



*Foot trail in Moraga open space*



# 9

## OPEN SPACE AND PARKS ELEMENT

Moraga's open space is one of the town's most cherished assets. It reflects the dedication of multiple generations committed to preserving and protecting Moraga's environment. Open space defines neighborhood edges and views, supports local agriculture, provides recreational opportunities, and sustains plant and animal life. More than any other physical feature, it embodies what makes Moraga a unique and special community.

As highlighted in the Land Use Element, open space is the largest land use in Moraga, covering nearly half of the Planning Area. The General Plan Map designates 2,618 acres as open space, located throughout the town. Most of this land is privately owned. Since Moraga's incorporation in 1974, various ordinances and programs have been established to manage open space effectively. These measures aim to balance property rights, public safety, environmental quality, and the community's desire to live in a beautiful community close to nature.

Ongoing management of the Town's open spaces is critical. Climate change has increased the risk of wildfire, requiring strategies to create defensible space. It has also heightened awareness that Moraga's open space is "green infrastructure" that absorbs greenhouse gases, reduces stormwater runoff and erosion, and mitigates heat impacts.

The Town of Moraga manages over 300 acres of parkland, ranging from natural areas such as Mulholland Ridge to community parks such as Moraga Commons and special uses such as Hacienda de Las Flores. Moraga's parks accommodate recreational programs that create a sense of community, enabling residents to learn, stay healthy, have fun, connect, and fulfill their creative potential. The Town's parks accommodate recreational and athletic activities and provide space to play and connect with nature. Town facilities are complemented by other recreational assets, including school grounds, regional parklands, and private facilities for golf, tennis, and swimming.



## 9.1 OPEN SPACE

### MORAGA OPEN SPACE ORDINANCE (MOSO)

In 1986, Moraga voters approved the Moraga Open Space Ordinance (MOSO). The Ordinance designated a number of properties in Moraga as “MOSO lands” and established more stringent standards for their conservation and development based on factors such as geologic risks (landslides, slope, erosion potential, etc.), visual prominence (including proximity to ridgelines), and sensitive natural resources. Following adoption of MOSO, the Town adopted “Guidelines for Interpreting and Implementing the Moraga Open Space Initiative” (MOSO Guidelines) which provided further direction on implementation of the Ordinance.

The intent of the Moraga Open Space Ordinance was to:

- preserve the feel and character of Moraga
- ensure the adequacy of recreational opportunities that depend on open space
- protect wildlife that depends on Moraga’s open space as habitat
- ensure that development did not occur in sensitive viewsheds
- protect public health and safety by restricting development on steep or unstable slopes
- ensure that development was consistent with road and public facility capacity and did not degrade local or regional air quality

Pursuant to the Ordinance, designated open space areas that have a grade of 20 percent or more, are within 500 feet of a Major Ridgeline, or are on a Minor Ridgeline may not be developed.<sup>1</sup> Other open space areas may be developed at a density of one unit per 20 acres, with a potential increase in density up to one unit per 5 acres depending on site characteristics and the

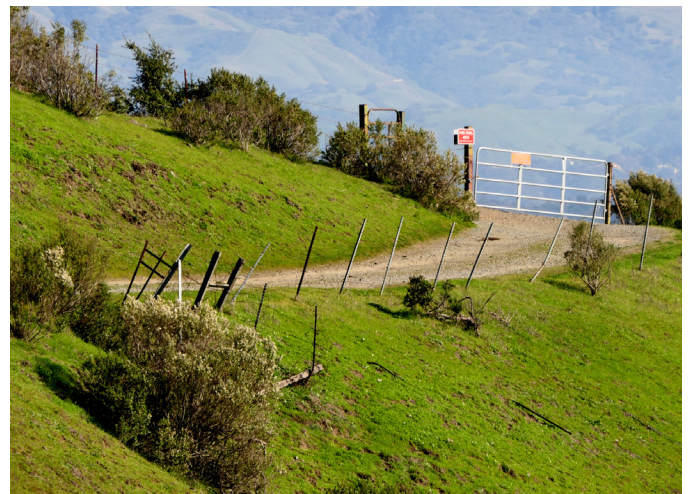
<sup>1</sup> See **Figure 9.3** and accompanying text box on Ridgelines



#### Open Space in Moraga

State law requires local general plans to recognize four types of open space:

1. **Open Space for the Protection of Natural Resources.** In Moraga, these resources include hillsides and ridgelines, riparian areas, and wildlife habitat.
2. **Open Space for the Managed Production of Resources.** This includes agricultural uses such as grazing, orchards, and vineyards.
3. **Open Space for Public Health and Safety.** This includes areas where urban uses should be avoided due to natural hazards such as landslides, fault lines, erosion, and flooding.
4. **Open Space for Recreation.** This category includes local parks, school athletic facilities, golf courses, and other outdoor spaces that are primarily used for recreation.



Hiking trail on Mulholland Ridge | Photo Credit: Tom Donald



development's anticipated environmental, health, and safety impacts. The allowable density on any given site is determined through a discretionary process by the Planning Commission, with specific findings required. Findings relate to issues such as grading, scenic corridor effects, public benefits (such as trail access), and the visibility of proposed development.

MOSO ensures that a significant amount of land in Moraga remains protected as open space. This land is usually held privately, but often contains provisions for public access. For example, the proposed Palos Colorados development will include 386 acres of MOSO open space. Though this land will be privately owned after the site is developed, it will include new publicly accessible trails.

The General Plan is an important tool for implementing MOSO. The 1986 Ordinance added specific voter-approved policies to the Open Space and Land Use Elements. These policies are further reflected in provisions of the Moraga Municipal Code, as well as Design Guidelines for hillside areas that cover both MOSO and non-MOSO open space areas.

"Non-MOSO Open Space" refers to land not expressly covered by the 1986 Ordinance but with some of the same characteristics. Non-MOSO areas include undeveloped hillsides outside the Town boundaries but within the sphere of influence, properties owned by open space land trusts, and scattered undeveloped and agricultural parcels around Moraga. Non-MOSO open space is also subject to a density of one unit per 20 acres, with similar provisions allowing increases to one unit per 5 acres through a discretionary process.

