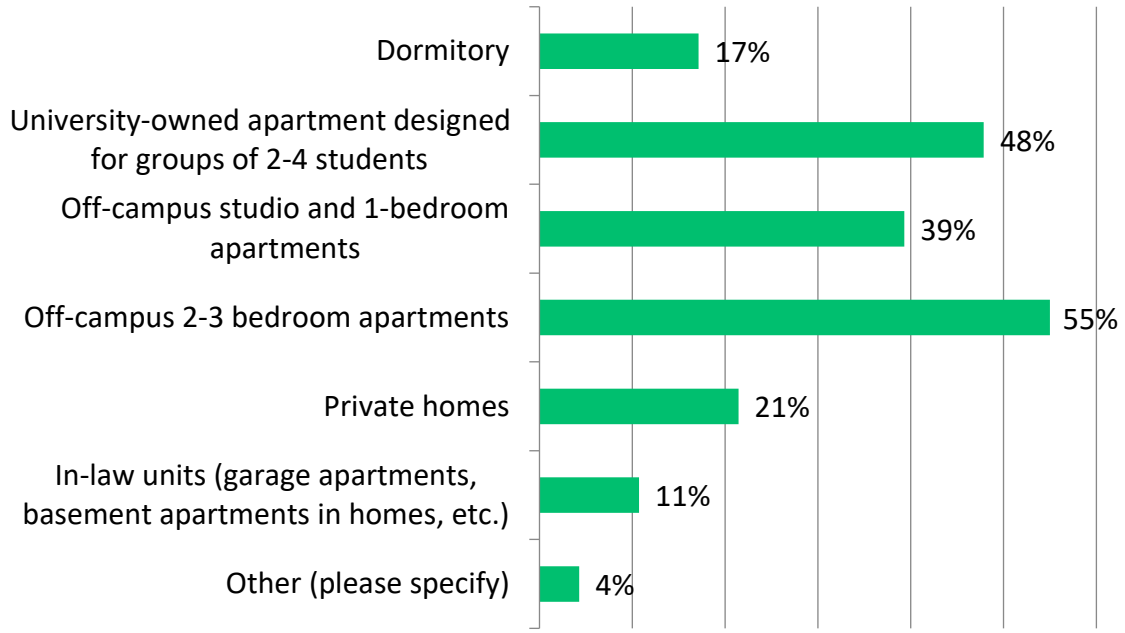
Q8. Answer Choices	Responses	
$0 a month	10.00%	13
$0 to $500/ month	6.15%	8
$500 to $1,000/ month	14.62%	19
$1,000 to $1,500/ month	20.77%	27
$1,500 to $2,000/ month	20.77%	27
$2,000 to $2,500/ month	10.00%	13
$2,500 to $3,000/ month	7.69%	10
Over $3,000/ month	7.69%	10
Other (please specify)	7.69%	10
	Answered	**130**
	Skipped	**13**

"Other (please specify)" Responses:

- tuition
- N/A
- Live in dorm
- On campus housing is paid per semester
- I pay about $650/month and so do my 5 other roommates.
- Not too sure
- paying room and board at SMC
- not sure
- over 3,000/month for all of us but 800 each
- 3k divided by 4 plus utilities

Discussion: Fully one-half of respondents report monthly housing cost in the range of $1,000 to $2,500 per month; an additional 17% report housing costs over $2,500 per month. The comments suggest some students are able to mitigate high housing costs by sharing expenses with roommates.

Q9. What type of housing would best meet your future needs?



Answer Choices	Responses*	
Dormitory	17.14%	24
University-owned apartment designed for groups of 2-4 students	47.86%	67
Off-campus studio and 1-bedroom apartments	39.29%	55
Off-campus 2–3-bedroom apartments	55.00%	77
Private homes	21.43%	30
In-law units (garage apartments, basement apartments in homes, etc.)	10.71%	15
Other (please specify)	4.29%	6
	Answered	**140**
	Skipped	**3**

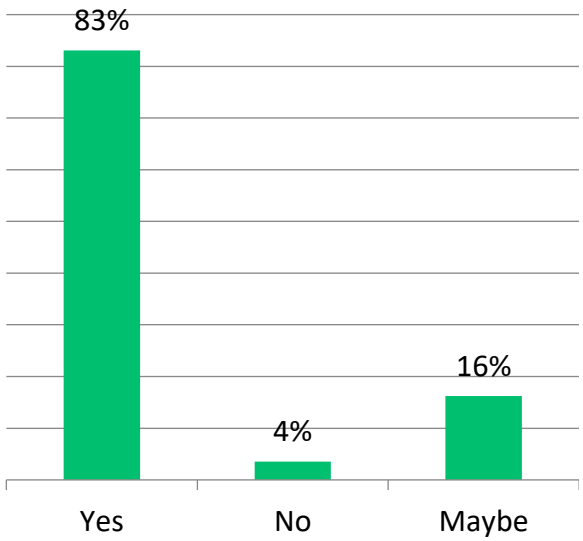
* Total exceeds 100% because people were allowed to choose multiple answers.

