

MORAGA CENTER SPECIFIC PLAN IMPLEMENTATION PROJECT

FREQUENTLY ASKED QUESTIONS



What is the MCSP?

The [Moraga Center Specific Plan \(MCSP\)](#), adopted by the Town in 2010, is a land use planning document analyzing and proposing maximum densities of future development within the Moraga Center Priority Development Area designated for special economic and transit status by the Association of Bay Area Governments. The MCSP was supported by (i) a series of technical analyses, including an economic/market assessment that analyzed the market demand for new commercial development, and various types of housing and lodging, and (ii) a comprehensive traffic study that considered how development of the Moraga Center would affect local and regional (Lamorinda) traffic patterns. The MCSP project included preparation of an [Environmental Impact Report \(EIR\)](#) which leveraged these (and other) technical studies and also identified mitigation measures to address and reduce environmental impacts of the proposed development.

What is the MCSP-IP (Implementation Project)?

The Moraga Center Specific Plan Implementation Project (MCSP-IP) is the state-required follow-up to the MCSP to develop zoning and development standards that implement the broader land use planning and policy framework established in the MCSP. The MCSP-IP has been funded by grants from both Contra Costa Transportation Authority (CCTA) and the Metropolitan Transportation Commission (MTC). These programs are intended to help jurisdictions further the goals of the Priority Development Area (PDA) program, namely, to (i) support the development of more compact, transit-oriented, walkable, mixed use community centers that locate housing closer to shopping and employment, and (ii) increase the amount and diversity of available housing in the Bay Area region as a whole.

What is the timeline for the MCSP-IP, and when is it expected to be complete?

The MCSP-IP has been underway since early 2015, and the initial phase of the project included working with a Steering Committee to review and rearticulate the overall framework of the MCSP through an illustrative "Vision Concept." Based on this concept, the Town formulated a Draft Zoning Document in June 2016 that sought to establish a form-based zoning code for the MCSP area. The Implementation Project was paused in 2017 due to lack of funding.

Upon receipt of a grant from the MTC, the Implementation Project was reactivated in 2018, and the Town's prior decision to implement a form-based code (versus traditional zoning) was reconsidered. In 2019, the Implementation Project will implement traditional zoning and development standards in order to eliminate current confusion that exists as to how the MCSP

and current zoning can be aligned (see Why does the Town need to implement MCSP Zoning below).

A project timeline follows:

MCSP CAC Meetings	September/October 2019
MCSP TAC Meetings	October/November 2019
Planning Commission Study Session & Public Hearing	January/February 2020
Town Council Study Session & Public Hearing	March 2020

Upon the Town Council’s approval of final Zoning Provisions and Development Standards for the MCSP area (the “Final Zoning Plan”), the final Zoning Plan will be codified into the Town of Moraga Municipal Code and Design Guidelines. This action will constitute the final completion of the project.

What is the MCSP Citizens Advisory Committee?

A MCSP Citizens Advisory Committee (CAC) was formed by the Town Council in April 2019 to ensure a rigorous public input process. The MCSP CAC consists of the Mayor and Vice-Mayor, who serve as the Chair and Vice-Chair, two members of the Planning Commission, one member of the Arts and Public Spaces Committee, and 28 community stakeholders. The CAC will meet four times to provide feedback designed to help Town Staff develop proposed zoning provisions and development standards for the Town Council’s consideration. Agendas and materials for the MCSP CAC meetings can be found [HERE](#).

How are technical issues such as traffic going to be addressed?

The traffic impacts of the development contemplated in the MCSP were addressed in the MCSP [Draft EIR](#), [MCSP Final EIR](#) and [Mitigation Monitoring and Reporting Program](#), and the Town is bound by the conclusions set forth in those documents for purposes of the Implementation Project.

The Town will work with a Technical Advisory Committee (TAC) made up of technical staff from various transportation and safety agencies to develop road width standards, as standards for bicycle and pedestrian facilities. These standards will be incorporated into the draft zoning code and development standards.

Has any part of the MCSP been implemented to date?

In 2010 the Town adopted a Residential R-20 Zoning District that applies to a portion of the MCSP area, and this zoning district has been codified in the [Moraga Municipal Code \(MMC\) Chapter 8.34](#). The R-20 zoning establishes regulations and procedures for all development projects located in the twenty (20) dwelling units per acre residential district. This district currently only applies to certain areas within the MCSP area, consistent with policies of the adopted MCSP. This district does not apply to properties which have an average predevelopment slope in excess of twenty (20) percent. Development projects within this

district are subject to either a ministerial review process or a discretionary review process, as provided for in the MMC.