**Figure 9.1** shows MOSO and non-MOSO open space in Moraga. MOSO areas total approximately 1,884 acres, while Non-MOSO open space (including unincorporated areas) total 564 acres. The Figure also shows Town parks (excluding MOSO lands), which total 65 acres. In addition to

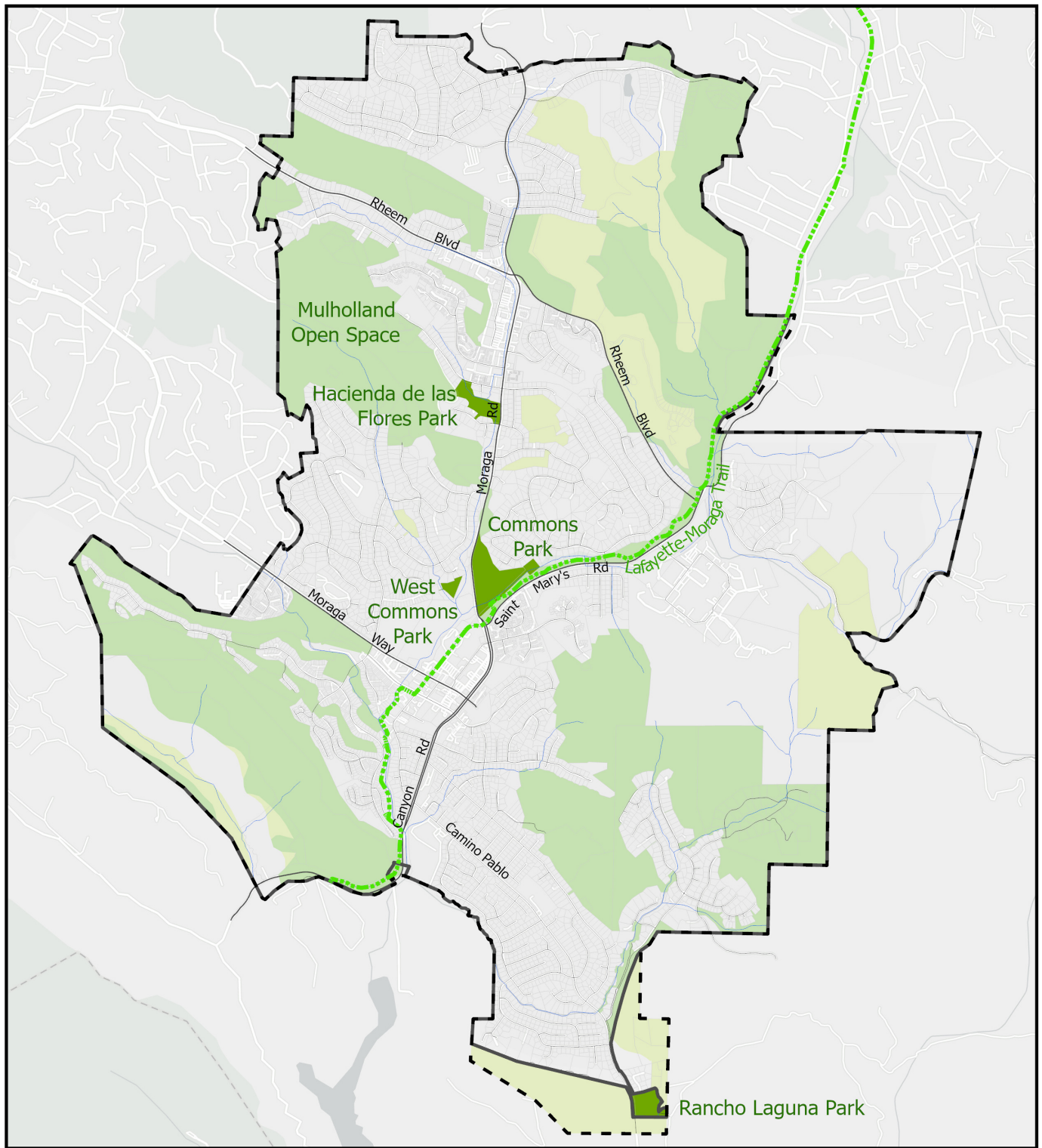
the areas shown on the Map, land use categories such as Institutional (Saint Mary's College, etc.) and Rural Residential include large areas of undeveloped land which have many of the same physical characteristics as designated open space land.

Under Moraga's Zoning Code, the only use permitted in MOSO and Non-MOSO zones is agriculture. Residential uses, parks, and schools require a conditional use permit. Residential projects are typically processed as Planned Development (PD) districts. When they occur, General Plan policies encourage the clustering of the allowable number of units on the least environmentally sensitive parts of a site and in the areas that are most accessible from nearby roads and infrastructure. This maximizes the area that is ultimately retained as permanent open space following subdivision.





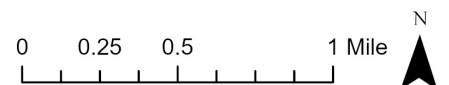
**Figure 9.1: Open Space and Parks**



- Town Limits
- Sphere of Influence
- Streams
- Streets
- Parcels

- Moraga Open Space (OSM)
- Open Space (OS)
- Parks
- Lafayette-Moraga Trail

Town of Moraga, California  
General Plan Update





## HIGH-RISK OPEN SPACE

The 1986 Moraga Open Space Ordinance included special provisions for “high-risk” open space. The designation of an area as “high-risk” is based on soil stability, history of soil slippage, slope grade, accessibility, and drainage. High-risk open space is subject to a maximum density of one unit per 20 acres, with no provisions for increases beyond that level.

The Town’s Guidelines for interpreting the MOSO requirements include provisions for high-risk open space. These include directions for calculating slope, along with numeric standards such as distance from a known active or dormant fault trace; distance from a reservoir, pond, or natural spring; and seismic hazard level. The Guidelines direct that high-risk areas should be

defined by mapping 10,000 square foot areas (initially called “cells” and later referred to as “development envelopes”) across each parcel and considering cumulative risk factors within each cell.