"Other (please specify)" Responses:

- On campus apartments for the terms required on campus would be great.
- Affordable grad school housing for grads with families.
- Privately owned student housing designed with students in mind and for students only. School like Gonzaga and UNR do this very well.
- Something realistically affordable for low-income students. Most who attend seem to be from affluent communities and can afford the higher cost. I had to quit my job to complete an unpaid internship to meet graduation requirements. An opportunity to have some kind of sliding scale, work study housing would have been life changing to have.
- On campus town-house suite.
- I need to be in a single bedroom.

Discussion: When asked what type of housing would best meet their future needs, students expressed by a large margin a preference for college-owned student housing or off-campus apartments of varying sizes and configurations. Less popular options included dormitories, private homes and in-law units.

Q10. Would you be interested in affordable (subsidized) apartments for students if they were available?



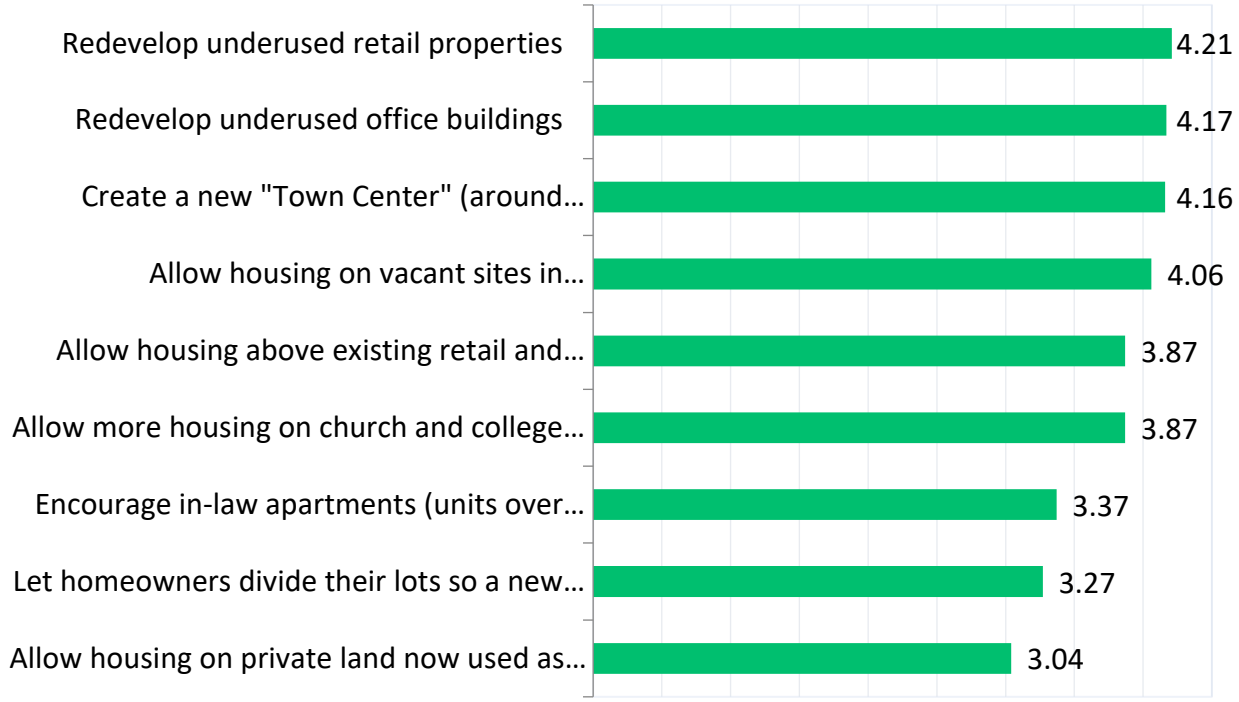
Q10. Answer Choices	Responses	
Yes	83.10%	118
No	3.52%	5
Maybe	16.20%	23
Other (please specify)	0.70%	1
	Answered	**142**
	Skipped	**1**

"Other (please specify)" Responses:

- I don't think that I would be able to afford it on my own while working and attending school full time.

Discussion: A large majority of respondents expressed potential interest in subsidized housing, should it ever become available. This is not surprising, considering the importance of cost as a primary factor affecting students' overall housing experiences.

Q11. What solutions would you support (or oppose to add more housing in Moraga?



Support for Housing Solutions Weighted Averages
In decreasing order, where 5 is high and 1 is low.

