

**Town of Moraga**

**Moraga Center Specific Plan**

January 2010

TABLE OF CONTENTS

<b>Chapter/Section</b>	<b>Page</b>
Executive Summary	Summary - 1
1. INTRODUCTION	
A. Background and Purpose of Plan	1
B. Planning Process	1
C. Contents of the Specific Plans and Document Organization	2
D. How to Use the Plan	2
E. Statutory Authority	3
F. Relationship to Other Plans and Regulations	3
2. DESCRIPTION OF PLAN AREA	
A. Regional Setting	4
B. Local Setting	4
C. Jurisdictions	4
D. Existing Conditions	4
General Site Characteristics	4
Land Use	7
Existing Zoning and Development Potential	11
Parcels and Ownership	12
Physical Opportunities and Constraints	14
Public Services and Community Facilities	16
3. PLAN GOALS AND POLICIES	
A. Relationship to the General Plan	19
B. Specific Plan Goals and Policies	19
C. Specific Plan Objectives	21
4. LAND USE ELEMENT	
A. Introduction	25
B. Land Use Policies	25
C. General Plan Guidance	25
D. Plan Rationale and Vision	25
E. Market Parameters	27
F. Land Use Designations	29
G. Plan Description	34
H. Dynamic Land Markets and the MCSP Area Development Program	39
I. Permitted Uses	39
J. Development Standards	43

5. CIRCULATION ELEMENT	
A. Circulation Policies	49
B. Existing Circulation	49
C. Roadway Classifications and Standards	49
D. Transit Service	50
E. Pedestrian and Bicycle Circulation	50
F. Emergency Vehicle Access	51
G. Roadway Phasing	51
6. PUBLIC SERVICES ELEMENT	
A. Introduction	52
B. Access and Circulation	52
C. Water Service	52
D. Sanitary Sewer Service	53
E. Storm Drainage System	53
F. Solid Waste Disposal/Recycling	54
G. Hazardous Waste Disposal	54
H. Financing	55
7. IMPLEMENTATION ELEMENT	
A. Introduction	56
B. Actions Required for Adoption	56
C. Implementation Opportunities	56
D. Development Review and Approval Process	57
E. Implementation Tools that the Town May Consider	57
F. Infrastructure Improvements	58
8. SELECTED REFERENCES - MUNICIPAL CODE	60
9. MCSP CONTRIBUTORS	71
APPENDICES	
A. Moraga Center Specific Plan Market Assessment, Economic & Planning Systems, Inc., January 2006.	
B. MCSP Design Guidelines, The Dahlin Group, May 2008	
C. Summary of Community Input for the MCSP process, 2006	
TECHNICAL APPENDICIES (BOUND SEPERATELY)	
1. Effects of Planned Development at the Moraga Town Center on Community-Wide Travel Patterns, Fehr and Peers 2006.	
2. 2008 Retail Market Analysis, Pitney Bowes MapInfo Corporation of Ann Arbor, Michigan.	

List of Figures	Page
Figure 2-1 Town of Moraga Center Specific Plan Regional Location Map	5
Figure 2-2 MCSP Area Map	6
Figure 2-3 Additional MCSP Parcel Location	7
Figure 2-4 MCSP Subdistricts	8
Figure 2-5 MCSP Area Land Uses	10
Figure 2-6 MCSP Vacant Land Parcels	11
Figure 2-7 MCSP Existing Zoning and Development Potential	13
Figure 2-8 MCSP Area Parcels and Ownership Patterns	14
Figure 2-9 MCSP Area Physical Opportunities and Constraints	15
Figure 2-10 MCSP Area Public Safety Services and Community Facilities	17
Figure 4-1 MCSP Area General Plan Diagram	26
Figure 4-2 MCSP Illustrative Land Use and Circulation Plan	31

#### List of Tables

Table 3-1 General Plan Goals, Policies and Programs Pertaining to the MCSP	22
Table 4-1 MCSP Development Potential	35
Table 4-2 MCSP Conceptual Land Use Matrix	36
Table 4-3 Permitted Uses - Community Commercial	39
Table 4-4 Permitted Uses - Mixed Retail/Residential	41
Table 4-5 Permitted Uses - Mixed Office/Residential	42
Table 4-6 Permitted Uses - Residential	42
Table 4-7 Permitted Uses – Riparian Corridor	42
Table 4-8 Permitted Uses – Recreation/Public Service	43
Table 4-9 Development Standards: Community Commercial, Office, Mixed Retail/Residential and Mixed Office/Residential	44
Table 4-10 Development Standards: Residential	45
Table 4-11 Residential Floor Area Ratio	46
Table 4-12 Minimum Development Standards: Residential 20 DUA	47
Table 4-13 Maximum Development Standards: Residential 20 DUA	48

## Executive Summary

### Introduction

Lush landscaping, decorative paving, and a gentle curve in the road combine to form a captivating new “Main Street” in the center of Moraga. Welcoming benches, sturdy bicycle racks and attractive window displays draw residents into the commercial core to linger, shop and socialize. Vintage street lamps extend the day as residents embark on an evening stroll or assemble for dinner at a new creekside café. Fresh coffee, warm cookies and icy cold gelato satisfy the cravings of a community enjoying itself. The pace is relaxed. The quality is high and it is all within walking distance, in the heart of Moraga.

As an infill development project, the 187 acre Moraga Center Specific Plan (MCSP) presents excellent opportunities for new residential development, enhanced circulation, and commercial and recreational activity in the Moraga Center area. Essential to the design of the plan is the extension of School Street from the front of the Moraga Ranch to a new four-way intersection with Moraga Road and Saint Mary’s Road. Preliminary concepts for the extension of School Street include diagonal parking with planting pockets containing significant landscaping and wide sidewalks for outdoor dining. The School Street extension also presents opportunities for the extension of the Lafayette Moraga Regional Trail either along the sidewalk in front of new businesses or along the creek. While new development near the creek must be sensitive in its design, the proximity of the creek to the School Street extension creates a tremendous opportunity for creekside living, dining, shopping, socializing and recreation – all important elements of the Moraga Center Specific Plan.

### Location and Background

The MCSP is the result of a seven year planning process involving Moraga residents, Town leaders, neighboring communities, property owners, consultants and interested persons. As designed, the plan is an economically viable, environmentally sensitive approach to development that calls for the creation of a mixed-use village with local serving commercial development and a range of residential opportunities. Essential to the plan are the revitalization of the existing shopping center and Moraga Ranch complex, construction of new residential units and preservation of the creek corridor. A program level environmental impact report (EIR) has been prepared for the Specific Plan and the Town could consider a development agreement to expedite and allow for implementation of the plan over time. While the Plan does not authorize immediate construction, it is an important step in defining the future development potential of the area. Construction of new dwelling units will enhance the customer base for the existing shopping center and the addition of new businesses could help to reduce sales tax leakage and contribute to the local economy.

Recognizing the excellent opportunity for housing based infill development in the MCSP, the Association of Bay Area Governments (ABAG), Bay Area Air Quality Management District (BAAQMD), San Francisco Bay Conservation and Development Commission (BCDC), and the Metropolitan Transportation Commission (MTC) have designated the MCSP area as a potential Priority Development Area (PDA). These regional agencies are

responsible for programs and grants to support PDAs in the creation of complete communities. The FOCUS Program has worked to help connect PDAs with a variety of funding opportunities. Although these funding programs are still highly competitive, jurisdictions with designated FOCUS PDAs and whose goals are closely aligned with the program's objectives can be more successful in securing financial assistance than other areas. In other words, the MCSP is the kind of development that will meet local housing needs, potentially improved air quality by increasing pedestrian activity and reducing the length of car trips, and potentially increase the use of transit. In so doing, the MCSP will be competitive with other jurisdictions in the pursuit of PDA funds. The Specific Plan fosters the kind of development that the Town needs to meet the demands of an aging population in an increasingly congested environment.

### Commercial Development Potential

While much of the Specific Plan focuses on new construction, it also provides for the revitalization of the existing shopping center and Moraga Ranch. The intent of the new development is to provide local shopping and commercial opportunities for Moraga residents, thus reducing their need to shop out of town. By allowing up to 90,000 square feet of new retail/entertainment space and 50,000 square feet of new office space, the Town hopes to capture a meaningful portion of the approximately 75% of the current taxable purchases that are presently made by Moraga residents outside of town.

By providing better shopping opportunities in Moraga, it is anticipated that residents will not need to travel to neighboring jurisdictions for basic goods and services. The sales tax that is paid on these new purchases will accrue to the Town of Moraga rather than another city. Furthermore, by increasing local shopping opportunities, the Moraga quality of life will be enhanced by residents enjoying the company of their friends and neighbors while dining out or shopping locally. Residents will be able to save time by buying what they need in town, and they can save money, improve air quality and conserve fuel by driving short distances to Moraga destinations. In sum, revitalizing and expanding the Moraga Center improves the quality of life in Moraga, supports the local economy and contributes to the sustainability of the environment.

### Residential Development Potential

While significant market demand to renovate the shopping center currently exists, it will be further supported by new residential development in close proximity to the commercial core including up to 630 new dwelling units within easy walking distance of the center. Because the Specific Plan covers a large geographic area, the opportunities for Moraga residential development are significant and diverse. Along the Camino Ricardo corridor and extending to the top of the hillside, low density single-family development consistent with the existing neighborhood is proposed. In this area, a minimum of 40 single-family residences could be developed at a density of up to 3 dwelling units per acre. Similar to the 41 lot Sonsara development across the street, this neighborhood is planned to provide traditional single-family residential development on 10,000 square foot minimum lots. The MCSP allows for

the clustering of single-family development in this area to minimize impacts to scenic corridors and riparian areas and allow areas of open space and/or orchard preservation.

The highest density residential development in the MCSP area is planned for the relatively flat area across the creek from the Moraga Center. In this area, a minimum of 148 active senior dwelling units are planned at a density of up to 30 dwelling units per acre.

Potentially ranging from studio apartments to 2-bedroom condominiums, these units are intended to be smaller than traditional single-family residences and meet the needs of a growing senior population. By clustering development along the creek, this housing opportunity would provide seniors with easy access to new and existing opportunities for shopping, dining, socializing and recreation within the Moraga Center area and nearby facilities such as the Moraga Commons and Moraga Library.

The demand for senior housing in Moraga is currently strong. Moraga has fewer youth and more seniors than the county as a whole. Eighteen percent of the population is over age 65 (versus 12% in the county) and 18% of the population is under age 18 (versus 24% in the county). In addition, the future demand for senior housing in Moraga is growing and will nearly double in the next ten years based on current migration rates and life expectancies. The maximum 30 dwelling unit per acre active senior housing is only one form of housing for seniors. The plan also includes up to 150 units/rooms of assisted living/congregate care for seniors who need increased assistance as they age.

An area of moderate density residential development is located on the “Village” hillside facing the shopping center, above the higher density senior development. This area is intended to accommodate compact single-family residences such as condominiums and townhouses. At a density of 10 to 12 dwelling units per acre, this area is comparable to the townhouse development at the Moraga Country Club. The Specific Plan provides for a minimum of 100 units in this area and on the hillside at the end of Moraga Way between Canyon Road and Country Club Drive.

Adding to the diversity of the residential options within the Specific Plan area is an opportunity for up to 100 St. Mary’s College and/or workforce dwelling units. These units could be located above or adjacent to new commercial development in a mixed-use environment. By creating opportunities for student and/or workforce housing, commute trips into and out of Moraga are reduced and peak hour traffic on the arterials in Lamorinda will not be adversely affected. In addition, recruiting efforts for talented employees at the college, in the school districts and fire district, in local business and the Town are enhanced by affordable workforce housing options in Moraga. The workforce residents will add vitality to the shopping center through their purchasing power and presence in the community, and contribute to the Town’s economy by providing local employers with necessary employees.

The 388 potential dwelling units described above, are significantly less than the 630 total dwelling units that could be accommodated in the Specific Plan area. The remaining 242 dwelling units are unspecified so as to allow flexibility and a timely response to market opportunities. If demand is shown to be strong for senior housing, more senior units could

be constructed. Similarly, if demand is strong for conventional single-family housing, more units of this type could be constructed. Future housing construction, however, will need to consider impacts on peak hour, peak direction traffic as different types of units are associated with varying levels of traffic generation.

One way of thinking about the total residential development potential of the MCSP area is to think about dwelling unit equivalents. For example, a single family residence generates approximately three times the number of trips as an active senior dwelling unit. The economic benefits of constructing these larger more expensive residences should be balanced with the lost opportunity for more senior units where the residents tend to shop and socialize locally.

A key element in the MCSP is that it proposes no more peak hour peak direction traffic than the 2002 Town of Moraga General Plan, but the total number of dwelling units is higher because the plan calls for a range of lower-traffic generating housing opportunities in the specific plan area. This range of housing opportunities is necessary to address the Town's Regional Housing Needs Allocation. Housing that is developed at a minimum density of 20 dwelling units per acre, including senior housing and workforce housing, is planned to meet the requirement in state law for affordable housing for low income households. State law, however, only requires the Town to make these housing opportunities available; the Town is not required to build the housing itself. The State of California recognizes the importance of affordable housing in all communities. To encourage the creation of affordable housing, it has created a streamlined approval process and additional incentives for this type of housing. While the MCSP does not actually approve the construction of housing, it does create strong incentives for its development through the completion of an environmental review process, increased density and a streamlined approval process. In the end, property owners may be sufficiently motivated by the MCSP to propose development and work with the Town for its implementation.

### Technical Studies

Before preparing the Specific Plan, the Town commissioned three important technical studies to analyze the economic viability and traffic implications of any development in the Moraga Center area. The three studies are (1) the February 2006 Town of Moraga Market Assessment prepared by Economic and Planning Systems of Berkeley, California;(2) the December 2006 report by Fehr and Peers of Walnut Creek, California entitled "Effects of Planned Development at the Moraga Town Center on Community-Wide Travel Patterns"; and (3) the February 2008 Retail Market Analysis prepared by Pitney Bowes MapInfo Corporation of Ann Arbor, Michigan. All of these studies are included in the Specific Plan appendices. In commissioning these studies, the Town purposefully identified necessary sustainable development for the Town of Moraga while not increasing the 2002 General Plan peak hour, peak direction traffic impacts on Orinda or Lafayette.

### Special Opportunities

To provide limited Lamorinda traffic generating sustainable development that is consistent with the character of the community, the Moraga Center Specific Plan presents two additional important opportunities. One opportunity is for the development of a small hotel and/or bed and breakfast and the other opportunity is to accommodate a multi-generational community center/gymnasium.

As a four-year college with graduate programs in liberal arts, business and education, Saint Mary's College of California attracts approximately 200,000 visitors each year. Visitors include but are not limited to prospective students and families, parents of current students, prospective faculty and staff members, athletic teams and fans, and guests of the college. With no overnight accommodations available in Moraga, these visitors and the visitors of Moraga residents must stay outside the Town. Providing for the development of a small hotel in Moraga would be both beneficial to Town residents' for their guests as well as the numerous guest of the College.

In addition, the Moraga Center Specific Plan has been identified as a potential site for the development of a 20,000 square foot multi-generational community center/gymnasium. The Moraga Parks and Recreation Master Plan calls for the development of a community center use on an appropriate site based on a community-wide search. The list of permitted uses in the Community Commercial District (Table 4-3) could accommodate such a use, as could the Planned Development District."

A similar rare opportunity exists at the Moraga Ranch. Distinct in its architectural style, the Moraga Ranch is a collection of red painted wood framed buildings with white trim and characteristic white ranch fencing. Located at a key intersection in the Specific Plan area, the Moraga Ranch is home to several existing businesses and ranch related activities. In addition, two recently renovated buildings on the ranch property present immediate business opportunities. Substantial infill opportunities also exist on the ranch property. One suggestion for new commercial development in this area is a small winery producing wine from locally grown grapes and providing related goods and services.

### Conclusion

The MCSP was designed to address a number of important issues in the Town of Moraga. It provides for the economic and physical revitalization of the existing shopping center through reinvestment and increased residential and commercial development. It meets the needs of residents by providing increased shopping and dining opportunities and a range of housing options especially senior housing for an aging population. It helps local employers attract and retain necessary employees by providing housing opportunities for the local workforce. It addresses the traffic impacts of new development on neighboring jurisdictions and it recognizes special opportunities for recreation and hospitality. Consistent with state law, the MCSP also streamlines the approval process for new residential development and addresses the Town's legal requirements for affordable housing. The MCSP does not build

affordable housing but it uses provisions in state law to create incentives for the construction of affordable housing that meets the needs of the Moraga residents.

## **1. INTRODUCTION**

### **A. Background and Purpose of the Plan**

The present document has been prepared as directed by the Town of Moraga's General Plan of 2002 which included Land Use policy LU3.1 as well as Community Design policy CD6.5 which call for development of a 'specific plan' for the area around one of the Town's major shopping and activity centers—the Moraga Center. These policies provide a detailed overview of the intent for each specific plan and desired outcomes. The policies are implemented by action IP-K1, identified as a near-term priority in the General Plan's Action Plan. The purpose of the Plan, consistent with the aims of the General Plan, is to provide a vehicle for ensuring that this area of the Town is "planned" in order to address important community needs (such as new growth, housing needs, and environmental protection), accommodate future demand for services (such as sewer, water, roads, etc.), anticipate and resolve potential constraints (such as crowded roads), and establish goals and policies for directing and managing growth.

### **B. Planning Process**

The preparation of the Specific Plan involves two primary phases of activity. The first of these is the preparation of a Draft Specific Plan for the subject planning area. In preparing the plan, a variety of technical studies have been undertaken to assess existing conditions as well as to forecast future opportunities and constraints to the development and redevelopment of the subject area. Concurrent with these technical studies, consultations have been made with property owners, interested parties, elected and appointed officials and Town staff; public input has been obtained through a variety of forums including Community Design Workshops, Town Council meetings, Planning Commission meetings and other informal contacts. Along with the aforementioned technical work and the consultation process, environmental studies have also been performed to assess the potential impacts - if any - which could be anticipated in implementing various components of the Plan. By conducting these studies in parallel with the main Specific Plan process opportunities for avoiding and/or mitigating any potentially negative impacts have been identified and incorporated in the Plan. Upon finalization of the draft Plan, as directed by the Town Council, a formal environmental review procedure was undertaken including the preparation of an Environmental Impact Report (EIR).

The present document contains, as the primary output of the previously described first phase of activity, the draft Specific Plan for the Moraga Center area which presents the overall vision for the area describing the land use and transportation concepts which are to guide future development and redevelopment.

### **C. Contents of the Specific Plan and Document Organization**

The Plan presented herein contains the following four components:

- A Land Use Element, which establishes the land use pattern and standards for uses allowed in plan area;
- A Circulation Element, which, based on the transportation requirements generated by the land uses in the Plan area, establishes a circulation system necessary to accommodate vehicular and pedestrian movements.
- A Public Services Element that considers the requirements for infrastructure and services which the future development of the plan area will involve; and
- An Implementation Element, which provides information on the actions needed to implement the Plans, including General Plan and zoning changes, as needed and appropriate, and phasing.