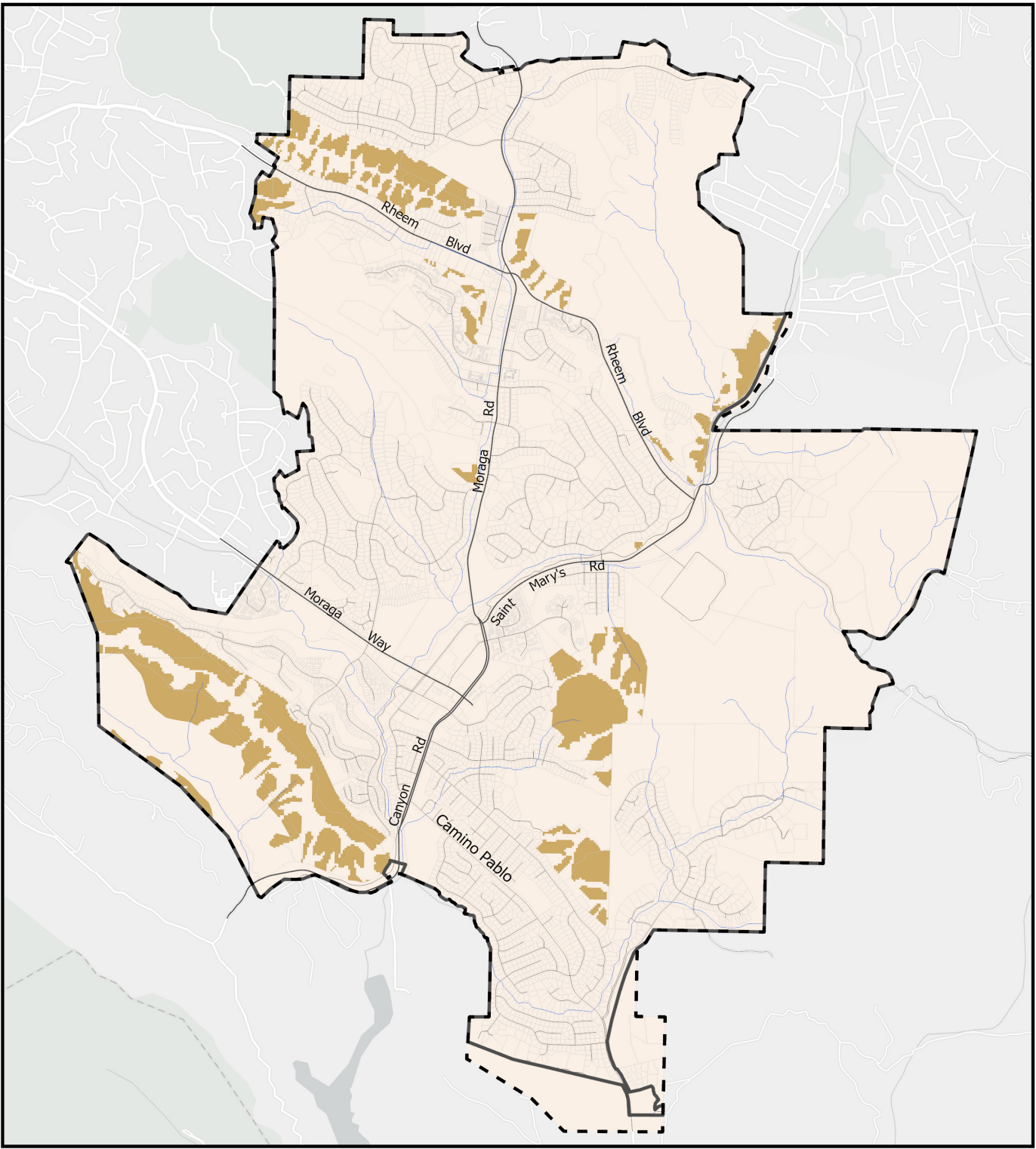
Provisions for high-risk open space were amended in 2018 as part of the Hillside and Ridgeline project. The updated provisions stipulate that the one unit per 20-acre density applies even when hazards are mitigated through grading or other means. A map showing the extent of high-risk areas was developed using GIS technology, which was not available when the Ordinance was initially adopted. **Figure 9.2** shows the map—the data is considered preliminary, and more detailed mapping is required for a “final” determination in the event that a subdivision is proposed on a MOSO site.

*Landslide activity is one factor used to define “high risk” open space*

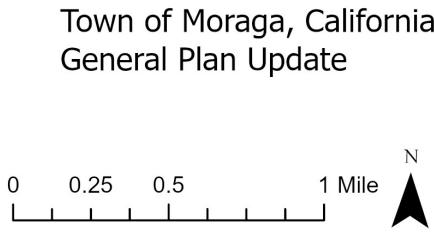




Figure 9.2: Preliminary Determination of High-Risk Open Space



- Town Limits
- Sphere of Influence
- Streams
- Streets
- Parcels
- High Risk MOSO Lands



## HILLSIDES AND RIDGELINE REGULATIONS

Moraga completed its Hillsides and Ridgelines Project between 2013 and 2018. The intent of the Project was to ensure consistency between the Town's Hillside and Ridgeline regulations, the MOSO Guidelines, and the General Plan. The Project resulted in amended Municipal Code provisions for Hillsides and Ridgelines, including updated definitions and revised requirements for Hillside Development Permits. The Project also added new General Plan policies, revised the MOSO Guidelines, changed the Town's design guidelines related to hillsides and scenic corridors, and added maximum house size requirements to the Municipal Code.

The updated regulations extended some of the protections afforded by MOSO to visually significant ridgelines on non-MOSO lands, such as those on Saint Mary's College and the Painted Rocks (above Rheem Boulevard and Moraga Road). They also prevent new hillside development from blocking views of the ridgelines behind them. The regulations include additional limitations on slopes greater than 20 percent including a requirement that 35 percent of the vertical distance from the crest of a ridgeline to the toe of a slope remain visible as undeveloped open space when viewed from a scenic corridor. These requirements were expressed as General Plan policies as well as Code requirements, and they are carried forward in this Element.

The Hillsides and Ridgelines Project included a number of exemptions. These include projects within the Moraga Center Specific Plan, subdivisions where a final map has been recorded, and projects with published Draft environmental review documents at the time the Project rules became effective in 2018. The Project also established allowable uses on ridgelines and address issues such as roads crossing ridgelines. The text box to the right defines the four types of ridgelines defined by the Town; these are shown graphically in **Figure 9.3**.