Q11. Data for Weighted Averages of Support for Housing Solutions:

	Strongly oppose	Moderately oppose	Neutral/ no opinion	Moderately support	Strongly support	Weighted Average
Redevelop underused retail properties	1	3	26	46	64	4.21
Redevelop underused office buildings	1	5	25	48	62	4.17
Create a new "Town Center" (around Moraga Way and Moraga	1	1	37	36	64	4.16
Allow housing on vacant sites in neighborhoods	2	9	25	45	58	4.06

	Strongly oppose	Moderately oppose	Neutral/ no opinion	Moderately support	Strongly support	Weighted Average
Allow housing above existing retail and office uses	4	11	35	40	51	3.87
Allow more housing on church and college properties	4	10	38	36	52	3.87
Encourage in-law apartments (units over garages, in backyards, etc.)	6	21	50	39	23	3.37
Let homeowners divide their lots so a new home can be added on the second lot	13	15	57	28	25	3.27
Allow housing on private land now used as open space (grazing, ranchland, etc.)	30	18	33	30	27	3.04
				Answered		**141**
				Skipped		**2**

Discussion: When asked about their support for various housing options, students strongly favored converting unused retail and office spaces into housing, as well as creating a new Moraga Town Center. Unlike those who responded to the larger, all-resident survey, students favored allowing new housing to be built on vacant sites in existing residential neighborhoods, whereas many Moraga property owners did not. Generally speaking, unlike Moraga homeowners, students tended to be fairly open to most options for creating new housing, with the possible exception of building housing on open space and vacant lands.

Q12. Please use the space below to share any other thoughts you'd like to share about housing in Moraga:

(Note: Highlighted items reflect some general themes. A few comments have been lightly edited for clarity.)

- Moraga should put some more importance to the fact it is a town with a nationally known college and to boost economy, support resources for students. Moraga can still maintain its value as a small town, but it can support students more especially if the town wants more diversity and give students a chance to succeed.
- Housing affordable availability is needed.
- *Watch out not to undermine the character of Moraga when developing housing. Open spaces are important.*
- More affordable housing would be great, but the city needs to retain its scenic environment that makes it so special.
- Old living, especially apartments. Not a lot of new developments.
- I understand that housing keeps going up because both the demand and the housing market in general keeps rising, but college students do not make the kind of money to support that. *We need support from this community because not all of us have parents or super wealthy parents who can support our housing in general.*
- please add a stop sign for cross traffic leaving SMC; that particular spot feels dangerous as people frequently drive 40+ and the visibility is awful.
- I just want affordable, decent housing for each family. The focus ought to be on affordable housing, not on university, business, or public profit.
- *It is really hard to live off-campus in Moraga, because there is no area where just students live.* Even living on the streets that most students who live off-campus occupy, (like Donald or Ascot), we are still living around older families who do not want us there.
- Landlords should be more flexible with allowing college students rent. My roommates and I have been turned away because they didn't want college students living in their units.
- Generally, as a college student that is working three jobs on top of academics just to pay for housing, utilities, and other necessities, I would like much more affordable housing that is specifically meant for students such as myself and not for others that are either retired or have already well-established jobs/occupancies.
- I wrote a lot above. I know the residents here get upset and oppose housing for students, but *it's honestly so difficult to be a college student right now and I think they have little concept of that. We are in more debt than ever before and struggling a lot. Providing student housing in Moraga or designated subsidized apartments would actually help the*

local economy. Not sure why it's such an issue. For instance, If Ascot or Rheem was deemed only student housing then we would be separated from the residents (which I know they want) and it would create more living options for us. SMC doesn't guarantee housing junior and senior year. They refuse to build more and only 25 percent get a kitchen. Most cannot afford the ridiculous costs of a meal plan and need the kitchen. Since SMC has not stepped up, it would be extremely beneficial to students if Moraga did.

- *No matter how much community members get upset with SMC students, we are a crucial part to this community.* Creating more student orientated housing would put other community members at ease as well as lowering the overly cost for students.
- There is no affordable housing which is a deterrent in allowing me or making me desire to stay/ feel like I belong in Moraga.
- *Saint Mary's and the Town of Moraga should coordinate a dumping service to ease student's trash and dumping needs during move-out seasons.* This would avoid large piles of litter, furniture, mattresses, and other dumping sites from forming in Moraga neighborhoods.
- The Bay Area is already expensive enough, please build housing that is reasonable for low-income students. The current college housing is already ridiculously priced, please think about the students and all that we bring to the community and to the Saint Mary's reputation. Housing access is already challenging enough. Thank you for hearing my feedback.
- There should be a balance of keeping Moraga's character and business and allowing housing.
- Newer more affordable housing needs to be offered. *Housing in common college areas such as Ascot and Rheem are so crowded, old, way outdated, and way to overpriced.*
- Leave the open hills alone.
- Allow single bedrooms in the Lower and Upper townhouses at Saint Mary's College.
- Create more room for parking.
- My roommate and I were looking to life off campus next year but everyone we talked to said there was a very long waitlist. *There is very limited affordable housing in Moraga for college students.*
- it's way too expensive for college students to live in Moraga unless you are already well off, make cheaper housing for students.
- As a person from out of state I have come to love Moraga. We all live in a beautiful little town nestled into lovely green hills. I would love to live in a place that was able to present the beauty that is around me. I live in a dorm room on ground level, my roommate prefers our one window to be closed to the outside world, and I just need a view. I hope the town

creates apartments on the side of one of our beautiful hills to overlook the bay, Mt Diablo, and Moraga.