Selected references from the Town of Moraga's Municipal Code are also provided as they relate to development practices in the Town and have a bearing on the future development and redevelopment of the Specific Plan area.

Finally, several appendices are provided which include technical studies prepared by consultants specialized in the areas of market/economics (Appendix A, Moraga Center Specific Plan Market Assessment, Economic & Planning Systems, Inc., January 2006) and design guidelines (Appendix B, MCSP Design Guidelines, Dahlin Group, May 2008). In addition, input obtained from residents of the Town of Moraga at three Community Workshops held in 2006 are summarized in Appendix C.

### **D. How to Use the Plan**

As adopted by the Town of Moraga, the Plan establishes the amount, type and location of future land uses and corresponding development that will be permitted in the Moraga Center area. The Plan also provides standards and design guidelines for development and recommends specific actions to implement the plan and financing methods and sources to fund improvements.

When property owners move forward to implement projects located within the Specific Plan area, detailed development plans will be subject to review by the Town for consistency with the Specific Plan. Future projects may require additional environmental review depending upon their consistency with the Plan and whether or not they involve components that by themselves may have impacts. Subsequent steps in the development process, including subdivision and other procedures are administered according to the Municipal Code and state law.

## **E. Statutory Authority**

California law, specifically, Sections 65450-65457 of the Government Code, empowers cities to employ specific plans to provide for the systematic implementation of the General Plan by linking the implementing policies of the General Plan with the individual development proposals in a defined area.

The Specific Plan for the Moraga Center area conforms to the various principles and requirements of State Planning and Zoning Law, Article 8, Specific Plans by providing the following information as required by Sections 65451 (Content of Specific Plans) and 65454 (Consistency with the General Plan):

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs 1, 2, and 3.
5. A statement of the relationship of the specific plan to the general plan.

## **F. Relationship to Other Plans and Regulations**

The Moraga Center Specific Plan (MCSP) is entirely within the Town of Moraga. Policy documents and ordinances of this jurisdiction provide guidance on the current regulatory process and requirements in the Plan Area. State and regional agencies also exercise jurisdictional authority over development activities in the plan area. The following Town plans and policy documents apply to the plan area:

- Town of Moraga General Plan
- Town of Moraga Municipal Code
- Town of Moraga Park and Recreation Master Plan
- Town of Moraga Design Guidelines
- Town of Moraga Traffic Calming Guidelines
- Moraga Center Specific Plan Design Guidelines (Appendix B)

## **2. DESCRIPTION OF PLAN AREA**

### **A. Regional Setting**

The Town of Moraga is a semi-rural community of about 17,000 residents located 18 miles east of San Francisco in Contra Costa County. Surrounded by rolling hills, Moraga has, among other natural and manmade assets abundant open space, a low crime rate, and top-ranking public schools. It is also the home of Saint Mary's College of California.

### **B. Local Setting**

As shown in Figure 2-1, the Specific Plan area lies in the central, mostly urbanized corridor of the Town approximately 1.8 miles from the other commercial area in town. Both commercial areas are located on Moraga Road, the primary arterial serving the community. The Town of Moraga may be characterized as a predominantly low-density residential community and the two commercial areas accommodate virtually all of the retail, commercial, and office development within the Town.

### **C. Jurisdictions**

The Moraga Center Specific Plan area falls entirely within the city limits of the Town of Moraga. Other government agencies with jurisdiction in the plan area include:

- State of California Regional Water Quality Board, which reviews and regulates activities that affect water quality in California;
- State of California Department of Fish and Game, which reviews projects affecting fish and wildlife habitat; and
- Department of the Army - Corps of Engineers, which regulates activities and development in the navigable waters of the United States; and
- East Bay Regional Park District, which operates the Lafayette Moraga Regional Trail within an easement through the Specific Plan area.

### **D. Existing Conditions**

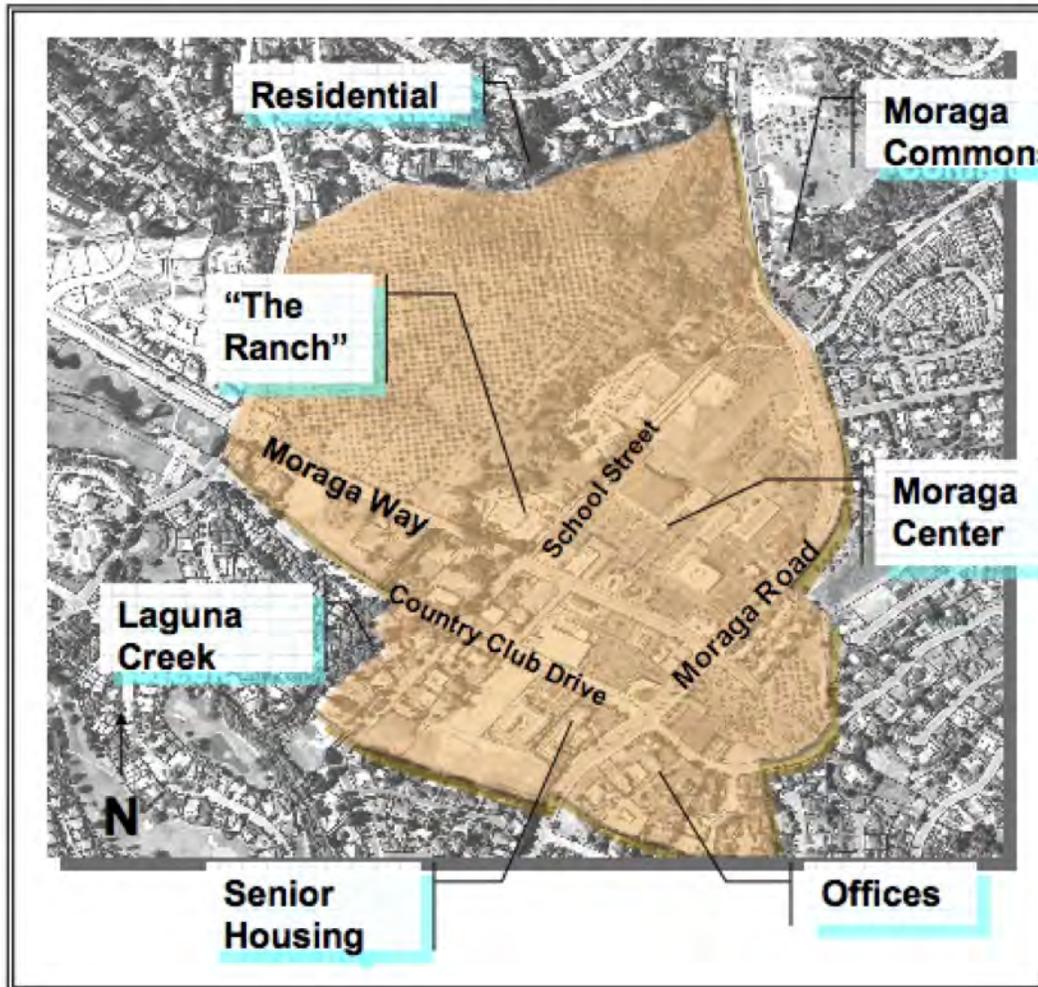
#### **1. General Site Characteristics**

As shown in Figure 2-2, as delineated in the General Plan, the MCSP area is bounded to the north by residential development and to the east by the Moraga Commons park and recreational area as well as additional residential development. Residential development also abuts the southern and western boundaries of the area. Significant features within the area are the Moraga Center commercial complex and other retail and service facilities including offices and financial institutions; there is also a significant cluster of senior housing in the area. The principal roads serving the area are Moraga Road and Moraga Way.

Figure 2-1 Town of Moraga Center Specific Plan Regional Location Map



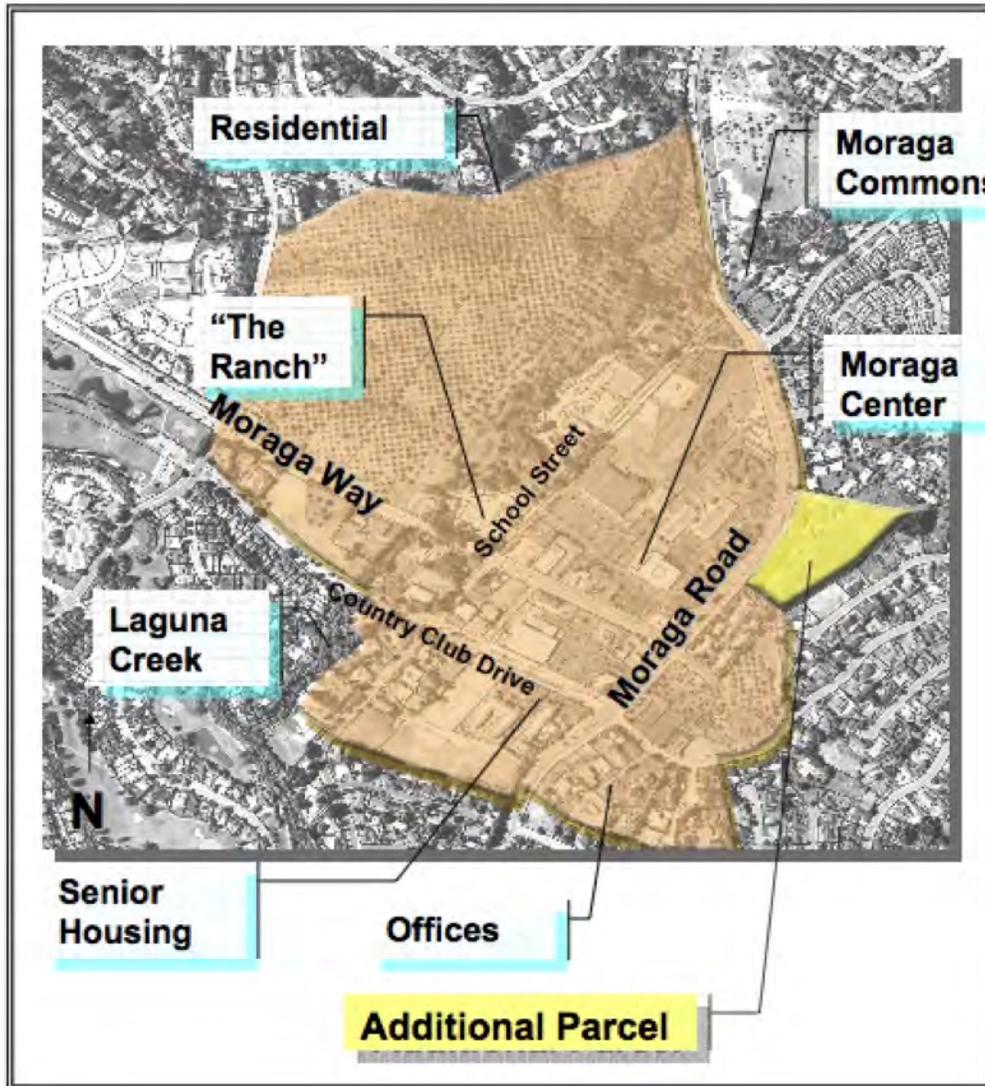
Figure 2-2 MCSP Area Map



In the process of analyzing the Moraga Center Specific Plan area, it was determined that adjacent to the area identified in the General Plan as the Specific Plan area is an additional parcel which may merit inclusion in the designated SP area (Figure 2-3). This is a parcel of land of about 5 acres, currently undeveloped and located adjacent to Moraga Road. The parcel is currently undeveloped and therefore represents future opportunities for uses which could benefit from the application of anticipated standards and criteria which eventually will be implemented to guide the ultimate organization and development of this part of the Town.

In the following analyses, the implications of adding the parcel to the SP area are discussed, indicating the characteristics of the SP area "without" the parcel as well as "with" the parcel.

Figure 2-3 Additional MCSP Parcel Location



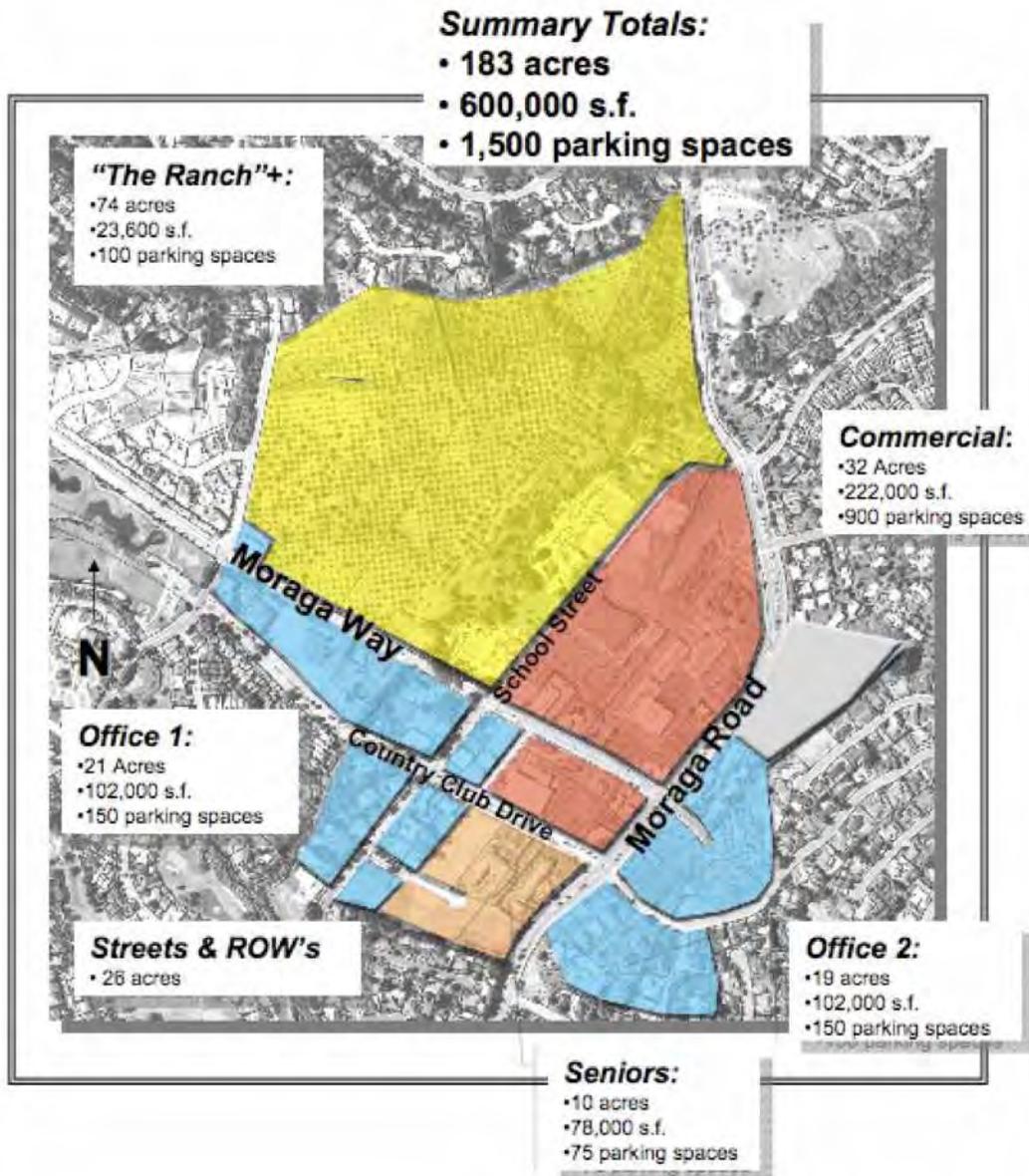
## 2. Land Use

In order to gain some perspective on the existing development patterns in the MCSP area, an analysis of aerial photographs was undertaken which was supplemented by spot field checks. This analysis indicates that the MCSP area is made up of several large subdistricts that comprise all 17 sub-areas as identified in the Illustrative Land Use and Circulation Plan, and are bounded by the existing streets (Figure 2-4):

- The "Commercial Center" subdistrict encompasses sub-areas 8 through 12 as identified on the Illustrative Land Use and Circulation Map (Figure 4-2 on page 32), and includes the large parcels which make up the Moraga Center commercial area

along with the other related commercial services which are located directly to the south of the main center including the block bounded by Moraga Way, Moraga Road, Country Club Drive and Viader Drive. This Commercial Center includes retail stores, the Town's major grocery store (Safeway), commercial services, restaurants, financial institutions, auto service stations and other miscellaneous activities including a plant nursery and a pre-school facility; a portion of the subdistrict is undeveloped. The newest facility in the area is the renovated Moraga Barn which is occupied by Canyon Construction.

**Figure 2-4 MCSP Subdistricts**



- The "Office 1" subdistrict consists of a portion of sub-area 14 and sub-areas 11 and 13 and is located in the southwest part of the MCSP area and includes not only commercial offices and services but also religious, educational, and public uses as well as undeveloped land.
- The "Office 2" subdistrict consists of sub-areas 15 and 17 and currently accommodates offices for dental and specialty medical practices as well as conventional professional services, education and multifamily housing and undeveloped land.
- The "Senior" subdistrict is located south of Country Club Drive and west of Moraga Road consisting of a portion of sub-area 14 and currently includes two large developments of senior housing, Aegis and Moraga Royale, as well as a parcel of undeveloped land consisting of approximately 6.2 acres.
- The "Ranch" subdistrict consists of sub-area 1 and includes some under-developed parcels (properties currently accommodating unenclosed uses or individually smaller uses housed within small and/or temporary structures) to the northeast of the Commercial Center as well as the existing mixed-use commercial area known as "The Ranch". This sub-area currently accommodates a number of both older and recently constructed buildings dispersed throughout the approximately 6.0 acre site, including construction offices, restaurants, commercial storage, agricultural support uses, vehicle and trailer storage and related uses.
- The New Retail subdistrict, consisting of sub-areas 2 and 8 includes approximately 3.5 acres of under-developed land (properties currently accommodating unenclosed uses or individually smaller uses housed within small and/or temporary structures), located at the southwest corner of Moraga Road and the extension of School Street. This area has frontage on Laguna Creek, providing opportunities for patio dining or other outdoor activities that may take advantage of this important aesthetic amenity, while also protecting the creek's natural features.
- The Village residential subdistrict consists of sub-areas 3 through 6, located on the northwest side of the creek, between Moraga Road and Moraga Way. This area provides an important opportunity to accommodate the targeted housing needs identified in the Specific Plan, as well as office and commercial uses along the frontage of Moraga Way, local-serving retail and services uses close to the higher density uses, and a commercial recreational use.

In all, the Specific Plan Area includes approximately 600,000 s.f. of existing buildings and facilities on 189 acres of land with about 1,500 parking spaces. The largest residential land use is the senior housing area which contains about 168 dwelling units; there is also a small multifamily complex comprising about 25 dwelling units and very few single family units (+/- 4) in the area.