### Moraga's Ridgelines

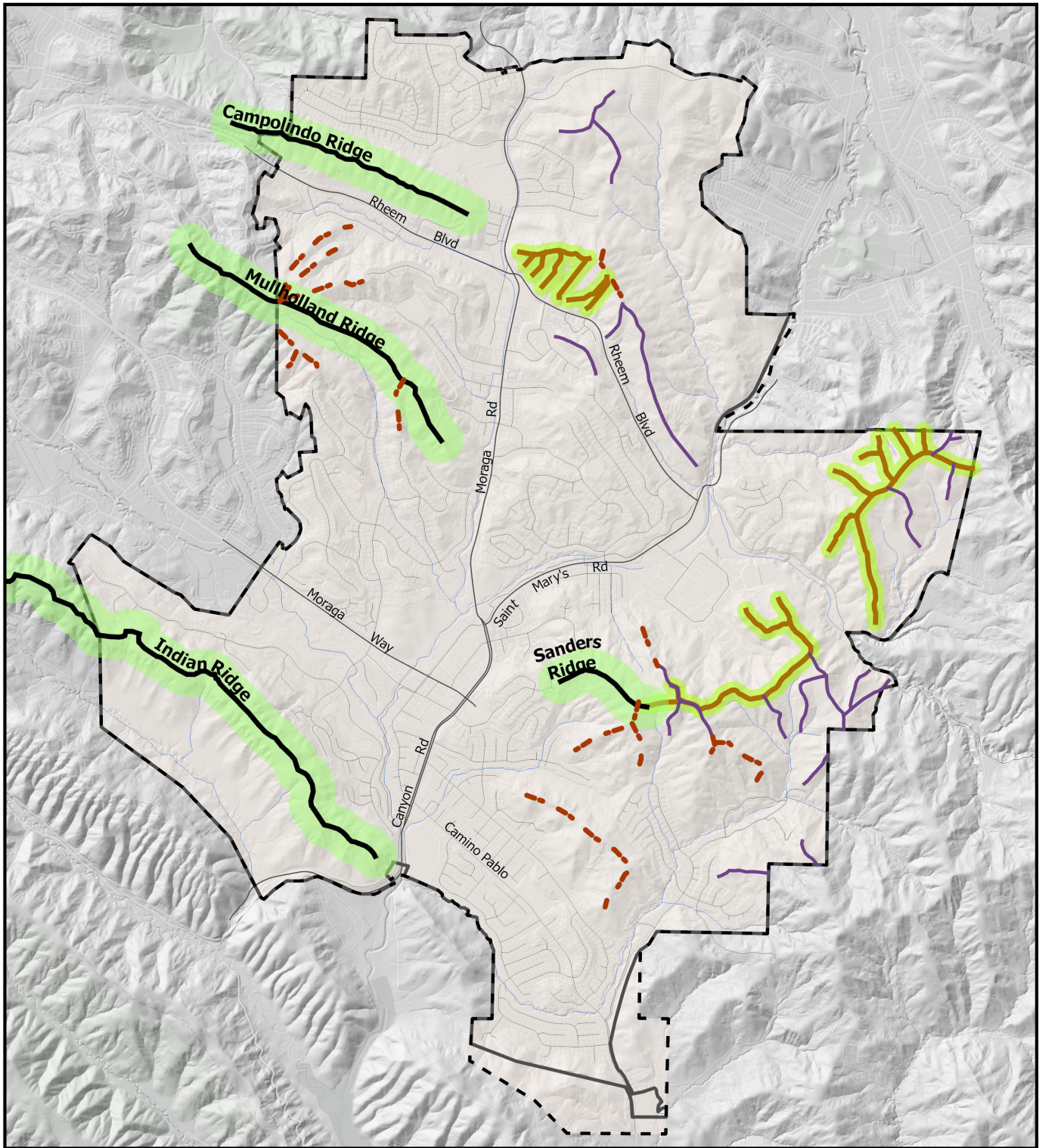
Moraga's development regulations identify four types of ridgelines, as shown on Figure 9.3:

- **Major MOSO Ridgeline** means the centerline or crest of the ridges known as Indian Ridge, Sanders Ridge, Mulholland Ridge and Campolindo Ridge, where the crest is above 800 feet above mean sea level and within an area with a MOSO Open Space designation. Major MOSO Ridgelines are referred to as "Major Ridgelines" in the Moraga Open Space Ordinance.
- **Minor MOSO Ridgeline** means the centerline or crest of any ridge other than those identified as 'Major Ridgelines,' where the crest is above 800 feet above mean sea level and within an area with a MOSO Open Space designation. Minor MOSO Ridgelines are referred to as "Minor Ridgelines" in the Moraga Open Space Ordinance.
- **Significant Non-MOSO Ridgeline** refers to the specific ridgelines labeled as such in Figure 9.3.
- **Other Non-MOSO Ridgeline** refers to the specific ridgelines labeled as such in Figure 9.3



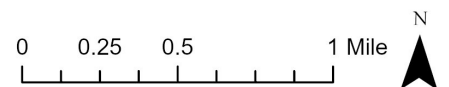


**Figure 9.3: Designated Ridgelines**



- |                     |  |  |
|---------------------|--|--|
| Town Limits         | MOSO Major Ridgelines                      | Significant Non-MOSO Ridgeline                       |
| Sphere of Influence | 500-foot Buffer from Major MOSO Ridgelines | 200-foot Buffer from Significant Non-MOSO Ridgelines |
| Streams             | MOSO Minor Ridgelines                      | Other Non-MOSO Ridgeline                             |
| Streets             |  |  |
| Parcels             |  |  |

Town of Moraga, California  
General Plan Update



## 9.2 PARKS, RECREATION, AND TRAILS

Parks provide multiple benefits in Moraga, including environmental protection, youth development, health and wellness, a sense of community, and enhanced property values. Moraga's incorporation drive in the 1970s started as an effort to organize a local park and recreation district. Today, parks are central to Moraga's core values and image as an inclusive, accessible, environmentally aware community.

Residents rely on their parks as community gathering places, places to exercise or relax, and places to connect with nature. The Town's parks create healthy living environments, enjoyable outdoor opportunities, and a sense of place. Moraga's park system is complemented by school facilities and private facilities that also meet recreational needs.

The Town maintains a Parks and Recreation Master Plan to guide long-range planning and the delivery of recreational services. The Plan includes a park and recreation facility inventory, and sets comprehensive goals for enhancing existing parks, creating new parks, and meeting future recreational needs. It establishes park and recreation guidelines and standards, identifies capital improvements, and presents financing strategies to construct improvements.<sup>2</sup>

<sup>2</sup> The Parks and Recreation Master Plan in effect at the time of General Plan adoption (2024) is scheduled to be updated in 2025. The scope of this update will include open space and trails; thus, the document may be renamed.

### MORAGA'S PARKS

The Town owns and operates the following parks:

- **Moraga Commons (Commons Park)**, which is located near the center of town at Moraga Road and Saint Mary's Road. This is a 23.5-acre community-serving park that includes an amphitheater, play equipment, a disc golf course, a skate park, a splash pad, basketball courts, a volleyball court, bocce ball courts and a horseshoe pit, picnic areas, restrooms, and a perimeter trail. The park is adjoined by a 21.5-acre linear park and trail extending along Laguna Creek from Moraga Road to Rheem Boulevard. The trail is one of the most popular segments of East Bay Regional Park District's Lafayette-Moraga Regional Trail.  
  
A 2016 Master Plan provides direction for future improvements at Commons Park, including upgrades to existing facilities, new parking areas, new play facilities, and potential concepts for an interior meadow area commonly referred to as the "Back 40."
- **Rancho Laguna**, which occupies 8.4 acres at the southern end of Moraga. The park houses a playground, amphitheater and large turf area, picnic areas, fitness zone, native plant garden, and allows unleashed dogs at specified times. Recommendations for future improvements are included in the Town's Parks and Recreation Master Plan and will be updated in the future.
- **Hacienda de las Flores**, which is an 8.9-acre park just south of the Rheem Valley Shopping Center. The site includes a short nature trail, botanical garden, and an historic residence that was the former home of industrialist Donald Rheem. The home and gardens are used for Town-sponsored recreational and cultural programs, as well as private events through rental agreements. The Town's Parks and Recreation Master Plan classifies Hacienda de las Flores as a "special use park" since it





is principally a cultural center rather than a traditional neighborhood or community park.

- **West Commons**, which is a neighborhood park located on the west side of Moraga Road, just west of Commons Park. This is a 2.5-acre park that includes a meadow containing a number of public art pieces. It also includes a picnic area and walking trail.
- **Mulholland Ridge**, which is a 250-acre natural area located along the Moraga/Orinda border. This park was gifted to the town in the late 1990s and is managed as an open space preserve and conservation area. The preserve includes several hiking and fire access trails. The Town's priorities for this area are to reduce fire risks, remove invasive species, restore natural areas, and maintain trails.