- *Subsidized housing for students please*
- NO MORE SINGLE-FAMILY HOMES
- Housing there seems to be for the privileged and the rich. It is a town that supports exclusivity for the upper class. If it values inclusivity, then a student or a couple or even a single parent should be able to live there and go to the college there as well as be able to meet the household costs and needs and save for its family or self. Anyone making a salary of $85k still can't even afford to live in the town of Moraga and when you include children, it's even more of a far reach for them. The town of Moraga is almost all white and all privileged for a reason because the town was always created like that-exclusivity for persons of color by excluding the upper lower and middle classes.
- Too liberal.
- I think there could be a lot of cool things in Moraga that Saint Mary's students leave town to seek in other places. I think there could be some more opportunities for things to be open late like bakeries or stuff. We want to be able to support Moraga, but it is difficult with everything being so expensive and closing super early except for Safeway.
- I cannot afford to live in Contra Costa County, let alone Moraga. I have struggled with homelessness my entire life and could not afford to live on campus or relatively close to campus regardless of having the highest amount of financial aid distributed to my tuition costs. I go to school at Saint Mary's and work in Orinda but have had to live in my car or couch surf because I cannot afford to rent a space for myself, even if it is a shared space. Please make housing more accessible to students and alumni, especially those who are at risk of houselessness and have sufficient proof they are need of financial assistance. This is crucial to maintaining the legacy of Saint Mary's as Lasallian education.
- Overpriced for what you get out of it. *With the wealth flowing through Moraga, there should be more emphasis on apartment living and communities that are updated and not so costly.*

MORAGA 2023-2031 HOUSING ELEMENT

APPENDIX E HOUSING SITE "BALANCING ACT" SURVEY

Barry J. Miller, FAICP
June 15, 2022

Introduction

The Town of Moraga was one of 25 Bay Area jurisdictions that received a grant from the Association of Bay Area Governments (ABAG) for a license to use "Balancing Act" software. Balancing Act is an on-line application that enables users to allocate a community's regional housing needs allocation (RHNA) to different properties or sub-areas. It was designed to be a fun and engaging simulation "game" that challenged residents to determine how and where each jurisdiction should meet its housing assignment for 2023-2031. The neighboring cities of Lafayette and Orinda also used the Balancing Act program.

The Town launched its version of the program on March 7, 2022 and kept it operational through May 10, 2022. The Balancing Act page was visited more than 1,000 times during this period and 108 users submitted on-line maps. Use of the Balancing Act tool was promoted through the About Town newsletter, the Town's electronic message board, a pop-up event at the Farmers Market, and several meetings with civic organizations. The Town also hosted a walking tour to familiarize residents with the Balancing Act opportunity sites and convened two workshops (one in person and one on-line) to engage the public in the site selection exercise. In addition, the Balancing Act tool was promoted through word of mouth and announced at several Town Council and Planning Commission meetings.

How it Works

Moraga's Regional Housing Needs Allocation for 2023-2031 is 1,118 units. This total is divided into four income categories: above moderate, moderate, low, and very low. The "above moderate" need is generally associated with single family housing. The Town determined that it already had sufficient capacity to meet its above moderate assignment but needed to rezone additional land to meet its moderate, low, and very low-income targets. These targets are typically met on sites zoned for multi-family housing. The Town determined that it needed adequate sites to accommodate 800 multi-family units during the planning period. This includes the "base" assignment plus a buffer in the event some of the sites become unavailable.

Some of the 800-unit capacity already exists (based on current zoning) and some of it requires rezoning property to allow higher density housing. The Town did not differentiate between multi-family zoned sites and sites needing rezoning, but simply asked the question "where would you put 800 units of multi-family housing in Moraga"? The Town narrowed the field of possible answers by focusing the choices entirely on the Town's two commercial districts: Moraga Center and the Rheem Center. The former area is approximately 190 acres and is governed by a Specific

Plan adopted in 2010. The latter area is approximately 70 acres and is largely zoned for commercial uses, with no current allowances for housing. However, Town policy has been to support housing in this area, and to prepare a Specific Plan that provides greater land use and development guidance.

Both the Moraga Center and Rheem Center have distinctive subareas, largely defined by roads and natural features such as Laguna Creek. For the Balancing Act app, the Moraga Center was divided into seven subareas and the Rheem Center was divided into four subareas. In other words, users of Balancing Act were tasked with allocating 800 units to 11 subareas using an on-line map.