Without the additional parcel shown in Figure 2-3, the specific plan area would be reduced by approximately 5 acres.

As is shown in Figure 2-5, the MCSP area, without the additional parcel, is about 49% under-developed (88 acres currently accommodating unenclosed uses or individually smaller uses housed within small and/or temporary structures) with the remaining 51% currently developed for commercial and retail uses as well as roads, housing, office and other uses. Including the additional parcel, the MCSP area is about 50% under-developed (93 acres) with the remaining 50% developed for commercial and retail uses as well as roads, housing, office and other uses.

As shown in Figure 2-6, the under-developed parcels are primarily (not exclusively) located in several large blocks, the largest of which is in the northern corner of the MCSP area (the Village sub-areas). The other parcels are distributed around the rest of the MCSP area.

**Figure 2-5 MCSP Area Land Uses**

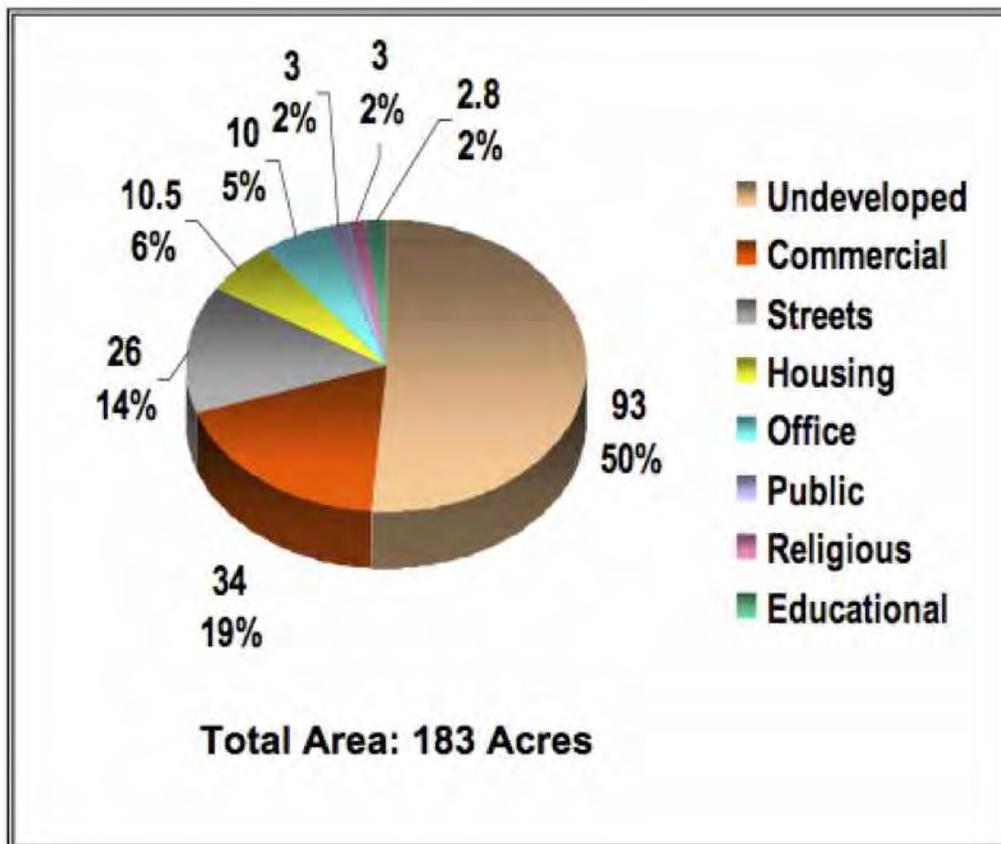
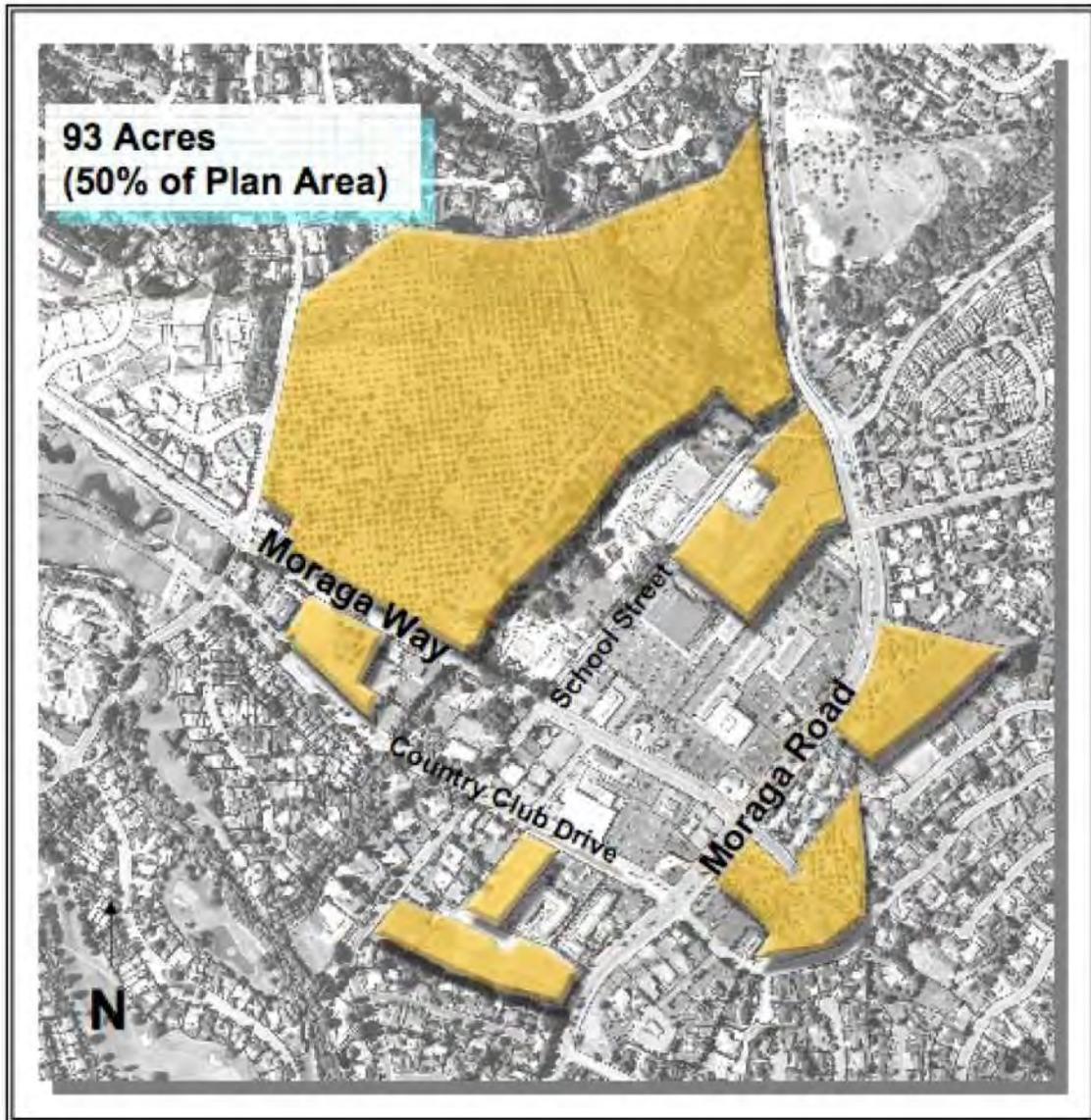


Figure 2-6 MCSP Area Vacant Land Parcels



### 3. Existing Zoning and Development Potential

The property contained within the MCSP area is presently zoned for a variety of uses which, in accordance with the development standards and requirements of Town's Municipal Code, provides the potential for the development of a range of land uses, including residential, commercial, retail and office facilities. As shown in Figure 2-7, the current zoning classifications in the MCSP area include:

- Community Commercial
- Suburban Office
- Residential

By applying the development standards in the Municipal Code which each of these land use classifications stipulate to the various parcels the potential total development "capacity" of the various parcels may be determined; this potential may be summarized as follows:

- Community Commercial
  - 500,000 s.f.
  - 2,250 parking spaces
- Suburban Office
  - 500,000 s.f.
  - 2,000 parking spaces
- Residential
  - 372-460 du's

With the adoption of a Specific Plan for the MCSP area, the development potentials permitted under these existing zoning and development standards will be changed to those provided in the adopted Plan.

#### 4. Parcels and Ownership

As shown in Figure 2-8, the land parcel and ownership pattern in the MCSP area indicates that there are many large parcels that are held primarily by one owner - Bruzzone Properties. C and C Equity Company owns a parcel along the north boundary of the MCSP area accessed from Camino Ricardo. The Town of Moraga owns a parcel of land in the northeast corner of the planning area while several other owners have smaller holdings in the southwest part of the plan area. In terms of the extent to which property parcels and ownership play a role in realizing the aims of a plan such as the MCSP, it has been the experience of many communities that planning areas which have many small parcels of land and many owners have greater difficulty achieving consensus and implementing plans. Therefore, the current ownership and parcel pattern would appear to represent a significant opportunity for the Town of Moraga and the property owners involved to move successfully forward to implement the aims of the MCSP area.

Figure 2-7: MCSP Existing Zoning and Development Potential

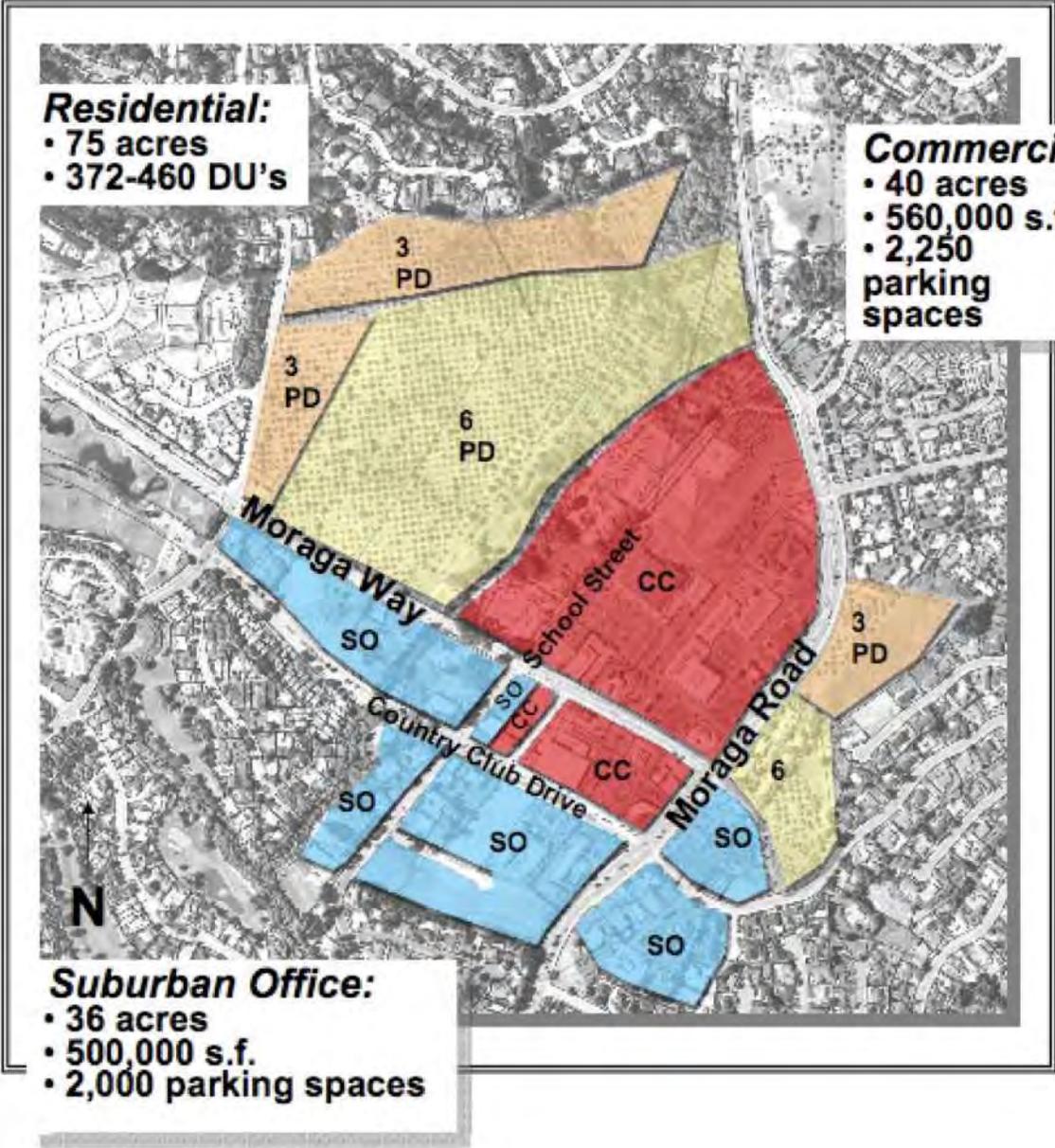
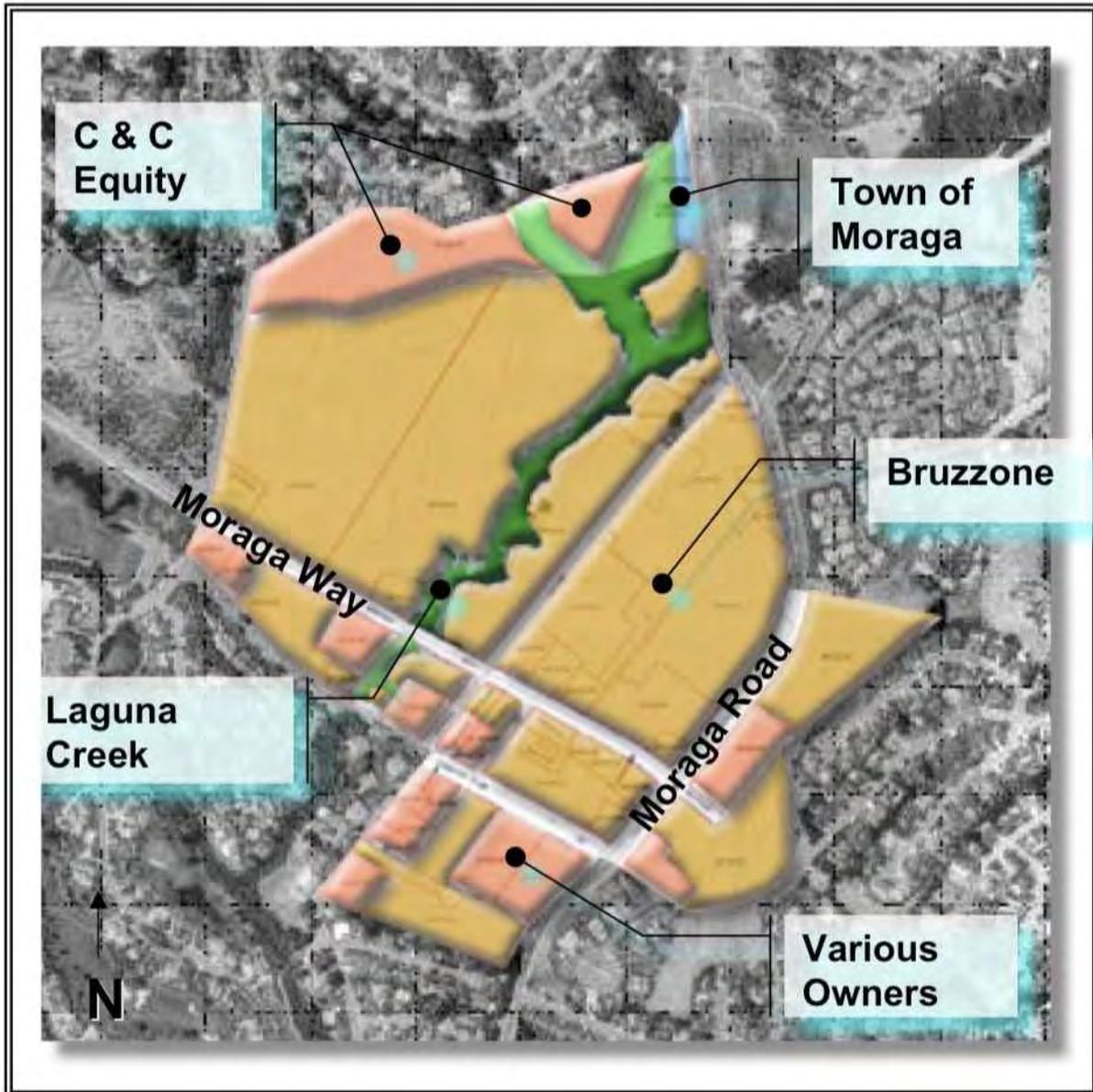


Figure 2-8: MCSP Area Parcels and Ownership Patterns

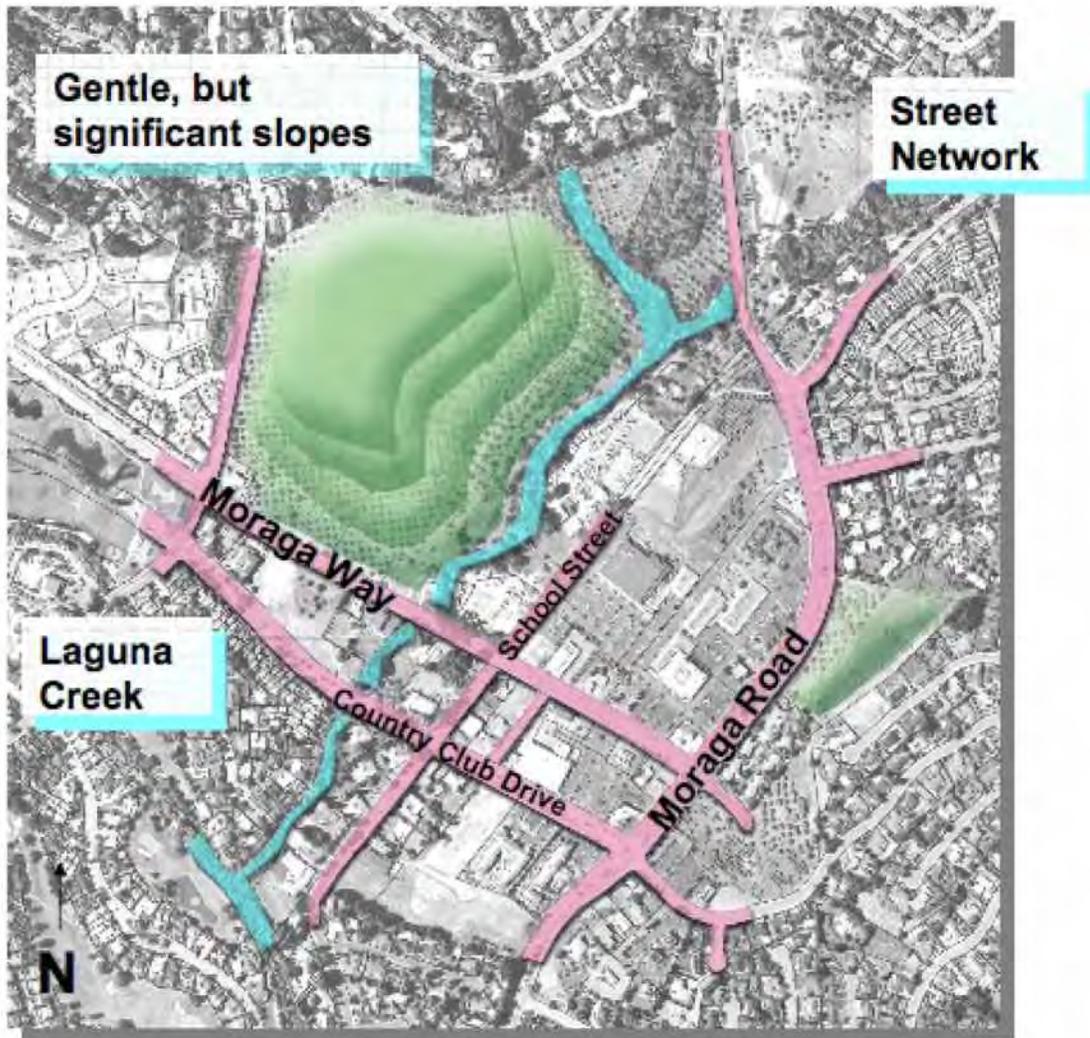


### 5. Physical Opportunities and Constraints

The under-developed parcels within the Village sub-areas in the northern portion of the MCSP area are located on land that ranges from relatively flat to gently sloping (Figure 2-9). In other areas of the Town, such as the adjoining Golf Course and the properties east of Moraga Road, land with similar characteristics has been developed to create pads for individual homes and the natural contours, for the most part, assimilated in the revised topography. The additional undeveloped parcel that faces onto Moraga Road contains a relatively flat 3.0 acres adjoining Moraga Road, and steeper slopes at the rear of the

parcel, forming a natural separation from other existing residential uses further to the southeast. This condition will influence the placement of homes on the site.