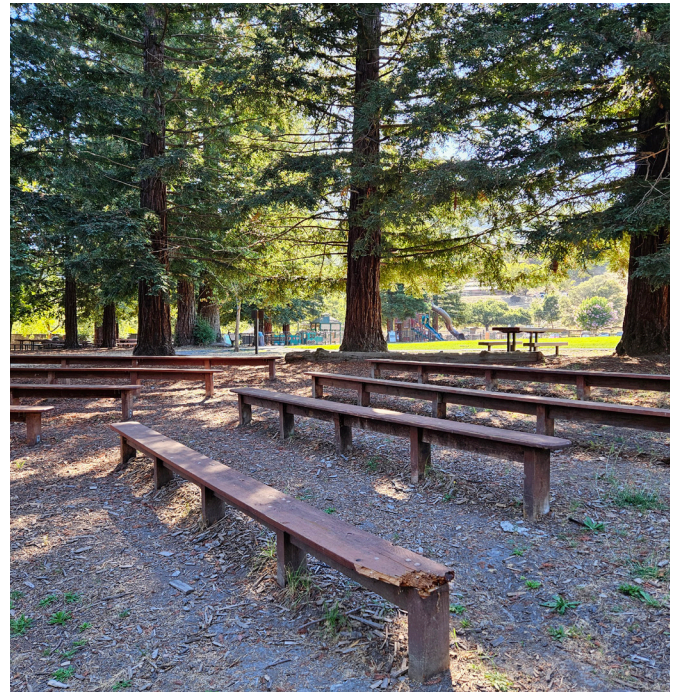
Collectively, these parks represent 314.8 acres, including the 250-acre natural area and 64.8 acres of improved recreation space. A common metric for evaluating the adequacy of a community's park acreage is to divide the improved acreage by the Town's population. In Moraga's case, dividing the 64.8 acres of improved space by the town's 2024 population of 16,436 yields a ratio of 3.94 acres per 1,000 residents. The Town's adopted standard is 3 acres per 1,000, which is below the current ratio. An action item in this General Plan suggests that the Town consider increasing its adopted standard as part of its Parks and Recreation Master Plan Update. The adopted standard is important, as it is used to calculate park dedication and impact fee requirements for new development.

The General Plan anticipates a population increase of about 4,600 people by 2040 (see Chapter 2). This will generate demand for roughly 15-20 acres of improved parkland, based on current ratios. Since new construction will likely shift to multi-family housing and townhomes, the per capita need for additional parkland may well be higher in the future than it is today. New housing units are unlikely to have the

large yards that now characterize most Moraga neighborhoods. New or expanded parks should be included as the Moraga Center and Rheem Park areas develop.

Even without new development, past studies have identified an unmet need for a community center/ senior center and gymnasium, as well as additional sports fields. The Town has had conceptual plans for a multi-use recreation facility for the last two decades, with a potential site identified south of West Commons Park. Such a facility would provide a gathering place for Town events as well as sports and recreational programming. Funding remains a constraint, as the Town's development impact fees alone would not cover project costs.

An updated Parks and Recreation Master Plan should identify potential funding sources and financing strategies. This could include new partnership opportunities with private developers, schools, Saint Mary's College, and property owners. The updated Plan may also identify new priorities based on demographics, recreation trends, and facility conditions.



*Rancho Laguna Park*



## SCHOOL RECREATION AREAS

Moraga's schools are also essential recreational assets, as they include sports facilities that could not be economically or logically provided by the Town itself. These facilities include gymnasiums, swimming pools, multi-use fields, playgrounds, and basketball courts, among others. While access to these facilities is limited and governed by formal agreements with the School Districts, school campuses are a proxy for neighborhood parks in some neighborhoods.

The Town's Parks and Recreation Master Plan indicates that there are effectively 8.4 acres of multi-use fields and outdoor play areas at Camino Pablo, Los Perales, and Rheem Elementary Schools collectively that may be counted as part of Moraga's park inventory, given their function and location.<sup>3</sup> There are additional facilities at Joaquin Moraga Intermediate School and Campolindo High School, including football, baseball, soccer, and softball fields.

Saint Mary's College also includes athletic fields and recreational facilities. Public access to these facilities is more limited, as they are owned and operated by the college. However, they do meet the needs of college students and staff, who represent a significant user group in Moraga.

The 2040 General Plan and the Town's Parks and Recreation Master Plan both support continued partnerships and joint use agreements to provide access to school facilities. Because Moraga's parks generally do not include multi-use athletic fields, the town's school facilities meet an essential need.

<sup>3</sup> Including the 8.4 acres of school "parkland" in the Town's park inventory yields a townwide total of 73.2 acres. Based on a population of 16,436 residents, this translates to a service level of 4.45 acres per 1,000, which exceeds the 3.94 acres per 1,000 cited earlier in this Element.

## PRIVATE AND NON-PROFIT FACILITIES AND ORGANIZATIONS

Privately owned and operated facilities complement public recreational assets in Moraga. Many of the multi-family developments and larger subdivisions in the town include community pools, recreation centers, and playgrounds. The largest of these facilities is Moraga Country Club, which includes a golf course, tennis center, and community building. There are also non-profit enterprises offering organized recreational activities, such as youth baseball. These organizations are an important part of community life and depend on Town and school district facilities.

## RECREATIONAL PROGRAMMING

The Parks and Recreation Department provides recreation opportunities for all members of the community. The Department schedules programs for tots and youth, teens and adults, and seniors, including classes in dance, music, painting, cooking, fitness, yoga, and similar activities. It also runs youth after-school programs and coordinates special events such as the Fourth of July celebration, Pear and Wine festival, free summer concerts, day camps, tree lighting, and family activities. Historically, the Department has also coordinated rentals of most Town facilities and picnic areas.

## REGIONAL PARK DISTRICT AND UTILITY LANDS

Moraga is also served by the East Bay Regional Park District (EBRPD), which provides open space management and recreational facilities serving 2.8 million people in Alameda and Contra Costa Counties. EBRPD operates 73 parks spanning 127,000 acres, with 1,330 miles of trails. These include the Lafayette-Moraga Regional Trail and the Old Moraga Ranch Trail, both discussed in the next section (Trails). Moraga is adjacent to Las Trampas Regional Park and is linked by







West Commons Park

trails to Reinhardt Redwood Regional Park in the Oakland Hills.

East Bay Municipal Utility District (EBMUD) has extensive landholdings to the south and west of Moraga that are managed as open space, including Upper San Leandro Reservoir. The utility also owns and operates Lafayette Reservoir, just north of the Town limits.