When opening the program, a map appears on the screen showing the location of the 11 subareas. App users are invited to click on an icon next to each area to learn more about where it is, what currently exists, and what zoning changes would be needed to add housing. App users can then point and click on each of the 11 subareas and use "plus" and "minus" tools to add housing units to each area until they reach 800 units. The number of units that can be assigned to each subarea is capped to avoid putting all the units in one zone. Once a player reaches 800 units, they receive the message "You Have a Housing Plan!" and may submit their map. The site also had images from similar jurisdictions showing what various densities look like.

The Balancing Act program includes opportunities for users to submit written comments along with their maps. Comments may be provided for the exercise as a whole, or on individual sites or areas on the map. About half of those using the app submitted comments.

A map of the 11 subareas is included on the following page. Table 1 shows the average number of units assigned to each subarea by the public. Table 2 shows the "realistic capacity" estimates for the 11 subareas that were developed by staff and included in the March 2 staff report to the Town Council and Planning Commission.

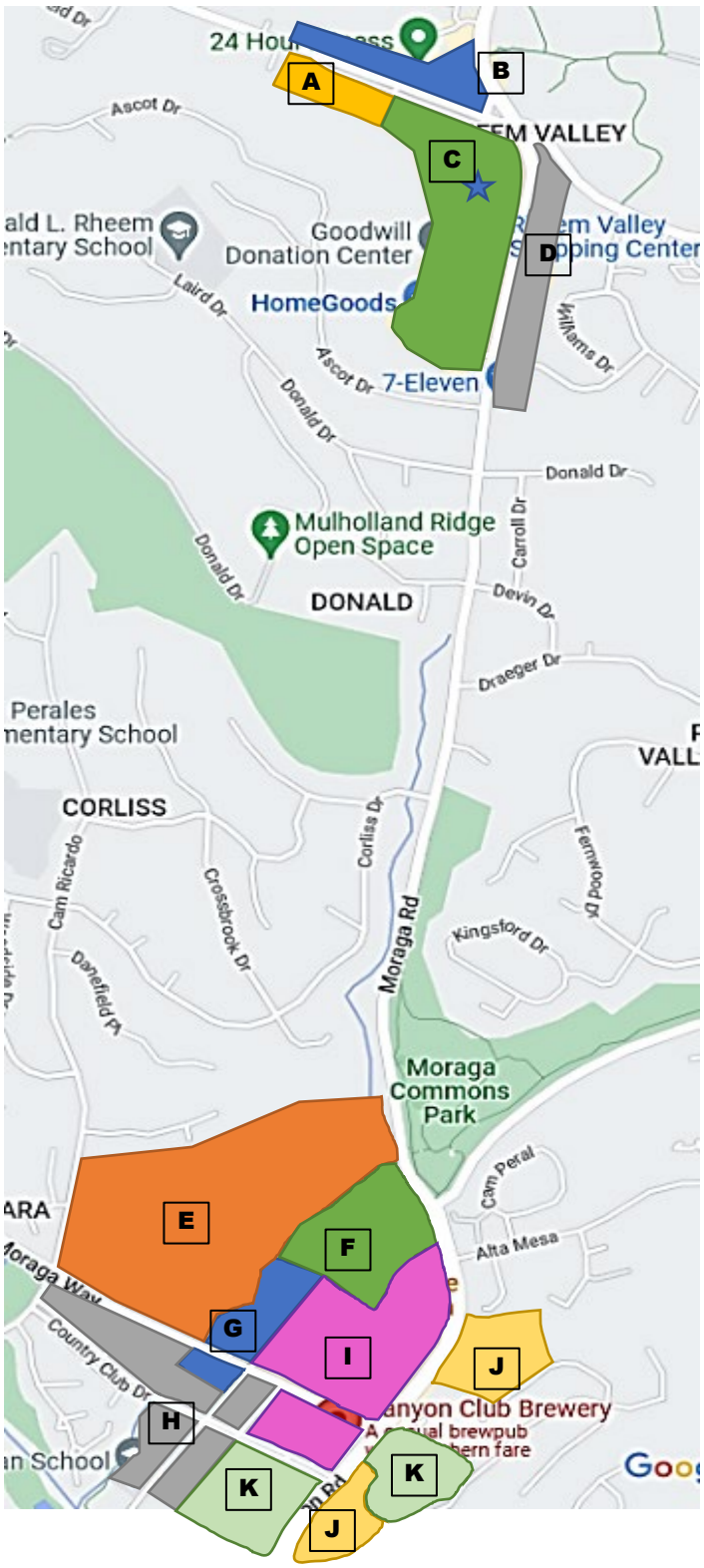


Table 1: Balancing Act unit counts

Area	Average from 108 submittals	Average from 5 small groups at Workshops (25 attendees)
A	81	68
B	83	108
C	158	172
D	38	28
E	116	172
F	111	198
G	60	60
H	27	44
I	93	58
J	44	10
K	--	--
Total	807	918
Rheem	*44%*	*41%*
MCSP	*56%*	*59%*

Table 2: Consultant-Generated Estimates of "Realistic Capacity[1]

Area	Units
A	82
B	160
C	
D	28
E	366
F	230
G	40
H	142
I	84
J	0
K	N/A(*)
Total	1,132
Rheem	*24%*
MCSP	*76%*

(*) There are 156 units located in Area K in the pre-application phase. No additional potential exists.