**Figure 2-9: MCSP Area Physical Opportunities and Constraints**



The existing street network establishes the framework for vehicular transportation in the area. Because the streets are, for the most part, quite wide, and development is quite dispersed, non-vehicular circulation (i.e. pedestrians, bicycles, etc.) is easily accommodated, but not currently well-defined. The principal exception to this is the Lafayette-Moraga Regional Trail that accommodates hiking, bicycle and equestrian traffic. The regional trail crosses the MCSP area and is currently located partially adjacent to Laguna Creek. This creek, which runs in an east/west corridor through the Plan Area, is presently abutted by private property between Moraga Way and Moraga Road and is obscured from public view by underbrush, trees, and buildings (within the Moraga Ranch).

## 6. Public Safety Services and Community Facilities

### Public Safety Services

*Police:* Police services for the MCSP area are provided by the Town of Moraga. Administrative offices are located outside the MCSP area at 329 Rheem Blvd.

*The Moraga-Orinda Fire District:* The Fire District, which serves the Town of Moraga as well as Orinda, Canyon and St. Mary's College, provides a range of fire and medical emergency services to a district which is roughly 63 square miles in area and has a population of approximately 43,000 people. The services provided include residential, wildland and commercial fire protection, medical emergency, auto and confined space rescue, and assistance with other hazardous conditions. There are five fire stations which are strategically located in the District, and two of those stations are located in Moraga. One of the stations, located on the west side of Moraga Way between School Street and Camino Ricardo Drive, is within the MCSP area (Figure 2-10).

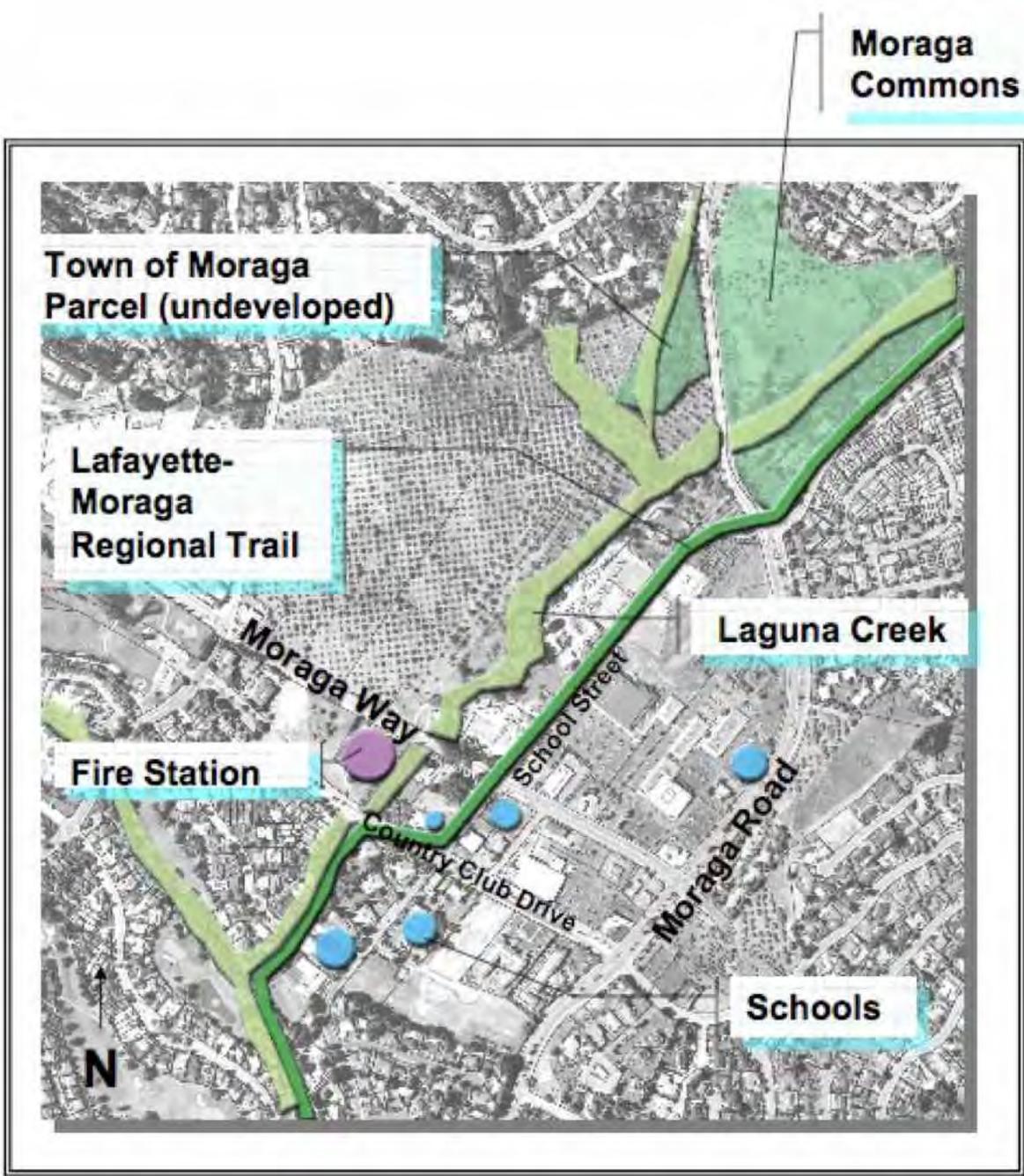
### Parks and Recreation

*Parks:* There are no dedicated parks in the MCSP area, although one of Moraga's two community-level parks, the Moraga Commons, is located adjoining the northeastern boundary of the MCSP area. The Moraga Commons offers a variety of passive and active recreation areas and is used by the Town to accommodate seasonal outdoor performances.

*Trails:* The MCSP area includes a segment of the Lafayette-Moraga Regional Trail which is a part of the East Bay Regional Park District facilities. The trail winds from north to south, beginning at the Olympic Blvd. Trail Staging point in Lafayette and ending to the south at the Valle Vista Trail Staging point that is managed by the EBMUD. Following St. Mary's Road and passing along the Moraga Commons Park which is located just outside the northern boundary of the MCSP area, the trail then roughly follows School Street, is signed and mile markers have been painted on the pavement. The existing concrete sidewalk and unpaved equestrian path was constructed by East Bay Regional Park District in late 1983. Just north of the intersection of School Street and Moraga Way the trail resumes an improved designated path, winding to the south alongside the Creek.

*Other:* The Town of Moraga has an undeveloped parcel of land of about 3.3 acres which is located in the northeastern corner of the MCSP area which faces onto Moraga Road; there is a signboard on the property, visible to drivers and pedestrians using Moraga Road, which is periodically changed to announce community events or matters of community interest.

Figure 2-10: MCSP Area Public Safety Services and Community Facilities



Cultural Facilities and Schools

There are no cultural facilities within the MCSP area. However, the Moraga Public Library, located on St. Mary’s Road, is a short distance from the area.

The following school facilities are located in the MCSP area:

- Growing Light Montessori School (1450 Moraga Rd. – located in the Moraga Center commercial center)
- Moraga Bright Beginnings (Preschool – 1689 School St.)
- Saklan Valley School (Preschool through Middle School – 1671 School St.)
- Living Word Community Church (Preschool – 1689 School St.)
- Moraga School District (administration office – 1540 School St.)

### **3. PLAN GOALS AND POLICIES**

#### **A. Relationship to the General Plan**

The Moraga 2002 General Plan provides a comprehensive, long range statement of the community's goals and policies. As provided for in Sections 65450-65451 of the Government Code, the Moraga Center Specific Plan (MCSP) provides for the "systematic implementation" of the 2002 Moraga General Plan. The Specific Plan includes written policies, along with an illustrative Land Use Diagram, a Development Summary Table, and "Land Use Matrix" identifying the mix and quantities of uses suitable for fulfilling the Plan's objectives. Consistent with the Moraga 2002 General Plan, the MCSP provides further detailed policies and programs focusing on the following components:

- (a) The distribution, location, and extent of the uses of land, including open space, within the area covered by the Specific Plan.
- (b) The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the Specific Plan and needed to support the land uses described in the Specific Plan.
- (c) Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
- (d) A program to facilitate new construction to revitalize and expand the downtown area, including regulations, programs, public works projects, and financing measures necessary to provide for economic viability and sustainability.
- (e) A statement of the relationship of the Specific Plan to the 2002 Moraga General Plan.

Table 4.A-3 of the MCSP Draft EIR Chapter 4.A (Land Use) provides a detailed analysis of the MCSP's consistency with the Moraga General Plan. Table 3-1 lists the General Plan goals and policies that are considered to be applicable to the MCSP and that are analyzed in the MCSP Draft EIR.

#### **B. Specific Plan Goals and Policies**

Consistent with policy direction in the Moraga 2002 General Plan, a study was undertaken by the Town, property owners, business representatives and interested community members ("stakeholders") to address each of the above specific plan components. This process focused on preparation of a comprehensive planning policy document to facilitate new construction within the MCSP area, as a mixed-use "urban village", including incentives for renovation and revitalization of the Moraga Ranch sub-area, while retaining and expanding existing uses in this portion of the planning area. The vision for the MCSP area is to create an attractive and vibrant shopping and living environment to serve the needs of the entire Moraga community.

The MCSP, as articulated in the General Plan, embraces the following Goals and Policies:

### **LU3.1 Moraga Center Area Specific Plan**

Undertake a specific planning process for the area designated on the General Plan Diagram as the 'Moraga Center Area Specific Plan,' coordinated as appropriate with the planning for the Rheem Park Area Specific Plan. Address the following issues through the specific plan process:

- a) *Vision*. Define a long-term vision for the area's development and redevelopment as a community focal point and activity center, defining specifically the area's role within the larger structure of the Town and its relation to the Rheem Park Specific Plan Area.
- b) *Mix of Uses*. Establish an appropriate mix of residential and commercial use areas in addition to community facilities and open space areas. Focus in particular on those parcels that are undeveloped, under-utilized, or subject to potential redevelopment.
- c) *Housing*. Define appropriate locations and densities to achieve the Town's fair share of 'Regional Housing Need' in keeping with the goals and policies of the Housing Element. Provide a mix of housing types that is fitting with Moraga's community character and responds to the needs of lower and moderate-income households, the local workforce, seniors, and 'emptynesters.'
- d) *Retail and Office Uses*. Define appropriate locations and densities for new or redeveloped retail and office uses. Explore opportunities for new types of specialty retail stores and/or flexible small office arrangements that may respond to Moraga's evolving community needs.
- e) *Town Center Facility*. Identify possible sites for a potential Town Center facility and define its relationship to and connections with other uses within the Specific Plan Area as well as with adjacent residential neighborhoods.
- f) *Design Quality*. Establish design guidelines to create an attractive pedestrian-friendly environment and reflect Moraga's community character.
- g) *Traffic Access, Circulation and Parking*. Address traffic access and circulation issues and provide adequate parking to meet current and projected needs, located and designed consistent with the area's pedestrian orientation.
- h) *Pedestrian and Bicycle Circulation*. Create an environment that encourages walking and biking, with appropriate amenities and connections to adjacent residential neighborhoods. Consider providing some flexibility in parking standards in return for effective strategies and amenities that promote the use of alternative transportation modes.

i) *Transit*. Provide a comfortable and attractive central transit stop with park and ride facilities, passenger amenities, and pedestrian/bicycle connections to new and existing residential developments

j) *Historic Preservation*. Preserve historic architecture to the extent possible at the Moraga Ranch and incorporate it into the overall design of the area.

k) *Creek Protection*. Protect the creek area with appropriate development setbacks to protect its riparian environment and address flood risks. Consider incorporating the creek into a linear park feature connecting Moraga Road to the Moraga Way/School Street area, with pedestrian/bicycle connections across the creek as appropriate.

l) *Orchard Preservation*. Encourage clustered housing design on the Moraga Ranch property to protect some of the remaining orchard areas, particularly those areas that are most visible from Moraga Way and Moraga Road.

The preservation of orchard trees is encouraged throughout the MCSP area, especially in connection with greenbelt or internal paths within the developed areas where feasible and not in conflict with development objectives.

### **CD 6.5 Moraga Center Area.**

Use the Moraga Center Area Specific Plan to create a community focal point and mixed-use activity center of businesses and higher density residences with a unified 'village' character. Provide a land use and zoning plan, design theme and circulation system (traffic, pedestrian and bicycle) for the entire Moraga Center area, including the Moraga Center shopping center; commercial uses in the Country Club Drive/School Street area (including the Moraga Barn); commercial uses on the east side of Moraga Road; the historical buildings, creek area and orchards in the Moraga Ranch; the proposed new Town Center facility; areas of potential new residential development; and adjacent existing residential neighborhoods. Consider also the pathways connecting between the Specific Plan Area and other Town facilities and attractions, including Moraga Commons, the Moraga Library, school facilities, Saint Mary's College, Hacienda de Las Flores, and the Rheem Park area.

### **C. Specific Plan Objectives**

Objectives for the MCSP include:

- Revitalization of the existing Moraga Center through increased residential development in and around the Center.
- Expansion of retail opportunities in the vicinity of the existing Moraga Center.
- Creation of a mixed use Village that serves as an activity center for the community.
- Provision of residential housing densities that are adequate to help meet the Town's fair-share of affordable housing goals.
- Control of maximum peak hour traffic volumes at levels equal to or less than those predicted in the Town's General Plan EIR for the MCSP area.

- Recognize and incorporate development opportunities for a community center/gymnasium to address many community-wide needs for recreational facilities.

**Table 3-1: General Plan Goals, Policies and Programs Pertaining to the MCSP**

Element	Goals and Policies	Item/Issue	MCSP Reference *
Land Use	LU3.1 Moraga Center Area Specific Plan	A) Vision	4.D
	“	B) Mix of Uses	4.D
	“	C) Housing	4.F
	“	D) Retail and Office Uses	4.F
	“	E) Town Center Facility	4.G
	“	F) Design Quality	Appendix B
	“	G) Traffic Access, Circulation and Parking	5.B
	“	H) Pedestrian and Bicycle Circulation	5.E
	“	I) Transit	5.D
	“	J) Historic Preservation	4.G
	“	K) Creek Protection	4.G
	“	L) Orchard	4.G
	LU3.3 Residential Densities in the SP Areas	Residential densities.	4.F
Community Design	CD1 Natural Setting	CD1.1 Location of New Development	Figure 4-2
	“	CD1.2 Site Planning, Building Design and Landscaping	Appendix B
	“	CD1.3 View Protection	Appendix B
	“	CD1.5 Ridgelines and Hillside Areas	Appendix B
	“	CD1.6 Vegetation	Appendix B
	CD2 Public Places	CD2.1 Public Places as Focal Points	Appendix B
	“	CD2.2 Town Center Facility	Appendix B
	“	CD2.3 Commercial Centers as Community Places	Appendix B
	“	CD2.5 Connections	Appendix B
	CD3 Scenic Corridors	CD3.2 Visual Character	Appendix B
	“	CD3.4 Moraga Road	Appendix B
	“	CD3.5 Landscaping and Amenities	Appendix B
	CD4 Single Family Neighborhoods	CD4.4 New Residential Developments	4.F
	CD5 Multi-Family Residential Developments	CD5.1 Location	4.F
	“	CD5.2 Design	Appendix B
	“	CD5.3 Open Space	Appendix B
	“	CD5.4 Pedestrian Amenities	Appendix B
	CD6 Commercial Areas	CD6.1 Design Quality	Appendix B
	“	CD6.2 Traffic Access and Circulation	5.B

Element	Goals and Policies	Item/Issue	MCSP Reference *
	“	CD6.3 Pedestrian Orientation	5.E
	“	CD6.4 Office Development	4.F
	“	CD6.5 Moraga Center Area	4.F
	CD7 Historic Resources	CD7.1 Design of Historic Resources	4.G
Housing	H1 Housing and Neighborhood Quality	H1.4 Design Excellence	Appendix B
	H2 Housing Mix and Affordability	H2.1 Housing Variety	4.F
	“	H2.3 Fair Share Housing	4.F
	“	H2.4 Multi-Family Housing Amenities	4.F
	“	H2.6 Density Bonus	4.F
	“	H2.8 Affordable Housing Partnerships	4.F
	H3 Special Housing Needs	H3.3 Student Housing Demand	4.F
	“	H3.4 Senior Housing	4.F
	“	H3.5 Housing for People with Disabilities	4.F
Circulation	C3 Commercial Area Traffic and Parking	C3.1 Commercial Area Traffic Safety	5.B, 5.E
	“	C3.3 Commercial Area Parking	5.B, 5.C, 5.E
	“	C3.4 Through Traffic	5.B, 5.C
	C4 Pedestrians, Bicycles and Transit	C4.1 Pedestrian Circulation	5.E
	“	C4.2 Bicycle Circulation	5.E
	“	C4.3 Transit	5.D
	“	C4.4 Trip-Reduction Strategies	Table 4-2
Open Space and Conservation	OS1 Open Space Preservation	OS1.7 Receiving Area for TDR's	EIR 4.E
	OS2 Environmental Quality	OS2.1 Protection of Wildlife Areas	4.F, EIR 4.I
	“	OS2.2 Preservation of Riparian Environments	4.F, EIR 4.I
	“	OS2.8 Tree Preservation	4.I, EIR 4.I
	OS3 Water Quality and Conservation	OS3.1 Sewer Connections	6.D
	“	OS3.6 Run-off from New Developments	6.E
	“	OS3.7 Water Conservation Measures	6.C
	“	OS3.8 Water Recycling	6.C
	OS4 Air Quality	OS4.4 Landscaping to Reduce Air Quality Impacts	Appendix B
	“	OS4.5 Alternate Transportation Modes	EIR 4.F and 4.G
	“	OS4.7 Trip Reduction Programs	EIR 4.F
	OS5 Energy Conservation	OS5.3 Trip Reduction	EIR 4.F