## TRAILS

Moraga is surrounded by and connected to one of California's premier regional trail systems. However, many parts of town are not connected to this system, and the Town itself does not have a comprehensive trail network. Prior Town plans have recommended new trails to link neighborhoods, business districts, and the regional trail system. Such a network would provide multiple benefits, including health and wellness, greenhouse gas reduction, and improved access to nature and the outdoors.

Currently, EBRPD's Lafayette-Moraga Trail runs from the Valle Vista staging area to the Olympic Boulevard staging area in eastern Lafayette. EBRPD also operates the Old Moraga Ranch Regional Trail, a more primitive trail traversing Sanders Ranch, the hills above Saint Mary's College, and the Harvey Ranch preserve in Bollinger Canyon. The Town of Moraga operates a trail along Mulholland Ridge and several

smaller trails within its park system. There are also trail systems within private developments such as Sanders Ranch and Los Encinos (Bellavista). Trails are also planned in the Palos Colorados development.

Opportunities for additional trails and trail connections exist throughout the town. A 1995 plan called for an extensive network, including new trail along the Town's northern boundary, a Rheem Boulevard to Lafayette Reservoir trail, a Bollinger Canyon trail, an Indian Ridge trail, and a trail connection to Huckleberry Botanical Regional Preserve. The viability of these trails and other potential improvements should be considered as part of the Town's updated Parks and Recreation Master Plan.



Lafayette-Moraga Regional Trail





## 9.3 OPEN SPACE AND PARKS GOALS AND POLICIES

### **GOAL OSP-1: OPEN SPACE PRESERVATION**

*MAXIMIZE THE PRESERVATION OF OPEN SPACE FOR NATURAL RESOURCE PROTECTION, CLIMATE RESILIENCE, RECREATION, AGRICULTURE, AND COMMUNITY CHARACTER.*

*(see Land Use Element Goal OSP-2 for additional policy guidance on open space)*

#### **Policy OSP-1.1: Public Open Space**

Manage public open space lands such as Mulholland Ridge in accordance with recognized land management principles, community priorities, relevant deed restrictions, and budget constraints. Where appropriate, prepare management plans to address issues related to public access, wildfire hazard reduction, and habitat conservation.

#### **Policy OSP-1.2: Private Open Space**

Allow areas designated on the General Plan Diagram as open space (MOSO or Non-MOSO) to be retained in private ownership and used for purposes compatible with an open space designation. Such areas shall be managed in ways that reduce wildfire risk and other hazards and contribute to the protection of natural resources. Public access to private open space shall be at the discretion of the property owner; however, opportunities to expand public access shall be supported, where financially viable and consistent with General Plan goals and policies.

#### **Policy OSP-1.3: Agricultural Uses**

Allow use of open space for agriculture, including grazing, farming, and animal keeping, when such uses do not have adverse impacts upon residential areas, wildlife, or the land itself.

#### **Policy OSP-1.4: Tools to Protect Open Space**

Use a variety of tools to maximize open space preservation, including land acquisition, leases, dedication, easements, donations, zoning, and tax incentive programs.

#### **Policy OSP-1.5: Transfer of Development Rights (TDR)**

Encourage the transfer of development rights from designated Open Space to centrally located “receiving areas” in the Moraga Center and Rheem Center areas.

#### **Policy OSP-1.6: Voter-Approved Density Limits on MOSO Open Space**

Implement the density requirements established by the 1986 voter-approved initiative protecting open space in Moraga. The language adopted by Moraga voters is provided in the text box on the next page and is incorporated by reference as part of the General Plan. A discretionary process is used to determine the number of possible housing units that may be built on MOSO open space. Allowable densities range from one unit per 5 acres, 10 acres, or 20 acres, depending on site conditions. Areas classified as “high risk” (based on soil stability, landslide history, slope grade, accessibility, and drainage) have a maximum density of one unit per 20 acres.





## DENSITY LIMITS ADOPTED THROUGH THE 1986 MORAGA OPEN SPACE ORDINANCE

The following General Plan policy was approved by Moraga voters in 1986 and remains in effect:

Any use of or development on lands designated on the General Plan Diagram or by the Moraga Open Space Ordinance as 'Public Open Space-Study' or 'Private Open Space' (now designated as MOSO Open Space in the General Plan Diagram) shall be limited to a maximum density of one (1) dwelling unit per twenty (20), ten (10), or five (5) acres, but in no case shall density on such lands exceed one (1) dwelling unit per five (5) acres. Areas identified as 'High Risk' areas, as defined by the Moraga Open Space Ordinance shall be limited to a maximum density of one (1) dwelling unit per twenty (20) acres. Transfers of Development Rights (referred to as 'Density Transfer' as in MOSO) from any open space designation to other lands shall be encouraged; provided that in no event shall dwelling units be transferred to another open space designation or to 'High Risk' areas. The Town Council shall identify 'High Risk' areas after taking into account soil stability, history of soil slippage, slope grade, accessibility, and drainage conditions.

## GOAL OSP-2: HILLSIDE AND RIDGELINE PROTECTION

MAINTAIN THE SCENIC NATURAL SETTING AND ENVIRONMENTAL RESOURCES OF UNDEVELOPED HILLSIDE AREAS AND RIDGELINES.

*(see the text box on page 151 for the definitions of Moraga's four types of ridgelines, and **Figure 9.3** for the Designated Ridgelines Map. The term "Ridgeline" as used in the policies below refers to all four types. A policy that applies only to one (or more) specific type of Ridgeline is noted in the policy.)*

### Policy OSP-2.1: Slope Limits for MOSO Open Space

Implement the slope limits established by the 1986 voter-approved initiative protecting open space in Moraga. The language adopted by Moraga voters is provided in the text box below and is incorporated by reference as part of the General Plan. The policy prohibits development on designated MOSO Open Space with slopes of 20 percent or greater and along the crests of minor ridgelines. It establishes a discretionary process for determining the allowable density on MOSO Open Space where the slopes are less than 20 percent.

## SLOPE LIMITS ADOPTED THROUGH THE 1986 MORAGA OPEN SPACE ORDINANCE

The following General Plan policy was approved by Moraga voters in 1986 and remains in effect:

In MOSO Open Space, development shall be prohibited on slopes with grades of twenty percent (20%) or greater and on the crests of minor ridgelines. The Town Council shall reduce the allowable densities on slopes of less than twenty percent (20%) through appropriate means such as requiring proportionally larger lot sizes or other appropriate siting limitations. For the purposes of this paragraph the term 'minor ridgeline' means any ridgeline, including lateral ridges, with an elevation greater than 800 feet above mean sea level, other than a major ridgeline.





*Moraga hillsides*

### **Policy OSP-2.2: Grading in High-Risk MOSO Open Space**

Within MOSO Open Space areas that meet the criteria for “high-risk” as specified in the Moraga Open Space Ordinance, consider grading applications only for the following purposes:

- (a) To accommodate development at a density that does not exceed one unit per 20 acres.
- (b) To reasonably accommodate development in other areas adjacent to the high-risk area.
- (c) To protect the community from geological hazards.