[1] *The figures in Table 2 reflect staff's February 2022 assessment of each area using metrics such as vacant land, the assessed value of improvements on each site, and the square footage of building space relative to what is allowed by zoning.*

Table 3: Mean vs Median Number of Units Assigned by Balancing Act Users

Area	Mean (average)	Median
A	81	90
B	83	80
C	158	150
D	38	50
E	116	100
F	111	100
G	60	50
H	27	50
I	93	80
J	44	50
K	--	--
Total	807	800
Rheem	*44%*	*46%*
MCSP	*56%*	*54%*

Table 3 (above) shows the mean vs median number of units assigned to each subarea in the app. In some respects, the median provides a better indicator of the results. This is because some users of the app loaded their units heavily into some areas while leaving others with zero units or very few units. This tended to skew the averages a bit. The mean and median are fairly close in most cases. The greatest differences are in areas D and H. In the case of Area H, a number of submittals showed "zero" units and added text urging the Town to look elsewhere. These responses cited traffic and noise concerns along School Street and the adjacent residential neighborhood.

Overall, the split between the Moraga Center and School Street areas was roughly 55/45 (55% of units in Moraga Center and 45% in Rheem). The share assigned to Rheem was significantly larger than what staff had anticipated, particularly since the area is less than half as large. On the other hand, the Moraga Center share excludes 156 units in Area "K" which were in the pre-application stage at the time the app was rolled out.[2] Adding these units to the total, the split is 63/37 (Moraga Center/Rheem Center).

[2] *Area K is commonly referred to as MCSP Area 14 and Area 15. Two projects (123 units and 33 units) were in the pre-app stage at the time the Balancing Act program was run. Neither of these projects is currently active.*

As shown in Table 2, the consultant team developed estimates of how the units might be allocated prior to the launch of Balancing Act. Relative to these estimates, the public put far fewer units in Area "E", which is the 40+ acre orchard in the MCSP area west of Laguna Creek. The internal estimate for this area was 366 units, but the public responses only favored 100-120 units here. It is worth noting that much of this area had already been assigned high-density multi-family zoning (20 units/acre) in 2010 and is envisioned as an area for senior housing, townhomes, and apartments. Likewise, the public assigned less housing to Area "F" than the consulting team estimates (about 100-110 units in most submittals, compared to double that in the staff estimates). This also is an area that is currently zoned for higher density housing. The project team also estimated substantially more capacity in Area H than was supported by the public—again, another area currently zoned for higher densities.

Conversely, the public favored substantially more housing at the Rheem Shopping Center than was estimated by the project team. The team's estimate for the entire Rheem area was 270 units. The median number of units assigned by the public to this area was 320. The public also assigned more units to Area J in the MCSP and tended to favor housing in Area G. Some of the written commentary and workshop feedback suggested that housing be allowed in the Moraga Ranch area, and that housing be sited on the RV storage area north of the Ranch property.

Ultimately, the feedback provided by the public was used to shape the identification of housing sites and the decisions about which sites to rezone. As a result of public input, a greater emphasis was placed on sites in the Rheem Center than was initially proposed. The initial proposal to increase density from 20 units to 24 units per acre in the MCSP orchard area east of Laguna Creek was reduced in scope to only apply to the R-20A parcel (not the R-20B parcel). Further discussions with the Town Council, Planning Commission, and public resulted in the elimination of housing sites in much of Area I and all of Area G. The northern part of Area J was also added as a housing site in response to public comment.