Element	Goals and Policies	Item/Issue	MCSP Reference *
	OS6 Noise	OS6.4 Noise Impacts of New Development	EIR 4.H
Public Safety	PS1 General Public Safety	PS1.1 Assessment of Risk	EIR 4.J
	PS2 Police and Emergency Services	PS2.3 Public Safety and Design	EIR 4.L
	PS3 Fire Safety and Emergency Services	PS3.1 Cooperation with the Moraga-Orinda Fire District	EIR 4.L
	"	PS3.5 Development Review for Emergency Response Needs	EIR 4.L
	"	PS3.6 Fire Vehicle Access	5.C
	PS4 Seismic and Geologic Hazards	PS4.1 Development in Geologic Hazard Areas	EIR 4.C
	PS5 Flooding and Streambank Erosion	PS5.3 New Structures in Flood Hazard Areas	EIR 4.D
	"	PS5.5 Streambank Erosion and Flooding Potential	EIR 4.D
	"	PS5.6 On-site Storm Water Retention	6.E
Community Facilities and Services	FS2 Schools	FS2.1 Population Growth and School Capacity	EIR 4.K
		FS2.2 Pace of Growth	EIR 4.K
		FS2.3 School Impact Fees	EIR 4.K
	FS3 Parks and Recreation	FS3.2 Parks and Recreation Facilities in New Developments	EIR 4.E
	"	FS3.3 Park Dedication Requirements	EIR 4.E
	"	FS3.14 Neighborhood Compatibility	EIR 4.A
	"	FS3.20 Trails Master Plan	EIR 4.E
	"	FS3.22 Regional Trail System	4.F, EIR 4.E
Growth Management	GM1 Growth Management	GM1.4 Traffic Service Standards	EIR 4.F
	"	GM1.5 Other Performance Standards	
		Parks	EIR 4.E
		Fire	EIR 4.L
		Police	EIR 4.L
		Sanitary Facilities	6.D
		Water	6.C
		Flood Control	6.E, EIR 4.D
		GM1.6 Development Impacts and Share of Costs	6.H
		GM1.7 Development Review and Approval	7.C
		GM1.10 Findings of Consistency	EIR 4.A

\* The Chapter and/or Section of the MCSP or MCSP EIR that addresses the goal or policy direction of the Moraga 2002 General Plan.

## **4. LAND USE ELEMENT**

### **A. Introduction**

This section of the Specific Plan establishes those land uses which are proposed for approval under the MCSP. It also outlines the general levels of development which are proposed to be accommodated within the MCSP area. Also provided are development standards which provide more specific guidance on physical development parameters such as setbacks, building height, floor-area ratios, and the like.

### **B. Land Use Policies**

Information on the Land Use policies for the MCSP area which have been established in the General Plan is provided in Section 3, Plan Goals and Policies, Subsection B, Land Use.

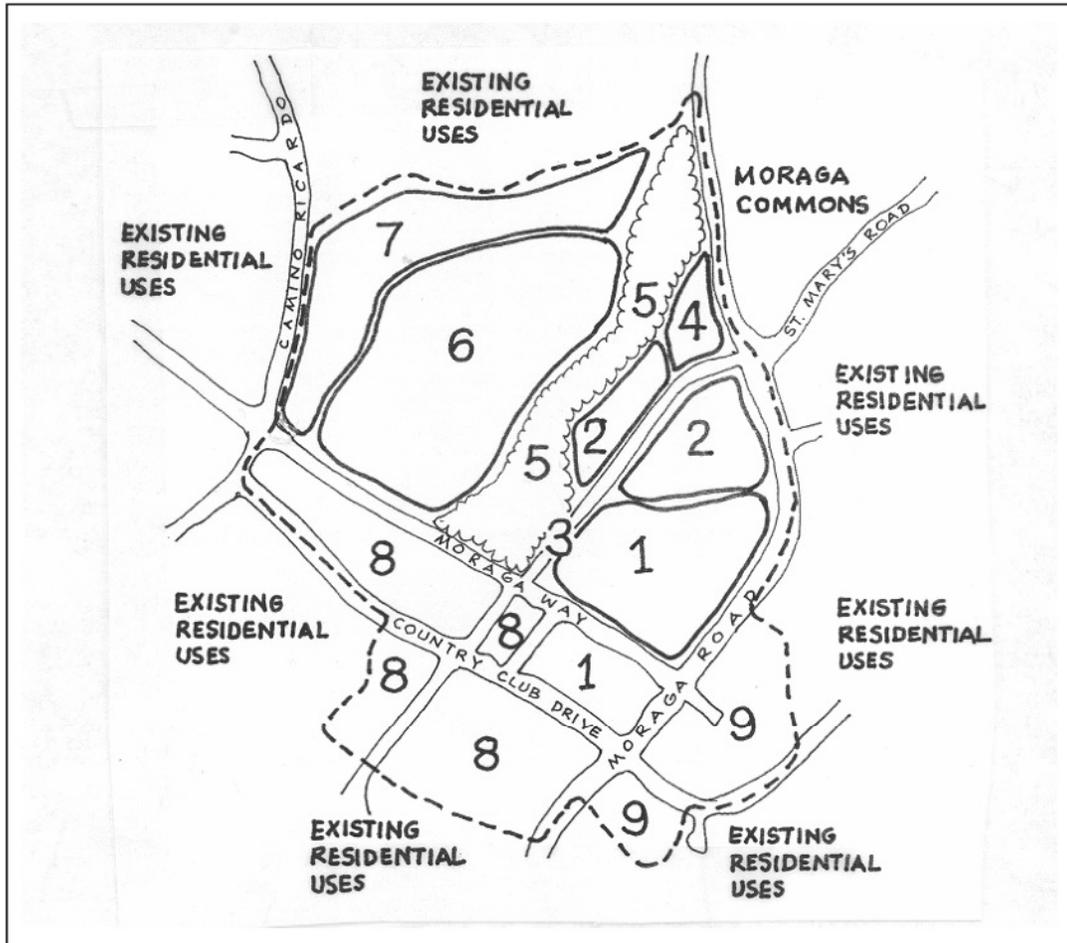
### **C. General Plan Guidance**

Figure 4-1 identifies the illustrative conceptual diagram that shows key opportunities and a possible configuration of land uses for the MCSP area that was included in the Town's General Plan of 2002.

### **D. Plan Rationale and Vision**

As part of the planning process, in addition to considerations of the basic choices between various types of land uses and their responsiveness to available market supports in the Town of Moraga, the important linkages between land uses, housing types and transportation requirements were also thoroughly analyzed. Given that the predominant development pattern in the Town is largely suburban residential, the opportunities to alter land use and transportation requirements in most areas of the community are fairly limited, at least for the foreseeable future. However, because the MCSP area is about 50% undeveloped, there are significant opportunities in this key area of the Town to both respond to community desires for an expanded range of retail, entertainment and recreational opportunities and change the current transport paradigm for both future residents of the area as well as nearby neighborhoods. More specifically, by offering a range of housing types including units attractive to seniors, students and faculty at St. Mary's College, and workers in the community as well as single family dwellings in a setting which offers a variety of community-serving shopping, retail and food and beverage outlets, there will be considerable opportunities to live, shop, and play without the need to use a private automobile to make these normal daily trips. Thus, by creating a mixed-use "Village", the future development and redevelopment of the MCSP area can:

Figure 4-1: MCSP Area General Plan Diagram



**Moraga Center Area Specific Plan**

*Key opportunities and a possible configuration of land uses in the Moraga Center Area.*

- 1 Shopping Center – potential redevelopment, redesign, intensification or site improvements to create stronger pedestrian orientation.
- 2 Under-utilized Land –potential for medium and medium-high density housing and/or commercial development
- 3 Potential extension of School Street
- 4 Proposed Town Center Facility Site
- 5 Creek and Moraga Ranch historic structures—development setbacks and potential linear park
- 6 Orchard Area – mixed density housing, clustered to protect some of the orchard areas
- 7 Residential Area (3 units per acre; transition to existing neighborhoods)
- 8 Commercial / Office Areas (including existing assisted care facility, Moraga Barn, etc.) – some infill potential (small offices and/or housing)
- 9 'Limited Commercial' Area – some infill housing potential

- Address current resident concerns about lack of shopping choices through the provision of revitalized and expanded retail and support facilities.
- Provide a range of housing types, with reduced emphasis on detached single family dwellings (provided and planned elsewhere in the community), that can satisfy a portion of Moraga’s market demand. This demand can principally be satisfied with specialized housing which is responsive to the needs of people who no longer want to maintain a large single-family detached house, or currently study and work in the community, and are unable to find available housing within Moraga, and are therefore compelled to commute to and from the Town on a daily basis.
- Encourage residents, visitors and workers to walk and avail themselves of alternate modes of transportation to circulate within the Town and the MCSP area.
- Provide a critical supplemental demand for retail and service uses within walking distance of the existing and planned commercial areas of the MCSP, thereby establishing and maintaining improved sustainability for a healthy and attractive downtown.
- Locate the community’s needed higher density housing uses within walking distance of existing and planned retail uses and services, while attracting a mix of commercial uses currently under-served within the Moraga market place, thereby capturing a larger share of retail purchases made by Moraga residents as a whole, and reducing vehicle trips into and out of the Town.

## **E. Market Parameters**

As part of the MCSP process, a market study was undertaken to identify those retail and service uses currently underserved within Moraga, and to quantify the opportunity for capture of a greater share of local market demand, based on existing and future population within the community.<sup>1</sup> The findings and recommendations of this study are summarized in the following paragraphs.

- Households in Moraga may be characterized as increasingly well-to-do with growth in the number of households and incomes projected to take place over the next ten years; the 2005 mean household income was \$160,200 which is projected to increase to \$178,900 by the year 2015.
- The greatest opportunities for urban development in the near term within the Specific Plan area are in the residential housing market. In addition to high regional demand for housing which includes Moraga, there are also opportunities for the development of various types of housing which are in demand as a result of existing activities in the Town including St. Mary’s College and district schools. Due

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<sup>1</sup> See Appendix: “Moraga Center Specific Plan Market Assessment”, prepared by EPS, January, 2006.

to a scarcity of appropriate local housing resources, many students, faculty and workers now commute to the Town. The stock of senior housing within the area could also be expanded as demands for additional units are projected to grow.

- Moraga households make 75% of their retail purchases in surrounding communities – as opposed to within the Town – which is consistent with the existing range of shopping opportunities available to residents. In terms of actual expenditures, Moraga’s households spend \$289 million on retail goods every year, but only \$70 million in taxable sales were made in the Town in 2004; a portion of those sales were made by shoppers from Orinda and Lafayette. The remaining \$219 million in retail sales made annually by Moraga’s households, which may be characterized as a “leakage” of sales, are made in surrounding communities.
- By capturing a portion of the existing “leakage” and catering to demands from new residents, Moraga could create opportunities for an expansion of retail space. The opportunities for expansion are in the areas of community-serving retail including new food and beverage services, apparel and other specialty retail; more specifically, there could be opportunity to expand the existing grocery store to a large format store. In all, there could be sufficient demands to support from 50,000 to 100,000 s.f. of new retail development during the next five to ten years.
- New retail development should be focused on convenience shopping which could be developed within the existing center near the intersection of Moraga Road and School Street. Given the student population and the potentials for new residential development in and around the Moraga Center, the new retail outlets could include a coffee shop, a deli or sandwich shop, bagel shop, smoothie/juice bar or frozen yogurt outlet, and a sports bar and restaurant. These facilities could be easily accessed by students, faculty and staff of St. Mary’s via a shuttle bus which could also serve local residents and employees who live and work nearby<sup>2</sup>.
- Another potential commercial development which could be accommodated in Moraga is a small boutique hotel or bed and breakfast facility. Residents, students and representatives of St. Mary’s have indicated interest in some type of hotel to serve local needs which would be differentiated from the hotels available nearby in Lafayette and Walnut Creek. Unlike a “branded” property, it is likely that an independent operator would be needed to develop this type of facility.
- Office uses would be a relatively minor component of the future development in the Town due to existing vacancies in Moraga and nearby communities. However, with new residential development in the Specific Plan area and as the overall population grows, there could be future demands for office space.
- Participants in the Specific Plan process have expressed interest in having more entertainment-related facilities in the Town such as the aforementioned sports bar

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<sup>2</sup> A shuttle bus is currently in operation, serving St. Mary’s, the MCSP area and Rheem Center.

and restaurant. At present, residents, students and others find it necessary to travel outside the Town to find the types of facilities which have casual dining, live music, etc. Given the potential for a mixed-use environment including new residential development, expanded commercial shopping and the like, an entertainment venue could be, subject to more detailed market analysis, an appropriate addition to the overall development program.

## F. Land Use Designations

Following the guidance provided by the General Plan, and based on a variety of technical studies including the aforementioned market analysis of the potential demands for various types of land uses and activities as well as consultations with the property owners and input from the Moraga Town Council and Planning Commission, an Illustrative Land Use and Circulation Plan (the Specific Plan “diagram”) has been prepared (Figure 4-2). As indicated in the diagram, the MCSP is intended to accommodate a community-serving commercial core which encompasses both existing and potential new retail and service businesses that is partially supported and enhanced by the establishment of new residential development which will be realized at various densities ranging from lower (3 dwelling units/acre) to medium (6-12 dwelling units/acre) and higher (20 dwelling units/acre).

The diagram also calls for development of medium and higher density housing as part of a mixed retail and residential land use. The complementary retail and residential land uses to be developed in the central part of the MCSP area will create an attractive, pedestrian-friendly "Village" environment. Given that approximately 50% of MCSP area is currently vacant or under-developed, the MCSP may further be characterized as primarily an urban infill project, wherein available, vacant land will be put to productive, complementary use within the existing framework of land uses, primary circulation and infrastructure. The key natural feature in the plan area - Laguna Creek - will be visually accessible to residents and visitors, while its natural course and conditions will be maintained. The four principal land uses to be contained within the MCSP area are, more specifically:

- Commercial
- Suburban Office
- Residential
- Public Facilities

These land uses are generally consistent and compatible with those existing in the MCSP area and those contemplated for this specific plan area in the General Plan. A description of the MCSP land uses follows Figure 4-2.

- *Commercial:* The commercial land use is allocated between two sub classifications - Community Commercial and Mixed Retail/Residential. The Community Commercial area generally encompasses the properties bounded to the northwest by School Street and its extension to Moraga Road, Moraga Road to the east and southeast and Country Club Drive on the southwest. The Community Commercial area includes most

of the existing retail and commercial services in the MCSP area and envisions the infill of the undeveloped parcels in this area as well as the potential redevelopment and enhancement of the existing facilities. The Mixed Retail/Residential area would encompass the land located between Laguna Creek and School Street and its extension to Moraga Road; this area is bounded on the southwest by Moraga Way. In designating this sector as Mixed Retail/Residential, this land use encompasses the existing "Ranch" complex and includes, in addition to new and enhanced commercial development, residences which could range in density between 12 and 20 du/ac.<sup>3</sup> Properties in the commercial area could be developed for community-serving recreational uses such as a community center/gymnasium or similar use.

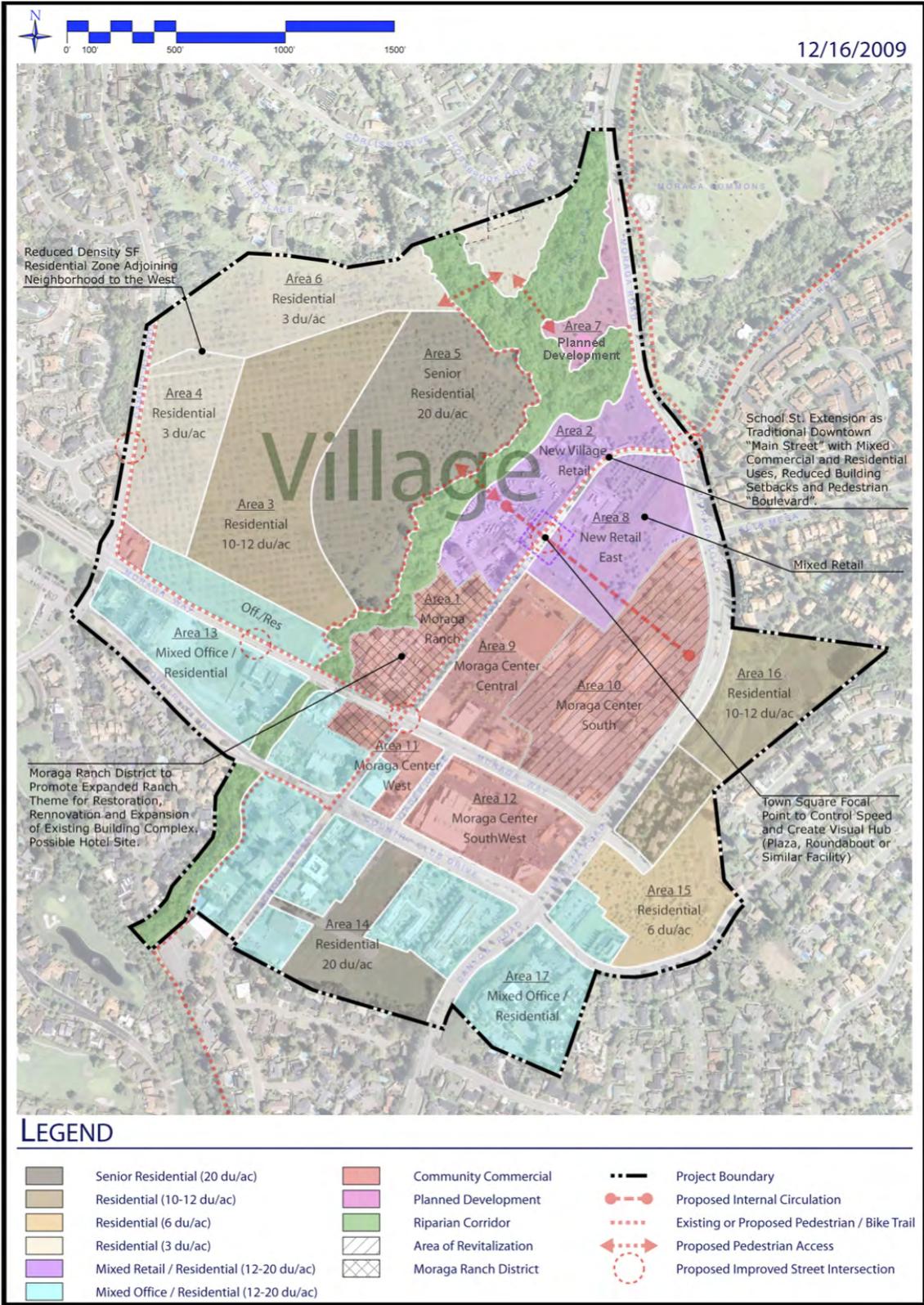
- *Office:* Although the General Plan does not explicitly identify a subcategory land use for "Suburban Office", the notion of defining appropriate locations and densities of development for office uses is included in the General Plan in Policy LU3.1.d. It is also noteworthy that this classification is currently provided for in the Town's Municipal Code (Title 8 Planning and Zoning, Chapter 8.44 Suburban Office District). This land use type is accommodated within the southern part of the MCSP area, located generally southeast of Moraga Way and School Street, and south of Country Club Drive. This area encompasses most of the existing office facilities in the area; some existing commercial uses and assisted/congregate care housing are also found in this area. The diagram identifies office uses as "Mixed Office/Residential" which allows for a combination with residential uses, at densities between 12 and 20 du/ac. This use envisions the development of professional and administrative offices, educational use and possibly a small specialty or boutique hotel<sup>4</sup> (the hotel use may also be accommodated in sub-area 1, the Moraga Ranch).
- *Residential:* The residential land use included in the MCSP area encompasses four densities ranging from lower to medium and higher. In addition to the aforementioned "Mixed Retail/Residential" and "Mixed Office/Residential" land uses which envision residential densities from 12 to 20 du/ac., the following categories which are generally consistent with the General Plan goals (LU1.2) are included:
  - Lower Density - 3 du/ac.
  - Medium Density – 6 and 10-12 du/ac.
  - Higher Density – 20 du/ac.