When permitted, grading shall comply with all applicable Town regulations and permit requirements and may not be considered as a basis for changing the high-risk classification to allow for increased density on a site.

### **Policy OSP-2.3: Slope Restrictions for Other Properties**

Outside of MOSO Open Space areas, generally avoid development on slopes of 20 percent or greater. Such development may be permitted only if supported by site-specific analysis by a qualified geotechnical professional. The following additional provisions apply to non-MOSO Open Space and Rural Residential lots:

- (a) Grading on any land with a predevelopment slope of 25 percent or steeper is prohibited unless formally approved by the Town Council consistent with a site-specific geological analysis.<sup>4</sup>
- (b) Where grading of non-MOSO Open Space and Rural Residential lots is permitted, new residential structures may only be placed on building sites with an average after-graded slope of 25 percent or less.

<sup>4</sup> See the Implementation section for proposed actions related to this policy.





#### Policy OSP-2.4: Hillside and Ridgeline Protection

Maintain the visual integrity of undeveloped hillsides and ridgelines. Development shall be located and designed so that Major MOSO Ridgelines, Minor MOSO Ridgelines, Significant Non-MOSO Ridgelines, and the Hillside Areas below them remain the dominant visual features when viewed from the Town's scenic corridors. To implement this Policy, the following requirements shall apply:

- (a) Any new development near a designated Ridgeline shall be located such that a minimum of 35 percent of the vertical distance from the crest of the Ridgeline to the toe of the slope remains visible as undeveloped open space when viewed from the Town's scenic corridors. The Town Council may grant exceptions to this requirement in unique circumstances, as defined by the Moraga Municipal Code.
- (b) Development within 200 feet of the centerline of a Significant Non-MOSO Ridgeline (measured horizontally in plan view) shall be prohibited, except as allowed by the Moraga Municipal Code (Section 8.128.030(B)).

#### Policy OSP-2.5: Roads Crossing Ridgelines

Allow roads to cross formally designated ridgelines if the crossing is necessary for the orderly development of the town, supports safety and evacuation plans, and complies with the applicable requirements of the Municipal Code.

#### Policy OSP-2.6: Existing Uses and Structures

Allow the continued use of legally established and permitted uses and structures in Hillside Areas and on and near Ridgelines. Interpret and apply Hillside and Ridgeline regulations to existing uses and structures in a manner that allows for reasonable repair and improvements consistent with applicable Town standards and regulations.

#### Policy OSP-2.7: Exceptions to Development Prohibitions in MOSO Open Space

Consider exceptions to hillside and ridgeline restrictions for the following activities:

- (a) Work necessary to eliminate or prevent a condition which is determined by the Town to be a menace to life, limb, or property or adversely affects the safety, use, or stability of a public way or drainage way or channel.<sup>5</sup>
- (b) The establishment of a fire trail approved by the Moraga-Orinda Fire Protection District.
- (c) Open fences and movable equipment used for animal grazing and agricultural activities.
- (d) Trails for public access to open space.

#### **GOAL OSP-3: PARKS AND RECREATION**

*SUSTAIN A NETWORK OF PARKS THAT SUPPORT HEALTHY LIVING ENVIRONMENTS, CREATE ENJOYABLE OUTDOOR OPPORTUNITIES, AND STRENGTHEN MORAGA'S SENSE OF PLACE.*

#### Policy OSP-3.1: Park Design

Design parks so they are comfortable, attractive, accessible, inviting, and easily maintained. Park design should balance recreational needs with considerations such as topography, vegetation, safety, aesthetics, and adjacent land uses.

#### Policy OSP-3.2: Regional Parks

Coordinate with East Bay Regional Park District so that local facilities are complemented by regional facilities that maximize recreational opportunities for Moraga residents.

<sup>5</sup> See the Implementation section for proposed actions related to this policy.



### Policy OSP-3.3: Development-Related Improvements

Ensure that the park system is expanded as new development occurs. This may occur through land dedication and facilities within new development, the payment of in-lieu fees to acquire and improve land nearby within Moraga, or a combination of both. Park dedication and fee requirements should address the need for facilities such as playgrounds, drinking fountains, trails, restrooms, picnic tables, and natural areas, as well as the need for land. A standard of 3 acres of parkland per 1,000 residents shall be used as the basis for land dedication fees. This standard will be periodically evaluated and potentially increased over the planning period.

### Policy OSP-3.4: Recreation Priorities

Pursue opportunities for additional sports fields in Moraga, as well as a gymnasium and community center facility. These facilities will provide valuable space for recreation programming, social interaction, and sports activities.

### Policy OSP-3.5: Maintenance

Provide a high-level of maintenance at all park and recreational facilities. Consider maintenance costs and staffing needs when designing and programming new projects and renovating existing facilities.

### Policy OSP-3.6: Cost Recovery

To the extent feasible, strive for user fees for recreational facilities and programs that offset maintenance and operating costs.

### Policy OSP-3.7: Accessibility

Design and manage all park and recreational facilities, including trails, so that people of all ages and abilities can access and enjoy Moraga's recreational opportunities. Facility design should be consistent with the requirements of the Americans with Disabilities Act.

### Policy OSP-3.8: Parking

Strive to provide adequate parking at all parks and recreational facilities.

### Policy OSP-3.9: Hacienda de las Flores

Continue to use Hacienda de las Flores as an activity center, event venue, botanical garden, and revenue source.

### Policy OSP-3.10: Moraga Commons

Continue to use Moraga Commons as the primary site for community events. Identify additional sites in the Moraga Center area for events, athletics, and other recreation activities as the Moraga Center Specific Plan is implemented.

### Policy OSP-3.11: Commercial Recreation

Encourage private sector recreational businesses such as tennis clubs, swim clubs, and training facilities that complement public facilities and serve community needs.

*(See also Program OS-E on the update on the Park and Recreation Master Plan)*

Moraga Commons Park





### Policy OSP-3.12: Park Carrying Capacity

Ensure that the programming of each park considers its carrying capacity and ability to accommodate the activities. Recreational facilities and activities should be compatible with their neighboring environments.

### Policy OSP-3.13: Recreational Use of School Facilities

Recognize schools as an extension of the neighborhood park system and an opportunity for access to specialized athletic facilities. Pursue joint use agreements and joint facilities development to expand access to recreation.

## **GOAL OSP-4: TRAILS**

*CREATE A CONNECTED TRAIL NETWORK THAT LINKS ALL PARTS OF MORAGA AND PROVIDES ACCESS TO REGIONAL PARKS AND OPEN SPACE.*

### Policy OSP-4.1: Regional Trail System

Encourage and cooperate with other jurisdictions and agencies to maintain a unified, connected regional trail system, including pedestrian, bicycle, and equestrian trails. Support development of regional projects such as the Bay Area Ridge Trail.