Verbatim Comments submitted with maps

- We should maximize the usage of core Moraga Center (mixed use housing above retail) AND Rheem Center BEFORE we go tearing up hillsides and openspace
- I would like the Rheem Area developed for retail and housing. The land at Rheem is flat and has 3 possible exits from town. I think this would make this town a college town.
- Put more housing in existing commercial areas and not block scenic corridors and ridgelines.
- Build as many units as possible in Zones A, B, C, and D to keep traffic to a minimum in Moraga. Additional required units can be built in Zones J and K which, although deeper into Moraga and adding traffic because people have to leave, the units are at least on the perimeter and don't create congestion in the Safety/town center.
- What a challenge and what a picture of how the Town will look if it comes to be.
- The thought of this makes me ill. This many additional units is a disaster. There are so many example of horrible unintended consequences of government housing projects--such as redevelopment, etc. I fear this will be one of them. Especially horrible for traffic and a disaster in a fire or other emergency. I'm horrified if even half of the required units are developed!
- Town should resist as much as possible, then concentrate new units to avoid what happen in other cities, first one or two apartment houses, then more and eventually single family neighborhood lost. People who have homes here want to preserve the low crime low density good schools etc. that brought them here. High density housing is in every way the opposite of that. Do as little as possible as slowly as possible. Minimum compliance. Go on record against this and other state laws, ABAG rules that seek to destroy single family housing.
- If you can't count the parcel with 130 or so already allocated, the plan I propose increases density to a breaking point. If they are allowed, a scaled back version would work better. We have plenty of available space to accommodate a total of 800.
- Concentrate the housing and drive better commercial activity, restaurants and a center of gravity in Rheem because there are plenty of public transport options.
- I live near the Moraga Center Northwest area, I think affordable housing is a very important issue that should be stressed in the community, as the town of Moraga has a duty to assist in the housing crisis throughout the Bay Area and United States as a whole.
- I sure wish you had more variety of housing - smaller units - some only one story
- Additional units are a severe fire hazard. Very unsafe in an emergency. Insane.
- The clustering in the two central areas makes sense. Need more? Ranch is best due to location near shopping, transit in 2 directions and recreation.
- Let's create visually appealing high density housing. What is here currently is so depressing. It's unclear whether any repurposing of commercial land will become mixed use. I know it is for the Moraga Specific Plan, but what about the Rheem area? Will any displaced schools be offered new space? These specialty private schools very much contribute to Moraga being a destination. What is happening with the space off Bollinger Canyon? This should be included as options
- I don't think our town can support all this additional housing. With only 3 main ways to get out of town two of which have high schools on them that make traffic insane during school drop off pick up times. An additional 1500+ cars traveling at that time means roadway improvements need to be made first. 2 lanes roads are needed to get out of town. Also concerned that housing in the shopping areas will really effect parking, yes some can be removed but not all. We moved to Moraga for smaller town living and not to become Lafayette or city living.

- Hi: I was disappointed to see that all your housing examples are for single use housing. Can we consider more mixed use housing with shops on the ground floor and housing above. Ideally 3-5 stories in height with underground parking, or a level dedicated to parking. More like the Emeryville development and every other cute city in Europe. Let’s make a walkable community and build on top of Safeway! I want my kids to be able to move back home. We need places for city staff and teachers to live in this community. Let’s get housing costs and rental rates down. - 30 year Moraga resident, Campo class of 1990.
- I hope I am not a resident of Moraga when all of this is completed! Too much congestion for the roads.
- Stay away from hillside areas, commercial to mix-use, office to residential. Rheem redevelopment to create better walkability a town center feel.
- I focused units on flat land, mostly where I have heard indications that the property owner might be interested in developing/redeveloping housing. Given that I heard that Area E cannot be developed at the highest densities already in the MCSP, I did not assign any of our 800 MF units there.
- Sites to consider for 3 story buildings: Site D's vacant lot and site A's vacant lot - Both have a high hillside at the back of the property so a taller building would look suitable.
- The housing element housing should not be built close to a location with current single family housing such as the School Street location. Instead it should be built near the commercial/retail areas of town. School Street is already a heavily traveled street due to drop off and pick up of students at Saklan School, the use of the trail head next to the Serbian Church, JM students who bike and walk to school and use the pathway at the end of School Street, parents who pick up their JM children in cars at the end of School street, commuters who take School street to De La Cruz to access Canyon Rd and/or Moraga Way to avoid the traffic lights and congestion on Moraga Rd and the seniors from the two senior centers who walk on School Street. For all of these reasons the development that is likely to go in on Country Club drive should also not be allowed to have an exit onto School Street which would be right next to Saklan School where there is a lot of traffic and children.
- Good luck!
- BUILD MORE HOUSING!!! STOP NIMBYS!!!
- PLEASE PLEASE do not ruin our existing School St neighborhood with traffic and parking. Peak times load our street with cars for school pickup and drop off, pedestrian access to trail and schools and churches and events and cafes already. We have overflow parking in front of homes already. Kids on foot and bikes use this as a major route to and from schools (JM and Saklan). Please protect existing residential areas. Please help your existing community too.
- As you build out our town PLEASE be mindful that we're in a fire hazard area with limited ways to leave our community. Widen Moraga Way? Rheem Blvd? Canyon?
- How will we handle the increased car load on our congested streets? how will these added cars affect our ability to evacuate in case of fire?
- Please consider that The School St area is already impacted with traffic and parking from the Saklan School and the traffic from JM commuters.
- There are only two roads leaving Moraga (to Lafayette and Orinda), and these two roads are VERY congested in rush hours. Therefore, retirement housing for seniors is the ONLY option. It will not increase the congestion in the roads. Question: Can Valle Vista area be used for extra housing?
- This too many units for Moraga. The construction traffic and noise will last for years. It is already very difficult to get out of Moraga at many times during the day. Adding this many units puts our

lives at risk in the event of a fire. I can't imagine the fire department thinks this is a good idea. Please value the lives of current Moraga residents and their children over possible future residents. Thank you.