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<sup>3</sup> This density range is somewhat higher than that contemplated in the General Plan which called for a maximum of residential density of 20 du/ac in the Specific Plan areas (Policy LU1.2); this includes a density bonus.

<sup>4</sup> This proposed "overlay" relates to the fact that the existing zoning for the property is residential and thus, this overlay, would permit Mixed Office/Residential development.

Figure 4-2: MCSP Illustrative Land Use and Circulation Plan



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The lower density residential uses have been limited to the northern portion of the MCSP area (sub-areas 4 and 6) as a transition between existing off-site residential uses to the north and the planned medium and higher density uses within sub-areas 3 and 5. Clustered development shall be encouraged to protect riparian areas and scenic corridors while allowing development of all parcels in accordance with maximum allowable density.

The majority of medium density housing areas are located east of Moraga Road (sub-areas 15 and 16) and northeast of Moraga Way and Camino Ricardo (sub-area 3). It is envisioned that these sub-areas could accommodate compact (attached or detached), residential dwellings which would be attractive for niche market households.<sup>5</sup> Medium density housing located adjacent to Camino Ricardo (sub-area 3) would be buffered from the roadway with an intervening area of lower density housing (sub-area 4). Medium density housing located immediately adjacent to Country Club (sub-area 15) would be up to 6 dwellings per acre and set back from Country Club using the natural topography and landscaping to buffer the new housing from lower density housing located across Country Club Drive. Medium density housing in sub-area 16 would be constructed on the portion of the area located immediately adjacent to Moraga Road. The steeper portion of this sub-area would be left undeveloped because of the steepness of the hillside and would create a natural buffer between adjacent lower density residential uses.

Finally, the planned higher-density housing uses have been located northwest of Laguna Creek (sub-area 5) on the flat to gently sloping areas that adjoin and overlook the planned and existing commercial areas. The residential development which would take place on these parcels would contribute to meeting market demands for niche market housing and/or Senior Housing. Higher density housing would also be possible on the vacant lands located adjacent to Country Club and School Street in sub-area 14. To ensure compatibility with adjacent low density residential, access to this undeveloped area will be provided from Country Club and/or School Street and a landscaped buffer will be provided between the new uses and the lower density residential uses to the south.

- *Recreation/Public Service:* Areas are shown on the plan which may accommodate recreation/public service uses. The specific nature and function of all of these are not specified at this time, but could include a community center/gymnasium, pocket parks, public art, outdoor performance and exhibit areas, and the like. These uses also include those open space areas along Laguna Creek and its tributaries that are to be protected for wildlife habitat and flood protection while accommodating visual accessibility.

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<sup>5</sup> The concept of housing focused on particular niche markets has emerged in recent years to characterize housing which is developed to accommodate and be affordable for teachers, students, police and fire and other active members of a community who otherwise cannot find housing in the area.

## G. Plan Description

The Land Use Plan identifies seventeen (17) focused sub-areas which comprise the currently developed land resources, along with areas where additional development is encouraged. These sub-areas have been identified for purposes of focusing policies at a consistent and specific level, while also providing the flexibility for independent development and renovation consistent with market opportunities.

The "Village" area, as identified in the MCSP Land Use Plan, includes sub-areas 1 through 7, and contains approximately 77 acres located westerly of the existing shopping center. This is where a majority of new development will take place within the planning area. The Plan has been designed to accommodate a range of residential densities for development of new specialty housing opportunities, with buildings of up to thirty-five feet in overall height, together with specialty retail, office, supporting commercial uses and recreational uses. Sub-area 5 provides the opportunity for a continuation of village style services and shops along the new road that would adjoin the higher density housing west of the creek channel to the Village Retail. Sub-areas 4 and 6 provides a transitional density of 3 units per acre with separate local access in order to ensure compatibility with the adjoining neighborhood. Sub-areas 1 and 2 include a number of existing businesses, many of which will be retained and expanded within the Moraga Ranch area. Uses which are replaced provide a "credit" to offset the additional peak hour traffic generated by new development.

Sub-areas 8 through 12 comprise the existing Shopping Center, where renovation and limited residential and commercial expansion are planned in order to create an attractive "downtown" in the heart of Moraga. The economic stimulus for this focused renovation and expansion will be provided by a critical mass of new demand associated with: (a) development of new residential uses located within the Village and other sub-areas located within walking distance; (b) establishment of a stronger business environment through expansion of complementary retail and other commercial activity within the Village and adjoining sub-areas, targeted to provide local-serving goods and services which Moraga residents must currently travel outside the community to obtain; and (c) additional critical demand from executive housing developed on the remaining opportunity sites located outside of the planning area, as identified in the Moraga Housing Element.

Sub-areas 13 through 17 include additional areas of vacant or under-utilized land along the south and east ends of the planning area where appropriate infill development is planned. Development of these properties may take the form of mixed use office and residential, assisted housing, and a range of residential densities, consistent with other specialty housing needs.

School Street will be extended through sub-areas 1, 2, 8 and 9, from Safeway to a four way intersection at Moraga Road and Saint Mary's Road. The specific alignment of this revised intersection is addressed in this document at a preliminary design level, and conceptually shown in the Land Use Plan. This major capital improvement will require a

substantial investment for which public and private sources have been identified, including new residential and commercial development.

Pedestrian orientation will be a principal focus for all retail and service commercial buildings within the "Village" portion of the planning area, along the extension of School Street. The existing public trail will be integrated along this road extension, making an attractive "village streetscape". The proximity of the Village to the extensive park grounds of the Town Commons will allow pedestrians to utilize the distinct amenities, which the park and Village both offer.

Table 4-1 quantifies the overall new development objectives of the MCSP Land Use Plan. Table 4-2 provides for an alternative residential land use mix consistent with the MCSP objectives that would provide flexibility to vary the quantity of individual residential land use components in response to changing market conditions. The matrix calls for a minimum and maximum threshold for each new housing type (e.g., Senior, single family, compact residential), providing the flexibility necessary to take advantage of market opportunities and economic realities.

**Table 4-1: MCSP Development Potential**

Land Use Category	Quantified Development Objective
Retail and Entertainment	90,000 square feet
Focused Office	50,000 square feet
Bed and Breakfast/Boutique Hotel	85 rooms
Assisted Living/Congregate Care (20-40/ac)	150 rooms
Active Senior (12-20/ac)	200 (300) units
Single-Family (3-6/ac)	65 units
Workforce Housing (12-20/ac)	80 (100) units
Compact Single-Family (10-12/ac)	165 units
<b>Housing Subtotal</b>	<b>(510) 630 units</b>

The housing units in (#) represent the maximum number of units with a state mandated density bonus for senior/low income affordable housing

**Table 4-2: MCSP Conceptual Land Use Matrix**

Land Use	Minimum / Maximum Development	Proposed Project	Maximum S Development	Mid-range CT / W Development	Minimum S Development	Trips per dwelling unit	Land Use Equivalents
Single-family homes (SFH)	40 / 65	65	40	65	65	10.6 / DU	20 SFH = 33 CT
Compact Residential Condo / Townhouse (CT)	100 / 180	165	100	140	180	6.4 / DU	1 C/T = 1 W 10 CT = 17 S
(W)/Workforce	0 / 100	80(100)	0	40(50)	80(100)	6.0 / DU	10 W = 16 S
Senior Housing (S)	148 / 490	200(300)	326(490)	250(375)	148(222)	3.7 / DU	16 S = 10 W
<b>Total Housing</b>	<b>288 / 630</b>	<b>510 (630)</b>	<b>466(630)</b>	<b>495/(630)</b>	<b>473(567)</b>		
Retail	90,000 SF	90,000 SF				29.7/ 1,000 SF	Given the desired diversity in the commercial environment – no land use equivalents are proposed
Office	50,000 SF	50,000 SF				16/ 1,000 SF	
Hotel/Bed-and Breakfast	85 rooms	85 rooms				8.2/ RM	
Assisted Living/ Congregate Care	150 units	150 units				2.0/ DU	

Source: Town of Moraga Planning, November 18, 2009

Note: The Proposed Project identifies development potential within the Specific Plan area with respect to land use and number of units or square footage (SF). In order to achieve residential diversity within the Specific Plan area and respond to community needs and market forces, it is possible to construct alternate residential configurations as illustrated above without adversely impacting peak hour traffic. The above mix of residential units does not adversely affect peak hour traffic because consideration has been given in the land use equivalents to trip origin and destination. For example, single-family and compact residential condo/townhouse occupants are assigned a larger percentage of travel outside Moraga so those units can be exchanged for units that have fewer trips outside Moraga such as senior units and workforce units but the senior and workforce units cannot be exchanged for more single-family or compact residential units.

A "Town Square" focal point is planned at the intersection of the School Street extension with a new Village roadway that would cross Laguna Creek. The Town Square should include a fountain, public art or other prominent visual element, and will serve to slow traffic (through use of a plaza or similar facilities) entering the downtown area from Moraga Way and Moraga Road.

The new Village roadway should be designed to minimize disruption to Laguna Creek, while providing visual continuity to the creek setting for motorists and/or pedestrians. The internal circulation may be augmented by additional footbridges depending on need and actual development plans. As a transitional use with lower densities, Sub-areas 4 and 6 should have separate local access from Camino Ricardo and at a minimum emergency vehicle access through the Village.

Residential uses within the Village area (sub-areas 2, 3, 5 and 8) should include higher density (10-20 du/ac) housing, such as senior and work force components, within convenient walking distance of the commercial core. A range of design alternatives, density options, and housing products are encouraged within these areas. If designed as an integrated development, this higher density component may incorporate internal recreational facilities in lieu of public neighborhood park facilities. The "transitional" lower density component is called for in sub-areas 4 and 6, which adjoins an established single-family neighborhood to the northwest. East of Moraga Road, sub-areas 15 and 16 should accommodate medium density (6-12 du/ac) housing, designed to achieve compatibility to existing office and residential uses to the north, south and east. Development within sub-area 16 will need to accommodate a grade transition to the east.

The existing Laguna Creek channel with its oak woodland and riparian habitats is recognized as an important natural resource and site amenity which should be protected and developed with appropriate setbacks. Adjoining residential and commercial uses, however, should take full advantage of the natural views and quiet creek side setting offered by this amenity, with plazas and dining areas placed adjoining the creek.

The Lafayette-Moraga Regional Trail shall remain within its current alignment along the west side of the School Street right of way. However, the trail alignment may be moved to a location adjoining the creek, subject to an appropriate agreement between the EBRPD and the property owner or immediately adjacent to Laguna Creek away from School Street once development density increases, to address local recreational needs as well as to provide community opportunities for bicycle access. Improvements shall include bicycle parking, seating areas and local connections over Laguna Creek into the residential side of the Village. Additional trail connections may be extended to support residential development within the Village.

The unique setting and architectural character of existing buildings within the Moraga Ranch are considered an important asset of the planning area that should be preserved and enhanced. Sub-area 1 includes approximately 6 acres northwest of Moraga Way and the School Street extension where enhancement, renovation, and expansion of existing buildings are encouraged for accommodation of specialty retail uses. This area can

accommodate additional retail space, and specialty uses such as a bed and breakfast or boutique hotel. The actual mix, shape, size and configuration of new and remodeled buildings should focus on use of this site as an "amenity" to improve the sustainability of overall economic development within the Village area.

Sub-area 3 shall be developed for a range of specialty housing uses, with the flexibility to accommodate compatible specialty office uses along the frontage of Moraga Way to a variable depth of approximately 300 feet. The boundary between Sub-areas 3, 4, and 5 may be adjusted to provide flexibility for optimization of market opportunities and to accommodate necessary grading, consistent with the unique development standards contained in this Specific Plan.

Sub-area 7 includes approximately 3.6 usable acres of relatively flat land fronting on Moraga Road, directly across from the Moraga Commons. This site provides a strong aesthetic amenity adjoining the creek system, and is potentially suitable for a range of specialty residential, commercial or other land uses, subject to review under the Town's Planned Development process. Sub-area 7 may be connected to remaining Village neighborhoods via a series of trail linkages.

Sub-area 8 includes approximately 8 acres of under-utilized land at the southeast corner of Moraga Road and the planned School Street extension. This site represents an opportunity for the development of an additional retail anchor use or series of smaller complementary shops. Development on this site is encouraged to achieve market potential with an increased floor area ratio commensurate with building heights of 35 feet. The building setback from Moraga Road should conform to the standards contained in this Specific Plan. Buildings adjoining School Street should be placed directly adjoining the sidewalk, in accordance with the "downtown" theme of the Village shopping district. Remaining opportunities for intensification of retail, cultural, entertainment, recreational and office uses within the existing Moraga Center are encouraged, and should be supported by compatible architectural elements, increased building height and FAR development standards, and consideration of shared parking credits between commercial uses within the MCSP area. Additional opportunities for strengthening pedestrian access and bicycle parking should be provided, with appropriately planned connections west into the Village, and south toward Country Club Drive and along Moraga Road. The Specific Plan should also incorporate the flexibility to consider a range of compatible market-based uses, including targeted residential development such as senior, workforce and other higher-density housing, on parcels outside of the Village, including sub-area 14.

A flexible mix of land uses and densities has been contemplated in the Specific Plan area, as reflected in the Land Use table. These uses should be optimized to achieve economic viability within the context of available market opportunities; however, these uses must also be consistent with traffic capacity limitations as identified in the Moraga 2002 General Plan EIR. A second-tier Specific Plan EIR further defines this envelope to address the traffic and circulation implications of proposed workforce housing and employment opportunities.

**H. Dynamic Land Markets and the MCSP Area Development Program**

Given the scale of the MCSP area, it may be expected that new development and redevelopment will occur over several years in response to market demands. Recognizing that over this time period changing demographics and economics will dictate that various combinations of housing, retail, and office will be appropriate for development at any given time, the MCSP Development Program will need to be flexible to adapt to this dynamic land market. For this reason, and in order to evaluate the transportation requirements of different types of housing and retail, a number of scenarios were analyzed to determine the related transportation requirements. These scenarios looked closely at the travel behavior associated with residents of different types of housing units. For example, active seniors, while “active” do not have the household size nor requirements for daily travel that a typical household, living in a single family detached unit does. Therefore, a development program with predominantly senior housing would, on average, generate few trips than for a development of typical single family units with a similar number of units. Through testing various scenarios, it has been possible to confirm the basic concept that the transportation requirements for the MCSP area, as analyzed during the preparation of the General Plan and incorporated in the Plan which was approved by the Town Council, can be utilized as a “baseline” against which future development plans can be measured to ensure that they comply with and are response to the traffic and transportation “envelope” which the General Plan establishes. Although the ultimate outcome, in terms of the total number and type of units, amount and type of retail, etc. will inevitably be dictated by market feasibility, the overall traffic and transportation requirements will be within the “envelope” as established by the General Plan. Table 4-2 provides a conceptual range of residential units that may be used while keeping external traffic levels consistent or below levels predicted by the 2002 General Plan EIR.

**I. Permitted Uses**

The permitted uses in the commercial, office, residential, open space and public facilities areas of the MCSP area are listed in the Tables 4-3 through 4-8.