Why does the Town need to implement MCSP Zoning?

State law requires there be consistency between a Specific Plan and the zoning that implements the Specific Plan. Although a 20-Dwelling Unit per Acre Zoning district was adopted and applied to corresponding parcels in the MCSP area, similar re-zoning of other properties was not enacted. As a result, in many cases there is considerable discrepancy between the Specific Plan's land use designations, allowable uses, densities and development standards, and the zoning regulations currently applied to those properties. These inconsistencies create the potential for confusion and ambiguity for property owners, staff, and decision-makers when considering evaluating project applications. See Moraga Town Center – Development Lessons Learned below for more information.

What are the benefits of implementing this zoning?

Implementing the zoning for the MCSP area is required by state law, and doing so will also establish land use development standards for the entire MCSP area that provide a sense of certainty in the development review process and eliminate the need for individual projects to undergo a costly and time-consuming rezoning when individual developments are proposed. These implemented standards would significantly shrink the timeline for development (making the MCSP area more attractive for new development) and assist the Town in meeting its state-mandated housing goals. More importantly, the Town will be able to adhere more strictly to the standards set forth in the updated zoning without having to resolve ambiguities in favor of the applicant.

What is the maximum allowable development?

The development potential of the MCSP is as follows:

Commercial Development:

- Retail/Entertainment – up to 90,000 square feet
- Office – up to 50,000 square feet
- Bed and Breakfast/Boutique Hotel – up to 85 rooms
- Assisted Living/Congregate Care – up to 150 rooms

Residential Development – up to 510 (630*) units:

- Active Senior – up to 200 (300*) units
- Single Family – up to 65 units
- Workforce Housing – up to 80 (100*) units
- Compact Single Family – up to 165 units

* Represents the maximum with State-mandated density bonus for senior/affordable housing

Are potential unit numbers or potential allowed square footages for office or retail in the adopted MCSP a guarantee of this level of development?

No, they are not. These numbers represent the maximum amount that would be allowed under the current land use assumptions within the MCSP area. Since office and retail are broadly defined, the market will dictate over time the types of uses within these definitions that are proposed. The development of any property would be determined by the property owner(s) and developers.

Does pending state legislation affect the MCSP-IP [e.g., SB 35; SB 828; SCA 1; etc.]

Recent and pending state legislation can always affect a local jurisdiction's regulatory authority over its land use function, and local authority in this regard is more likely to be bypassed if the State Legislature believes local government is circumventing the State's housing goals. Thus, completion of the MCSP-IP project is very important for the Town, as it would demonstrate to the state that the Town has zoned areas for housing to provide for current and future satisfaction of its Regional Housing Needs Allocation. Completion of the zoning would also demonstrate that the Town is implementing the policies and goals necessary for construction of new housing on sites listed in the state-adopted [2015 Housing Element](#).

Can we amend the MCSP as part of this project?

No, we cannot. Amending the MCSP falls outside the scope of the Implementation Project. Any amendment of the MCSP would have to be implemented through a separate project spearheaded by the Town Council.

Why is the zoning in the Moraga Center Specific Plan being updated now?

State law requires there be consistency between a specific plan and the zoning that implements the specific plan, and with the exception of the limited areas of R-20 zoning within the Moraga Center, that is not currently the case. The Town has received grant funding from various agencies to implement the MCSP, and at least one such grant includes a timetable for completion. It is the Town's responsibility to use these grant funds for the purpose for which they were awarded. Failure to do so may require the Town to return a portion or all of these grant funds, as well as potentially limit the Town's eligibility for future planning grants.

How many units is the Town of Moraga required to allow by the Regional Housing Needs Allocation (RHNA), and how many have been constructed since the 2014 RHNA assessment?

The State Housing and Community Development's 2015-23 RHNA allocation for the Town is 229 units. These are broken into categories of Very Low (75 units), Low (44 units), Moderate (50 units), and Above Moderate (60 units) income levels. The Town has approved a total of 109 housing units in this RHNA cycle, all have been either Moderate (1 unit) or Above Moderate (108 units) income categories.

When is construction going to start?