### Policy OSP-4.2: Local Trail System

Improve Moraga's trail system to more comprehensively serve all neighborhoods and provide greater connectivity to the regional park system, including spur connections to the Lafayette-Moraga Trail and access to open space owned by land trusts and EBMUD.

### Policy OSP-4.3: Trail Easements in New Development

Establish dedicated trail easements in the event any designated MOSO or non-MOSO open space sites are proposed for future subdivision.

### Policy OSP-4.4: Creekside Trails

Consider opportunities for creekside walkways and trails, particularly in the Rheem Center and Moraga Center areas and in Hacienda de las Flores and Moraga Commons Parks.

### Policy OSP-4.5: Trail Design and Maintenance

Consider the following when planning, designing, implementing and maintaining trail facilities:

- *Environmental Impacts.* Design trails to minimize their environmental impact.
- *Fiscal Impacts.* Consider the fiscal impacts of accepting ownership and maintenance responsibility of trail facilities.
- *Safety.* Separate trail routes from motor vehicle routes whenever possible.
- *Use of Fire Trails.* In undeveloped areas, improve existing fire trails for use in cooperation with landowners.
- *Recreational Needs.* Consider the need for the facility and other recreational needs that could be met on the site.
- *Accessibility.* Consider the needs of all users.

*(See also policies under Goal T-5 in the Transportation Element related to pedestrian and bicycle trails, as well as actions to update the Walk | Bike Plan and pursue RM3 trail improvement grants)*



## **GOAL OSP-5: RECREATIONAL PROGRAMMING**

*PROVIDE RECREATIONAL PROGRAMS THAT PROMOTE LIFELONG HUMAN DEVELOPMENT FOR ALL COMMUNITY MEMBERS.*

### **Policy OSP-5.1: Programming for Diverse User Groups**

Provide a range of recreational facilities and programs that meet the needs of all age and ability groups. Adapt programming as needed to respond to changing demographics, user feedback, and trends in recreation and leisure.

### **Policy OSP-5.2: Collaborative Programming**

Collaborate with other governmental agencies, service organizations, schools, Saint Mary's College, and local businesses to expand the range of recreational activities, programs, and special events available to Moraga residents.

### **Policy OSP-5.3: Community Education**

Encourage activities from which Moraga residents can learn about the community, its history, resources, and residents.

### **Policy OSP-5.4: Local Leadership**

Hire local residents as leaders and instructors whenever possible. Where feasible, this should include local artists, athletes, craftspeople, and health and fitness professionals.

### **Policy OSP-5.5: Arts and Culture**

Strive to develop arts and cultural activities that provide opportunities for creative growth and expression for Moraga residents.

### **Policy OSP-5.6: Special Events**

Encourage special events and community programs that connect residents, build a sense of community, and create civic pride.

*Moraga swimming event*





## 9.4 OPEN SPACE AND PARKS IMPLEMENTATION PROGRAMS

### Program OSP-A: Moraga Open Space Ordinance (MOSO)

Continue to implement the development standards set forth in the Moraga Open Space Ordinance, in accordance with its Implementing Guidelines. As noted earlier in this chapter and in the Land Use Element, MOSO was adopted in 1986 and governs the use of much of the Town's open space. MOSO Guidelines were prepared to facilitate implementation of the Ordinance; those Guidelines were updated as part of the 2013-2018 Hillside and Ridgeline project.

**Action OSP-A1: Amendments to the Guidelines for Implementing and Interpreting MOSO.** *Update the MOSO Guidelines to allow trenching for wireless facilities, water facilities and similar essential infrastructure improvements where the ground surface is restored to its original condition following construction. Consider other amendments as necessary and appropriate during this process.*

### Program OSP-B: Hillside and Ridgeline Ordinance

As noted earlier in this section, the Town has adopted special regulations for Hillside and Ridgeline Areas as part of its Municipal Code. These provisions include development standards related to slope and view protection, buffer requirements, and Hillside Development Permit requirements.

*(See also Action LU-H.1 in the Land Use Element regarding Hillside Development Permits)*

### Program OSP-C: Grading Ordinance

Implement the grading requirements of the Moraga Municipal Code, including design review and permitting requirements for grading exceeding specified thresholds.

#### **Action OSP-C1: Grading Ordinance**

**Amendments.** *Amend the Grading Ordinance for consistency with Policy OSP-2.3. The amendment would allow the Planning Commission to approve grading permits outside the MOSO, Non-MOSO and Rural Residential zoning districts.*

### Program OSP-D: Open Space Preservation Program

Explore strategies to protect and manage the Town's open spaces and natural areas in ways that are sustainable, provide public access, and encourage stewardship of natural resources. These strategies include acquisition by land trusts and public agencies, transfer of development rights, long-term leases, easements, donations of land, and tax incentive programs such as the Williamson Act.

### Program OSP-E: Parks, Recreation, and Open Space Master Plan

Maintain a Parks, Recreation, and Open Space Master Plan to evaluate recreational needs and facility condition; provide guidance for site planning, improvements, and key issues; identify recreational programming strategies; provide direction on the Town's future park system; and identify potential funding and financing opportunities. The Plan also should address management practices for the Town's open spaces, including areas appropriate for public access (e.g., trails) and areas to be protected from human disturbance.

**Action OSP-E1: Park, Recreation, and Open Space Plan Update.** *Complete a comprehensive update of the Parks and Recreation Master Plan. As noted above, expand the scope to include open space management and trails.*





Commons Park

**Action OSP-E2: Lafayette Moraga Trail Planning.** Work with East Bay Regional Park District, property owners, and other stakeholders to close the gap in the Lafayette-Moraga Trail along School Street between Moraga Road and Moraga Way.

(See also Transportation Element Action T-D2 on grants for trail planning)

#### Program OSP-F: Park Service Standard and Impact Fees

Implement park dedication and/or in-lieu fee requirements for new development, in accordance with State law and local park acreage per capita standards.

**Action OSP-F1: Update Park Standards and Fee Justification.** As part of the Master Plan Update, consider increasing the per capita service standard for Moraga's parks to reflect current conditions and respond to the need for additional parkland associated with housing growth. The Town should adjust its fees based on the updated standards. However, any fee increases should consider impacts on housing costs and development feasibility, as well as the park fee amounts collected by similarly situated communities in the Bay Area. Measures to reduce fee increases for smaller, more affordable units and rental units should be considered.

#### Program OSP-G: Recreation Programs

Schedule year-round classes in topics such as arts, sports, fitness, music, ecology, photography, cooking, drama, video, and special interests. Maintain regular public information devices to disseminate information on the Town's programs, events, and activities.

#### Program OSP-H: Joint Use Agreements

Maintain Memoranda of Understanding and other Agreements with the Moraga School District, Acalanes Union High School District, and Saint Mary's College to facilitate the joint use of school and college facilities for community recreation. Update and formalize these agreements as appropriate to maximize resident access to recreational facilities and programs.