**Table 4-3: Permitted Uses - Community Commercial**

<b>COMMUNITY COMMERCIAL</b>
<b>Retail Trade</b>
- Alcoholic beverage sales – off-site (includes wine production)
- Alcoholic beverage sales – on site (includes wine production)
- Art, antique, collectible, and gift stores
- Bakery (retail)
- Building material stores
- Convenience stores
- Furniture, furnishings & appliance stores
- General retail stores
- Grocery stores
- Hardware stores

- Outdoor retail sales and activities
- Plant nurseries and garden supply stores
- Restaurants (includes microbrewery operations)
<b>Services</b>
- Audio & video rental
- Auto repair and maintenance
- Automated teller machines (ATM's)
- Banks and financial services
- Business support services
- Car wash
- Child/adult day care centers
- Gas stations
- Hotels and motels
- Offices
- Parcel Delivery
- Personal Services – excluding medicinal marijuana dispensaries
- Pharmacies
- Professional Services
- Upholstering shops
<b>Recreation, Education &amp; Public Assembly Uses</b>
- Clubs, lodges & membership halls
- Community centers/public facilities/gymnasium
- Health/fitness facilities
- Indoor amusement/entertainment facilities
- Outdoor recreation facilities
- Religious facilities
- Schools – Specialized education and training
- Studios – Art, dance, martial arts, music, etc.
<b>Transportation, Communications &amp; Infrastructure Uses</b>
- Broadcasting studios
- Telecommunications facilities
- Utility Facility
<b>Public Services</b>
- Fire and Police
- Governmental Administrative Offices
- Postal Services

**Table 4-4: Permitted Uses - Mixed Retail/Residential**

<b>MIXED RETAIL/RESIDENTIAL</b>
<b>Residential</b>
- Higher Density Residential
<b>Retail Trade</b>
- Alcoholic beverage sales – off-site (includes wine production)
- Alcoholic beverage sales – on site (includes wine production)
- Art, antique, collectible, and gift stores
- Bakery (retail)
- Convenience stores
- Furniture, furnishings & appliance stores
- General retail stores
- Grocery stores
- Hardware stores
- Outdoor retail sales and activities
- Plant nurseries and garden supply stores
- Restaurants (includes microbrewery operations)
<b>Services</b>
- Audio & video rental
- Automated teller machines (ATM's)
- Banks and financial services
- Business support services
- Hotels and motels
- Offices
- Parcel Delivery
- Personal Services - excluding medicinal marijuana dispensaries
- Pharmacies
- Professional Services
- Upholstering shops
<b>Recreation, Education &amp; Public Assembly Uses</b>
- Community centers/gymnasium
- Health/fitness facilities
- Indoor amusement/entertainment facilities
- Outdoor recreation facilities
- Schools – Specialized education and training
- Studios – Art, dance, martial arts, music, etc.
<b>Transportation, Communications &amp; Infrastructure Uses</b>
- Broadcasting studios
- Telecommunications facilities
- Utility Facility
<b>Public Services</b>
- Fire and Police

**Table 4-5: Permitted Uses - Mixed Office/Residential**

<b>MIXED OFFICE/RESIDENTIAL</b>
<b>Residential Uses</b>
- Higher density dwellings
- Residential Care facilities
<b>Services</b>
- Personal Services - excluding medicinal marijuana dispensaries
- Professional Services
<b>Recreation, Education &amp; Public Assembly Uses</b>
- Health/fitness facilities
- Outdoor recreation facilities
- Religious facilities
- Schools – Specialized education and training
<b>Public Services</b>
- Fire and Police

**Table 4-6: Permitted Uses - Residential**

<b>RESIDENTIAL</b>
<b>Low Density Residential</b>
- Single-family dwellings (includes home offices and second living units)
- Cultivated Agriculture (no on-site sales)
<b>Medium Density Residential</b>
- Single-family dwellings (includes home offices)
- Medium density dwellings (includes home offices)
- Personal Services – excluding medicinal marijuana dispensaries
- Professional Services
- Cultivated Agriculture (no on-site sales)
<b>High Density Residential</b>
- Higher density dwellings (includes home offices)
<b>Recreation, Education &amp; Public Assembly Uses</b>
- Health/fitness facilities
- Outdoor recreation facilities
- Parks

**Table 4-7: Permitted Uses – Riparian Corridor**

<b>RIPARIAN CORRIDOR</b>
Natural areas and agriculture and related buildings

**Table 4-8: Permitted Uses – Planned Development**

<b>PLANNED DEVELOPMENT</b>
<b>Planned Development</b>
Any land use may be authorized if it is in harmony with other authorized uses and serves to fulfill the function of the planned development district while complying with the General Plan

For uses not listed in the tables above, the Town Planner may determine that a proposed use not listed is allowable as follows:

The Planner may determine that a proposed use is similar to and compatible with a listed use and may be allowed, only after first making all of the following findings:

- i. The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve a greater intensity than the uses listed in the district;
- ii. The use will be consistent with the purposes of the applicable land use area;
- iii. The use will be consistent with the General Plan; and
- iv. The use will be compatible with the other uses allowed in the land use area.

A determination that a use qualifies as a "similar use" and the findings supporting the determination shall be in writing. When the Planner determines that a proposed, but unlisted, use is similar to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this plan apply. The Planner may refer the question of whether a proposed use qualifies as a similar and compatible use directly to the Planning Commission for a determination at a public meeting. Decisions regarding a "similar use" determination may be appealed.

## **J. Development Standards**

This subsection describes standards for the development of the plan area. Table 4-9, Development Standards: Community Commercial, Office, Mixed Retail/Residential and Mixed Office/Residential sets forth minimum development requirements for Commercial, Office and Mixed Use areas in terms of lot area, coverage, floor area ratios, height, and setbacks. Table 4-11 Development Standards: Residential provides standards for residential units, either one per lot, or more than one per lot. The intention of these standards is to provide quantifiable guidance on the development desired to be achieved in each of the land use categories.

**Table 4-9: Development Standards: Community Commercial, Office, Mixed Retail/Residential and Mixed Office/Residential**

Development Requirement	Community Commercial and Office	Mixed Retail-Residential and Mixed Office-Residential
Minimum Lot Area (sq. ft.)	10,000	10,000
Minimum Lot Frontage (feet)	100	100
Minimum Lot Depth (feet)	100	100
Maximum Residential Density <sup>6</sup>	N/A.	20
Maximum Building Height (Primary)	35	45
Maximum Building Height (Accessory)	N/A.	12
Maximum Stories	2	3
Minimum Front Yard Setback (feet)	0	0
Minimum Side Yard Setback (feet)		
- Interior	0	0
- Corner	0	0
Minimum Rear Yard Setback (feet)	0	0
Minimum Building Separation (ft.) (a)		
- 2 stories	N/A.	25
- 3 stories	N/A.	35
Maximum Floor Area Ratio Factor (FAR)	0.6	0.85
Maximum Lot Coverage (%)	60	60

Table Notes:

(a) Where two different building heights are adjacent, taller building controls separation.

<sup>6</sup> Density bonuses may be granted as required by the State of California (SB 1818) for developments that provide affordable housing.

**Table 4-10: Development Standards: Residential**

Development Requirement	1 Dwelling Unit per Lot	More than 1 Dwelling Unit per Lot but not including 20DUA
Minimum Lot Area (sq. ft.)	10,000	10,000
Minimum lot width (ft.)	80	80 average
Minimum lot depth (ft.)	100	90
Maximum Building Height (ft.)	35	35
Minimum Front Yard (ft.)	20	20 15 (secondary frontage for corner lots)
Minimum Side Yard (ft.)	10	10 20 average (for 3 story structures)
Minimum Rear Yard (ft.)	15	15
Minimum Private Open Space	N/A.	>= 5% of each dwelling units floor area (minimum 50 sq. ft. & minimum dimension of 5 ft.)
Minimum Building Separation (ft.) (a)		
- 2 stories	N/A.	25
- 3 stories	N/A.	35
Maximum Lot Coverage (%)	60	60
Maximum Floor Area Ratio (FAR)	(b)	(b)
Maximum Stories	2	3

Table Notes:

- (a) Where two different building heights are adjacent, taller building controls separation.
- (b) Floor Area Ratio (FAR).
  - (1) The maximum gross floor area for dwelling units which may be allowed shall be in accordance with Table 4-11. To determine the floor area allowed, the floor area ratio (FAR) is multiplied by the lot size, measured in square feet. Where one dwelling unit per lot is proposed, then the maximum dwelling unit square footage shall equal 5,000 square feet.
  - (2) Small size, studio and one-bedroom units are encouraged.
  - (3) In the 6 and 12 dwelling unit per acre districts, FAR shall be calculated on a pre-subdivision basis.
- (c) In residential districts other than the 3DUA District, the minimum area, width, depth, yard requirements shall apply to the pre-subdivision site area and not any subsequently created individual lots.

**Table 4-11: Residential Floor Area Ratio**

Lot Size (Square Feet)		F.A.R.
At Least	Less Than	
	10,000	.25
10,000	11,000	.30
11,000	12,000	.31
12,000	13,000	.32
13,000	14,000	.33
14,000	15,000	.34
15,000	16,000	.35
16,000	17,000	.36
17,000	18,000	.37
18,000	19,000	.38
19,000	20,000	.39
20,000	21,000	.40
21,000	22,000	.41
22,000	23,000	.42
23,000	24,000	.43
24,000	25,000	.44
25,000	26,000	.45
26,000	27,000	.46
27,000	28,000	.47
28,000	29,000	.48
29,000	30,000	.49
30,000	31,000	.50
31,000	32,000	.51
32,000	33,000	.52
33,000	34,000	.53
34,000	35,000	.54
35,000	36,000	.55
36,000	37,000	.56
37,000	38,000	.57
38,000	39,000	.58
39,000	40,000	.59
40,000	50,000	.60
50,000	60,000	.61
60,000	70,000	.62
70,000	80,000	.63
80,000+		.64

The MCSP Design Guidelines, presented in Appendix B provide additional guidance and direction in planning for the new MCSP development.

In addition, selected references from the Municipal Code which pertain to urban development requirements and standards for projects in the Town of Moraga are presented in Chapter 8.

**Table 4-12: Minimum Development Standards: Residential 20 DUA**

All development shall meet or exceed the **minimum** requirements identified in the table below:

	Development Standard	Minimum Requirement
1.	Site Area	3 acres except that projects subject to Ministerial Review may be a minimum of 2 acres provided that at least 50 dwelling units are proposed for development.
2.	Number of Residential Dwelling Units	60
3.	Square Feet Per Residential Dwelling Unit	300
4.	Square Feet Per Dependant Senior Residential Dwelling Unit	100
5.	Average Site Width	200 feet
6.	Average Site Depth	200 feet
7.	Site Building Setback	20 feet from all Site boundaries to any architectural projection on a building.
8.	Creek Building Setback	50 feet from top of bank or 50 feet from the edge of riparian vegetation that is protected by a state or federal agency, whichever is greater, to any architectural projection on a building, except that projects subject to Discretionary Review shall at a minimum comply with the setbacks required by any state or federal agency.
9.	Pervious surface area (including natural or landscaped area)	30% of site area
10.	Natural area or area landscaped area with living plants	20% of site area
11.	Private outdoor area for each Residential Dwelling Unit	20 square feet attached or immediately adjacent to each Residential Dwelling Unit with a minimum dimension of 4 feet.
12.	Number of required parking spaces	1 space per studio or 1-bedroom Residential Dwelling Unit, 2 spaces per 2- or 3-bedroom Residential Dwelling Unit, 2.5 spaces per 4 or more bedroom Residential Dwelling Unit and 0.3 spaces per Dependant Senior Residential Dwelling Unit.
13.	Parking for Senior Citizen Housing <i>(Example: A 150-unit senior citizen housing project could be served by: (a) 150 spaces; or (b) 113 spaces plus 1 permanent service vehicle; or (c) 75 spaces plus 2 permanent common service vehicles. A 50-unit senior citizen housing project could be served by: (a) 50 spaces; or (b) 38 spaces plus 1 permanent service vehicle; or (c) 25 spaces plus 2 permanent service vehicles.]</i>	The minimum parking ratio provided for in Section 8.34.060A(12) above, shall be reduced by 25% for each passenger vehicle made available permanently for use by the residents of each 75 such units or fraction thereof, provided that not less than 0.5 space shall be provided for each Residential Dwelling Unit served.
14.	Parking space dimensions	As required by Moraga Municipal Code Section 8.76.050

**Table 4-13: Maximum Development Standards: Residential 20 DUA**

All development shall conform to the **maximum** limits identified in the table below:

	Development Standard	Maximum Limit
1.	Building Height	45 feet
2.	Lot Coverage by buildings	65% of project site area
3.	Lot Coverage by Impervious Surfaces (buildings, structures and hard paving)	70% of project site area
4.	Number of stories	3
5.	Floor area ratio <i>(Note: covered but unenclosed walkways and stairways are not included in the calculation of floor area.)</i>	1.15 when enclosed parking is provided, or .85 when uncovered or carport parking is provided and an additional .35 is allowed for common area facilities such as enclosed corridors, game room, dining room and facility kitchen.
6.	Private outdoor area for each unit	100 square feet attached or immediately adjacent to each unit with a maximum dimension of 10 feet; provided however that any such private outdoor area visible within 500 feet of a Major Scenic Corridor as defined in Chapter 8.132 shall be screened by landscaping and/or an opaque fencing or railing.
7.	Slope of Planted Area	33%

## 5. CIRCULATION ELEMENT

### A. Circulation Policies

Information concerning circulation policies for the MCSP area as they relate to the Town of Moraga General Plan is provided in Section 3.A.

### B. Existing Circulation

Existing circulation in the MCSP area is provided via four principal roadways including:

- Moraga Road, located on the northeastern boundary of the site which is a principal north/south roadway linking the community to Lafayette, Orinda and the nearby Grove-Shafter Freeway (Highway 24),
- Moraga Way which crosses the area on an east/west alignment, serving traffic entering the area from the northwest,
- Country Club Drive to the south of Moraga Way also serving east-west traffic, and
- Camino Ricardo, which bounds the northern side of the area.

School Street also serves local traffic, crossing the area in an east west corridor which, at the present time, transitions about midway between Moraga Way and Moraga Road from a developed street to an undeveloped one; the undeveloped segment of roadway does not intersect with Moraga Road.

### C. Roadway Classifications and Standards

Based on analysis of short and long-term development in the MCSP area, as well as neighboring areas, the existing major roadway network (i.e. Moraga Road, Moraga Way, and Country Club Drive), has been confirmed as providing the necessary capacity and operational characteristics to accommodate transportation demands. For the extension of School Street, the recommended configuration – 2 lanes with on-street angled parking on both sides - is to be developed as a local commercial and residential-serving facility which will form an integral part of the future center of the MCSP area. This street will also have a sidewalk with planter strip to accommodate street trees, street furniture, and signage and lighting. There will be appropriately spaced curb cuts in the street to permit vehicles to enter parking lots that will be developed as part of the new commercial and housing areas<sup>7</sup>. Based on the analysis of traffic conditions in the short and long term, more specific features, such as intersection signalization improvements as well as enhanced street marking may be implemented at locations both in and outside the MCSP area. The most significant intersection improvements within the MCSP area itself will be a re-configured intersection at the corner of St. Mary's Road and Moraga Road to be aligned with the

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<sup>7</sup> As previously noted, the present MCSP area has available over 1,500 parking spaces. Rarely, if ever, are all spaces occupied and the more typical pattern of usage (perhaps 30 to 40% at peak times during the day) is such that needs for future parking should be carefully assessed to ensure that additional capacity needs are carefully measured and that convenient, pedestrian-friendly access to the newly developed areas is ensured.

extension of School Street. This intersection will be appropriately designed to accommodate pedestrians and bicyclists as well as vehicles.

As part of the development of new residential neighborhoods in the MCSP area, local access roads will be developed as necessary and appropriate. These roads will permit the circulation of vehicular traffic, bicycles, and service and emergency vehicles. Roadway widths will vary according to the extent that on-street parking is permitted:

- Roadways 20 feet in width, no parking permitted,
- Roadways 28 feet in width, parking permitted on one side only. Parking is permitted on the side of the street absent fire hydrants, and
- Roadways 36 feet in width when parking is not restricted.
- A fire department access road serving less than three dwelling units may be a minimum of 16 feet in width if no parking is permitted on the roadway.

The potential for providing at least one linkage between the north side of the MCSP area and the south side over Laguna Creek has been identified in the plan diagram. These linkages, which would require one or more new bridges over the Creek, could be low-speed, local roads to connect these two areas or they could be restricted to pedestrian, bicycle, golf carts and/or service and emergency vehicles in order to enhance opportunities for non-vehicular circulation in the heart of the MCSP area. Circulation within the MCSP should be developed in accordance with the Town of Moraga Traffic Calming Guide.

#### **D. Transit Service**

The Central Contra Costa County Transit Authority (CCCTA, County Connection) provides transit services in the Town of Moraga and in the MCSP area. The plan, when implemented, will add incrementally to the demand for transit services that can be met by the transit provider. As the future development of the MCSP area takes place, the needs for new or relocated transit stops can be identified and implemented.

As part of the dialogue between the Town and St. Mary's College which has been undertaken both as part of the Specific Plan process as well as concerning other development-related initiatives, the College has established and is currently operating a local transit service which links the College, the Rheem Park area and Lafayette BART. The enhanced service benefits students and employees at the College as well as residents; local businesses also benefit from increased exposure to the College population. With increased development in the Moraga Center Specific Plan area additional service could be expanded in this area as well.

#### **E. Pedestrian and Bicycle Circulation**

A network of sidewalks and streets that will comprise the roadway system will facilitate pedestrian and bicycle circulation within the MCSP area. If designated bicycle lanes are to be provided on specific streets, an additional 5' (minimum) bike lane should be provided

between a parking space and moving lanes. The MCSP area will also provide the opportunity to formally link the Moraga-Lafayette Regional Trail which currently is developed to the east of the MCSP area via St. Mary's Road and to the west of Country Club Drive. As shown on the MCSP area plan diagram, it is anticipated that the trail can be incorporated in the improvements to be implemented in the redevelopment/extension of School Street; subject to an appropriate agreement between the property owner and EBRPD with respect to possible realignment of the trail. Additional internal and external trails are also contemplated to provide additional opportunities for residents and visitors to circulate in, around and through the MCSP area.

## **F. Emergency Vehicle Access**

Access for emergency vehicles, including police and fire, will be provided via the network of streets that will be developed as part of the project. Street engineering standards will ensure that appropriate turning distances are provided at intersections and in cul-de-sac.

## **G. Roadway Phasing**

The project will likely be developed in several phases according to market demands. At each stage of development, roads will be constructed to provide access to the new areas of the MCSP and to new facilities while ensuring a logical roadway pattern is available for service and fire and life safety equipment as needed and appropriate. The key roadway changes required to implement the MCSP include:

Key Roadway changes – MCSP areas west of Creek

- Provide Laguna Creek crossing to connect proposed Village residential area to MCSP Town Center. This connection will keep internal traffic off of Moraga Way.
- Provide a second roadway access point to the Village residential area off of Moraga Way (e.g., new intersection) between Laguna Creek and Camino Ricardo.
- Provide a roadway connection between the northernmost residential development and the highest density Village development.

Key Roadway changes – MCSP areas east of Creek

- Add School Street extension from St. Mary's/Moraga Road intersection to access the new and existing commercial development.
- Connect the new School Street extension from the St. Mary's/Moraga Road intersection to Moraga Way and maintain this roadway as a through street.

Since the MCSP development program has not been fully defined, there are no specific recommendations for other roadway locations, circulation patterns and phasing at this time. However, there are best practices that can be implemented during design development of the site. These measures include: minimize cul-de-sac streets in both commercial and residential areas; where cul-de-sac streets are constructed, provide a pedestrian connection through the street to maximize pedestrian circulation; maintain streets for two-way traffic flow; allow on-street parking to the greatest extent possible; and design streets to meet local fire district Codes.

## **6. PUBLIC SERVICES ELEMENT**

### **A. Introduction**

In support of the new and renovated commercial, office, and residential development within the MCSP area, public services will be required. These services include access and circulation, water service, sanitary sewer service, and storm drainage management. Following are brief summaries of the planned improvements for each service.

### **B. Access and Circulation**

As discussed in Section 5, Circulation, the project will likely be developed in several phases according to market demands. At each stage of development, roads will be constructed to provide access to the new areas of the MCSP and to new facilities while ensuring a logical roadway pattern is available for service and fire and life safety equipment as needed and appropriate. The MCSP Land Use and Circulation Plan shows a proposed roadway crossing of Laguna Creek near the new Town focal point in the MCSP Village area. This vehicular and pedestrian crossing will be an important feature early in the residential development of the orchard areas west of the Creek to ensure minimal traffic impacts to existing roadways in the MCSP area.