- Very concerned about emergency evacuations and overloaded schools and town services Way too many units.
- My main concern is the impact on schools and number of additional teachers and resources that will be needed to accommodate the additional influx of new students.
- Adding these homes will ruin the character, livability and quality of life in Moraga. The City should be legally fighting this requirement from the State
- Thanks for incorporating our feedback. I hope local amenities (restaurants, grocery stores, bakeries, cafe's, etc.) at Moraga shops are improved to meet the needs of a growing population; amenities in Moraga have been sub par for far too long.
- I am writing this for my dad who is in his 90's and has been a long time home owner in Moraga. He doesn't think any of the high density housing should butt up against single family neighborhoods so the majority of it should be In the commercial area near Safeway and the commercial area near Rheem. He thinks exiting Moraga if there is an emergency will be very difficult and that it is a life safety hazard over building in Moraga like this. There is a lot of open space in Moraga and a lot of land owned by the town. You said you were going to spread out housing so it's not all in one area, but we only see two areas on the map where you show development. Please do a new map that shows land owned by town or individuals who wish to develop their land to spread housing around and not just in these two areas.
- While I understand the need for more housing, I do not believe our roads can accommodate this level of development. The current residents are already struggling, especially during morning and afternoon school hours. If there were a need for a mass evacuation (i.e. fire), there would be serious issues. 800 more units would cause a massive increase in traffic and safety concerns that could not be managed with our current road structure. I do believe most development should revolve around the 2 shopping centers so people can walk to services and hopefully keep a certain amount of cars off the road. Development that butts up against current single family neighborhoods should be kept to a minimum to preserve the character of those neighborhoods.
- Unsafe for fire evacuation, limited resources for emergency services, schools in neighborhoods, traffic will get worse ,schools maxed out for enrollment, not enough jobs for population moving in thus traffic congestion, potential employees living outside Moraga will not be willing to come here for employment. Basically more people with less services.
- Thanks for letting the public participate
- Building up commercial zones with mixed residential and commercial will bring a unique element and promote quality retail tenants vs the vacancies experienced currently.
- It would seem easier and more sustainable to build multifamily units along access routes and within retail infrastructure than up a hill on undeveloped land that would be more suitable for the single family homes that already dot our landscape. Developing the mixed retail and multifamily residential along flat ground will bring a certain centricity to the town vs spread out on section E
- I'd like to see some nice but even a bit higher density / smaller unit options - maybe closest to / in the shopping centers - then also some that are less dense. Not everyone has the same need or desire for space. And, smaller units would be more affordable for those who need it. Variety will also be more appealing looking. This was a bit hard to convey as presented as I also don't want to encourage a bunch of demolition. I'd prefer focus on the available spaces (especially excess parking lots) / vacant

buildings within these largely defined areas to the extent possible. That meant putting more modestly sized projects in most of the areas.

- I am concerned about fire safety with this development given limited roads that exit out of Moraga.
- Rheem seems to be the ideal area of multiple access points to connecting roads and great access to St. Mary's College for great student / faculty / staff housing. It would be so nice to have a college center for living in the middle of a commerce area
- My preference is to build "up" in Rheem Center - residential above commercial/retail on ground floor.
- Increase student housing at SMC and find assisted living facilities that might want to build in Moraga. Perhaps the Town Council can provide these organizations with some type of creative incentives to bring them here. These will add many new "units" without substantive strain on our schools and roadways. 800 families will greatly strain our schools. 800 families will greatly increase traffic and will make emergency fire evacuation impossible. Before building these units, we MUST insist that any developers pay for expanded roadways to ensure that emergency fire evacuation is possible. Lastly, if there is any land on the other side of the Canyon Bridge that is part of the town of Moraga then we should propose units there.
- I love the Rheem area and would love to see the area developed well!
- The back side of town can use revitalization and there is more infrastructure there to support a community, like Safeway and banks.
- Concerned about how elementary and middle schools will be able to absorb the add'l children. Looks like Rheem & LP will be the 2 schools receiving all of the new kids. Is there a thought to having some of the Moraga Center kids (where there is the biggest amount of housing opportunity) go to CP?
- Very efficient tool to get the community involved.
- Overall concerns still include safe access and egress in and out of Moraga in case of an emergency, parking, and public transportation options to limit traffic.
- There needs to be more housing for students and housing that is affordable for them too. Students have to basically fight for housing off campus and in seeing that we are major contributors to the city of Moraga, that is majorly unfair.
- Good luck with this - messaging seems crucial, that the Town is not a builder, and these changes would happen over time, when a developer is interested.