Several projects within the MCSP area have already been completed or are under construction. The 26-unit Harvest Court single family residential project was completed in 2017. Projects currently under construction include the 36-unit Moraga Town Center Homes and the 3,500 square-foot Chase Bank. There is no guarantee when, or if, future development will occur when the MCSP-IP is completed. The zoning provisions and development standards however will provide more certainty to the development process, should development occur.

Will the project impact historical structures on the site?

There are currently no properties within the MCSP area that are listed on either the California Register of Historical Resources or the National Register of Historic Places. Additionally, there are no properties or structures within the MCSP area that have undergone analysis to determine whether they meet any of the criteria for listing on either register. However, as discussed in the MCSP EIR and the 2002 General Plan, both the Moraga Ranch and Moraga Barn are included as potentially historic resources to identify and protect. The MCSP EIR includes a mitigation measure requiring that prior to remodeling or demolition of any structure that is 50 or more years old, a historical evaluation shall be performed to determine whether the structure is eligible for listing on either register. Further, the MCSP policies concerning the Moraga Ranch call for the incorporation of existing structures into future development proposals where feasible.

What will be/is being done about traffic concerns?

A foundational premise of the MCSP is that the type of development included — smaller/higher density units, in a walkable, transit-friendly environment — will inherently have lower vehicle trip generation rates than traditional single-family or multi-family residential development in Moraga. The MCSP EIR includes traffic mitigation measures to ensure that traffic corridors and intersections potentially affected by development of the MCSP are improved where necessary to address potential traffic impacts related to buildout of the MCSP. The traffic and transportation firm that analyzed the buildout of the MCSP area for the EIR has been retained as part of the current MCSP-IP project to ensure that the zoning and development standards currently being proposed do not present traffic impacts beyond those analyzed and mitigated as part of the MCSP EIR. A list of the MCSP EIR traffic [Mitigation Measures](#) can be found on the Town's website on the MCSP CAC page.

Why is more retail being allowed when we currently have vacant commercial buildings?

The MCSP, adopted in 2010, envisioned retail growth in the Town. Given the changing retail market and increases in online sales in general, it is unlikely that 90,000 square feet of additional retail will be added in the Moraga Center. The Town has processed a few development applications in the last couple of years that are consistent with the Town's development regulations and land use approval processes. These uses have been established in

response to market trends. The market dictates placement, location, and size of proposed commercial development and it is in the interest of the Town to allow commercial uses to operate in line with modern retail trends. Within the last two years, the majority of new commercial uses have been restaurant uses, and these have occurred primarily within long-vacant structures. Repurposing these vacant structures has added vitality to the Town's commercial centers. The Town Council's recent revisions to the Commercial zoning districts to streamline the permit process for new businesses, combined with the completion of the MCSP-IP, is expected to further increase the development potential within the commercial centers.

What impact will this project have on the Moraga School District?

The MCSP EIR analyzed school impacts from the proposed project. Impacts to schools are considered fully mitigated under state law by the payment of state-mandated school impact fees when building permits are issued for new or significantly expanded residential development, as required by Senate Bill 50. No additional mitigation is required.

Moraga Town Center Homes – Development Lessons Learned

The Moraga Town Center Homes Project (density of 11.8 units per acre) was rezoned as a Planned Development and its zoning and setbacks, as well as building sizes, shapes, massing, and design were all determined by conditions developed for the project individually. The proposed zoning code for the MCSP is attempting to establish zoning for the entire MCSP area on a more programmatic basis to take into account, in advance, the development concerns of Moraga residents while still allowing for full buildout of the MCSP. Among these concerns are the preservation of scenic corridor viewsheds and appropriate development setbacks along Moraga Way that allow for development while still retaining Moraga's semi-rural character as discussed throughout the 2002 General Plan.

How can we ensure that all residents of the town can evacuate safely?

The Moraga-Orinda Fire District (MOFD) and the Moraga Police Department are committed to resident safety and have been working with the Orinda and Lafayette Police Departments and the Contra Costa County Fire Department to create a new Wildfire Evacuation Guide in addition to establishing Evacuation Zones within the Town, including the MCSP area. The evacuation of all town residents was taken into consideration in the original MCSP, none of which is in the Very High or High Fire Hazard Zones as determined by Cal Fire's hazard zone maps. An existing MOFD Fire Station is located within the MCSP area, providing good coverage, and fire district fees from any approved development in the area would help pay for expanded service and infrastructure for structure fire responses as those units were developed, thereby allowing for graduated service provision at the actual rate of development.

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