Since the MCSP development program has not been fully defined, there are no specific recommendations for roadway locations, circulation patterns and phasing at this time. However, there are best practices that can be implemented during design development of the site. These measures include: minimize cul-de-sac streets in both commercial and residential areas; where cul-de-sac streets are constructed, provide a pedestrian connection through the street to maximize pedestrian circulation; maintain streets for two-way traffic flow; allow on-street parking to the greatest extent possible; and design streets to meet local fire district Codes.

### **C. Water Service**

Water supply to the Town of Moraga is the responsibility of East Bay Municipal Utility District (EBMUD). Water demands for Moraga have been calculated most recently by EBMUD in the Water Supply Management Plan (WSMP) for the year 2030 last updated in 2004. Based on their projections, EBMUD has designed and constructed (1) improvements to the Lafayette Water Treatment Plant, and (2) a new 24-inch diameter transmission pipeline in Moraga Road to enhance service to Moraga. Discussions with the Engineering Planning Division of EBMUD have indicated that the improvements are sized to meet the needs of Moraga through 2030.

EBMUD is currently updating the WSMP for the year 2040 and has not yet finalized the new unit water demand criteria (based on 22 different land uses). In the current plan, the unit demand was established for residential and non-residential use on a gallons per acre per day (gad) basis. It will be assumed that the use of 4200 and 1400 gad will be applied to single-family and multi-family land use, respectively, in the MCSP service area. These

criteria are roughly equivalent to an average residential use ranging between 450 to 500 gallons per dwelling unit per day. In addition, an allowance of 1700 gad for office and commercial activities and 100 gallons per unit per day for hotels, congregate care and assisted living will be used.

Applying the above unit criteria, the total average daily demand is about 460,000 gallons per day of which about 329,000 gallons per day is associated with new development. EBMUD indicated that their water supply planning for development is based on the average daily flow and that appropriate factors are applied for peak daily flows and fire flows to size the facilities. Water conservation measures and water reuse requirements implemented at development review would reduce the estimated demand of the MCSP development.

#### **D. Sanitary Sewer Service**

Wastewater collection and treatment services are provided to the Town of Moraga by the Central Contra Costa Sanitary District (CCCSD). Wastewater is currently being collected at a pumping station on School Street and pumped through a force main to St. Mary's Road for gravity conveyance to an interceptor in Walnut Creek for delivery to the CCCSD wastewater treatment plant in Concord. The treatment plant has a permit to treat 53.8 million gallons per day (mgd) while receiving total flows of less than 40 mgd. The needs of the service area are continually being assessed and monitored, and met by CCCSD through the updating of a 10-year Capital Improvement Plan (CIP). In discussions with the CCCSD Engineering Planning Division, unit wastewater loading criteria have been developed for the service area. These criteria are being used to prepare the 2008 Collection System Master Plan Update. Improvements in the current CIP were developed in the 2000 Plan Update using the same criteria.

The unit loading criteria are expressed as 225 and 150 gallons per dwelling unit per day (gud) for single- and multi-family dwelling units. A unit rate of 100 gallons per hotel room, congregate care and assisted living units was also assumed. Commercial wastewater flow generation was assumed at 1000 gallons per acre per day (gad). Applying the unit wastewater generation criteria to the MCSP area results in a daily wastewater flow of about 183,000 gallons per day (gpd) of which about 119,000 gpd is associated with new development.

#### **E. Storm Drainage System**

Storm drainage facilities in the Town of Moraga are the responsibility of the Town. In conversations with both Contra Costa County Department of Public Works and the Contra Costa County Flood Control and Water Conservation District (FCWCD) personnel, the FCWCD is responsible for drainage ways designed, constructed and maintained by FCWCD. At this time, there are no drainage ways provided and maintained by FCWCD which would serve the MCSP area. Under current conditions, MCSP area drainage is directed through local collectors to Laguna Creek for conveyance to Moraga Creek. Flow from Moraga Creek is southward to Alameda County, ultimately reaching Upper San

Leandro Reservoir. All drainage ways leading to the reservoir from Moraga are located in Contra Costa County.

Being in Contra Costa County, calculation of storm water flows will utilize runoff coefficients, and rainfall intensity-duration curves prepared by the County. In conversations with design staff of the FCWCD, it was indicated that for development less than one square mile in size, a 10-year recurrence interval is to be used. Applying the County criteria and using the rational method, it was determined that the peak runoff rate from the MCSP area would be about 256 cubic feet per second (cfs) to Moraga Creek. The increase in flow rate attributed to new MCSP development would be about 51 cfs of the 256 cfs. Provisions of the General Plan and Contra Costa County require that runoff in excess of existing drainage flows cannot be discharged to receiving streams or creeks. Hence, upstream detention must be provided to reduce peak flows on the hydrograph attributed to new development included in the MCSP. As detailed development plans are prepared, comprehensive storm water analyses need to be reviewed by FCWCD. FCWCD can also assist in defining the interaction between basin size, inflow and outflow through computer modeling and establishment of the flood hydrograph.

The Contra Costa Clean Water Program (CCCWP) has developed requirements for controlling storm water quality as embodied in the C-3 regulations for development. Contra Costa local stormwater ordinances require: “Every application for a development project, including but not limited to a rezoning, tentative map, parcel map, conditional use permit, variance, site development permit, design review, or building permit that is subject to the development runoff requirements in the [...] NPDES permit shall be accompanied by a Stormwater Control Plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C-3 Guidebook.”

## **F. Solid Waste Disposal/Recycling**

The Central Contra Costa Solid Waste Authority (CCCSWA) manages solid waste and recyclable materials generated within the Town of Moraga. CCCSWA implements the waste management program that includes solid waste and recycling services for both commercial and residential customers. CCCSWA has franchise agreements with Allied Waste Services for the collection, transfer and disposal of solid waste. All solid waste is transported to the Contra Costa County Transfer and Recovery Station in Martinez by Allied Waste Services. The waste from this facility is then taken to the Keller Canyon Landfill, a Class II Landfill that accepts municipal solid waste. Keller Canyon Landfill is 2,600 acres and currently handles 2,500 tons of waste per day. The landfill is permitted for 3,500 tons of waste per day. Based on the current rate of disposal, the Keller Canyon Landfill has more than 65 years of remaining capacity.

## **G. Hazardous Waste Disposal**

Contra Costa County Health Services Department Environmental Health Division (CCCHSD) is responsible for regulating the use, storage, and disposal of hazardous materials and wastes and responding to hazardous waste spills.

Central Contra Costa Sanitary District provides hazardous waste handling and disposal services for Moraga residents at its Household Hazardous Waste Collection Facility in Martinez. The existing structure that is used for collection and temporary storage of HHW has adequate capacity to accommodate current and estimated future HHW throughput from Moraga residents.

## **H. Financing**

It is anticipated that the developers of future projects located in the MCSP area will fund the installation of public and private utilities and roadway improvements in the MCSP area and will also contribute through Town-mandated fees to the funding of off-site services. These fees include:

1. school mitigation fees,
2. park fees,
3. sewer and water connection fees,
4. storm drain fees, and
5. area-wide impact fees.

Some public facilities in the MCSP area, such as the intersection of School Street and Moraga Road or other traffic improvements outside of the MCSP area which may be required as a result of traffic needs generated by the MCSP or other development in the Town may be funded through government grants or other non-Town or developer sources. In addition, the Town may establish a fee to recover the cost of preparation of the Moraga Center Specific Plan on all development within the Specific Plan area.

## **7. IMPLEMENTATION ELEMENT**

### **A. Introduction**

The Moraga Center Specific Plan will be implemented through a combination of private and public actions, although the public actions will largely be confined to the review and approvals process, while the responsibility for the development of the facilities and services within the project area will be the responsibility of the private sector. This element identifies the regulatory, financial, and development actions which are required to implement the Specific Plan. The Implementation Element is comprised of five parts, as follows:

- Actions required for adoption of the Specific Plan
- Implementation opportunities
- Development review and approval process
- Implementation tools that the Town may consider
- Infrastructure improvements

### **B. Actions Required for Adoption**

The Town of Moraga will need to undertake the following actions prior to the adoption of the Moraga Center Specific Plan by resolution:

- A public hearing and recommendation by the Planning Commission
- Certification of the Moraga Center Specific Plan EIR.
- A public hearing by the Town Council.
- Adoption of the Housing Element update to the General Plan with conforming changes in the General Plan.

### **C. Implementation Opportunities**

Optional Development Agreement.

- Owners of property within the MCSP area may submit for review and approval by the Town Council an application for a development agreement in accordance with Government Code Section 65864 et seq. The agreement may address certain additional incentives and/or mutually beneficial considerations between the Town and a property owner intended to enhance the long-term viability of beneficial development or community resources.

Optional Lot Line Adjustments

- Owners of property within the MCSP area may submit for review and approval by the Town applications for lot line adjustments in accordance with Government Code Section 66412(d) so that no parcel in the Moraga Center Specific Plan area is located in more than one land use district.

#### **D. Development Review and Approval Process**

Upon approval of the Moraga Center Specific Plan by Town Council resolution, the Plan will enter into effect. Subsequent to the Plan being approved, a Design Review or Subdivision Application will be the next step in the development process for development proposals on less than 10 acres. Each parcel of 10 acres or more shall be processed consistent with the requirements of the Planned Development District of the Town of Moraga. In areas identified for higher density housing, an opportunity will exist, consistent with the Municipal Code, for the ministerial review and approval of exclusively residential development at a density up to 30 dwelling units per acre for senior housing or 20 dwelling units per acre plus applicable density bonuses for non-senior housing. Similarly, proposed uses in existing building in the MCSP area that are consistent with the Permitted Uses identified in the Specific Plan may be implemented without a Permitted Use permit from the Town.

To fully implement the MCSP the town will adopt new ordinances to establish the 10 and 20 dwelling unit per acre residential districts and the new mixed use district. In addition, the Town will modify existing ordinances to create a permitted use determination exception for uses consistent with Permitted Uses specified in the Specific Plan. Lastly, the Town will adopt a density bonus ordinance consistent with state law.

#### **E. Implementation Tools that the Town May Consider**

As noted above, the Town must take certain actions to implement the Specific Plan such as modifications to existing ordinances. In addition, the Town may in its sole discretion consider the following tools to implement the plan.

- Application Processing Fee Waivers for Affordable Housing: Consider waiver of fees as a means of encouraging and improving the feasibility of this uses.
- Authorize use of Development Impact Fees from project development within the Moraga Center Specific Plan Area: Consider distribution of impact fees collected from projects within the specific plan area solely for needed infrastructure and capital improvements inside the MCSP area.
- Financing Mechanisms: Consider use of federal, state or regional agency grant monies to help fund construction of local infrastructure, including improvements to intersections identified in the EIR as requiring upgrades, Moraga Road frontage, Moraga Way frontage, the new School Street/St. Mary's Road intersection, storm drainage facility improvements, and other critical facility improvements needed to support retail and residential expansion within the MCSP area. Consider use of CCTA return-to-source funds to help finance a shuttle program linking the MCSP area with St. Mary's College to reinforce local shopping opportunities and further reduce external vehicular trips. Consider possible use of sales and property tax revenues collected by the Town from Moraga Center retail and office uses over a period of time to partially offset the cost of infrastructure and facility improvements

needed to support new and expanded business and community recreational opportunities within the MCSP area.

- Capital Improvement Programs: Explore preliminary design for new School Street/St. Mary's Road intersection and potential allocation of funds for public improvements to this intersection.
- Streamlining of the Entitlement Process for Individual Projects: Prepare necessary legislation to implement MCSP policies calling for establishment of permitted uses without supplemental findings, creation of zoning chapters to carry out the maximum 12 DUA and 6 DUA Districts.
- Consider approval of a development agreement in accordance with Government Code Section 65864 et seq. The agreement may address certain additional incentives and/or mutually beneficial considerations between the Town and a property owner intended to enhance the long-term viability of beneficial development or community resources.
- Use of MCSP EIR: Consider supplemental environmental documentation for new development projects within the MCSP where necessary to address site-specific issues of potential significance; to the extent allowed by CEQA, the certified MCSP EIR may be relied upon to provide environmental clearance for all other area-wide and cumulative issues.
- Special Incentives for Moraga Ranch: Consider processing fee waivers and other mechanisms to encourage further building improvements and expansion of approved uses within the Moraga Ranch Sub-area 1.
- Traffic Budget Credit for Replacement of Existing Uses and Trip Reduction: Page 34 references the intent to provide a square footage, dwelling unit or equivalent credit when replacing an existing traffic generating use with a new use, or when reducing external vehicular trips (outside of Moraga) through other means. This policy should be implemented with more specific language including a formula for establishing the amount of additional retail and office space authorized.
- Schedule: The Town will work with property owners and other interested parties to consider program details and implementing legislation for the foregoing policies over the next 12 months.

## **F. Infrastructure Improvements**

Upon approval of the specific plan, the Town shall enter into negotiations with the property owner(s) for a period of up to 12 months to consider a development agreement for all or part of the Moraga Center Specific Plan area. Given that revitalization of the existing Moraga Center shopping center is a key component of the specific plan, the Town and property owner(s) shall consider entering into an agreement that would create financial incentives and potentially allow the property owner(s) to use expenditure associated with

the revitalization of the existing center to offset future fees that would otherwise be due to the Town of Moraga. One approach that could be considered is a plan that would create a stronger incentive for improvements to be made sooner rather than later.

## **8. SELECTED REFERENCES – MORAGA MUNICIPAL CODE**

The following sections describe a variety of requirements concerning urban development in the Town of Moraga which are selected from the Municipal Code and which are applicable to existing and future development in the MCSP area.<sup>8</sup> Where modifications to the prevailing Municipal Code have been made in order to be consistent with the vision and aims of the cited Specific Plan, such changes are noted. While the intention of these references is to provide a, in a single document, a convenient source of guidance on development requirements in the Specific Plan area, in developing detailed proposals for projects in the Plan area, land owners, developers and other interested parties are advised to thoroughly review the Municipal Code for all provisions which may be applicable to a given project as not all provisions of the Code which could be applicable are contained in the following paragraphs.

Deviations from the provisions of Chapter 8 of the Municipal Code may be considered as part of the planned development authorized under the MCSP, provided that the Development Standards and Design Guidelines as provided herein are met, and subject to review and approval by the Planning Commission.

### **Chapter 8.76 OFF-STREET PARKING AND LOADING**

The number and location of parking spaces within the MCSP area shall be in accordance with the provisions of Chapter 8.76 of the Municipal Code, except that individual uses may satisfy their parking needs through documentation of available parking located within 500 feet of the property line, provided that an appropriate easement or other guarantee of availability is established to the satisfaction of the Planning Director.

#### **8.76.040 Mixed uses.**

Where property is occupied or intended to be occupied by two or more establishments falling into different classes of uses, the off-street parking required shall be the sum of the requirements for the various individual establishments, computed separately; off-street parking provided for one use shall not be considered as being provided for any other use except as provided in Section 8.76.080.

#### **8.76.070 Joint uses.**

This chapter is not intended to prevent joint use of off-street parking for two or more land uses if the total of such spaces when used together is not less than the sum of the requirements for the various individual uses computed separately in accordance with this chapter, except as otherwise provided in Section 8.76.080.

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<sup>8</sup> Moraga Municipal Code 2004 - Title 8 - Planning and Zoning

8.76.080 Shared parking.

A. When an application for a conditional use permit proposes to use a property that has already been approved for one or more other uses, the planning commission may authorize a reduction in the total number of parking spaces required, provided the uses have differing peak time parking needs and the number of parking spaces is adequate for the peak needs of the property.

B. When an application for a permitted use proposes to use a property that has already been approved for one or more other uses, the planning director may, after giving notice to the planning commission, authorize a reduction in the total number of parking spaces required, provided the uses have differing peak time parking needs and the number of parking spaces is adequate for the peak needs of the property.

8.76.090 Number of required spaces.

Off-street parking spaces shall be provided for each land use on the basis of the following schedules:

- A. Hospital: one space for each two beds;
- B. Sanitariums, convalescent homes, rest homes, and nursing homes: one space for each three beds;
- C. Churches: one space for each three seats;
- D. Bowling alleys: seven spaces for each alley, plus one space for each two employees;
- E. Rooming and lodging houses: one space for each bedroom;
- F. Theaters: one space for each four seats;
- G. Sports arenas: one space for each four seats;
- H. Auditoriums: one space for each four seats;
- I. Night clubs, cocktail lounges and restaurants: one space for each three seats;
- J. Medical and dental offices: six spaces for each physician or dentist;
- K. Banks, business and professional offices, other than medical and dental offices: one space for each two-hundred fifty (250) square feet of gross floor area;
- L. Retail stores and shops, except as otherwise specified herein: one space for each two-hundred fifty (250) square feet of gross floor area;
- M. Commercial service, repair shops and wholesale establishments: one space for each five-hundred (500) square feet of gross floor area;
- N. Retail stores which handle only bulky merchandise, such as furniture, household appliances, and motor vehicles: one space for each five hundred (500) square feet of floor area;
- O. Warehouses and other storage buildings, one space for each one thousand (1,000) square feet of gross floor area;
- P. Mortuaries: one space for each fifty (50) square feet of gross floor area in chapel areas;
- Q. Assembly halls without fixed seats: one space for each forty (40) square feet of gross floor area;

- R. Retail and wholesale establishments conducted primarily outside of buildings: one space for each two employees;
- S. Parks, schools and related public or private facilities shall provide parking based upon a study of similar activities or uses;
- T. Residential use: see Section 8.76.100;
- U. Public facilities: the planning commission shall fix the requirements using comparable private uses as a guide;
- V. For a use not specified in this section, the same number of off-street parking spaces shall be provided as are required for the most similar specified use. (Prior code § 8-1910)

#### 8.76.100 Off-street parking requirements for residential uses.

- A. Every dwelling unit shall have on the same parcel two covered off-street automobile storage spaces. In the case of a dwelling unit in a planned district or condominium, the automobile storage spaces need not be on the same parcel.
- B. Each space shall have minimum dimensions of nine feet clear by nineteen (19) feet surfaced area, and shall not be located within the front setback or required side yard areas of the principal structure.
- C. For each group of two or more dwellings on the same lot, off-street guest parking shall be provided at a ratio of one space for each two units, may be open or covered, but shall not be located within the front setback or required side yard areas of the principal structure.
- D. Each dwelling on a lot in the 3 DU per acre, 2 DU per acre, and 1 DU per acre zones, with less than forty-five (45) feet of frontage or which has a front setback of more than seventy-five (75) feet, shall have two guest parking spaces. The spaces may be open or covered and shall have adequate turn around space. (See Section 8.148.030 for recreational vehicle parking requirements.)
- E. Fractional parking requirements shall be rounded up to the next whole number.
- F. No vehicle may be parked in an area of the parcel not reasonably intended for parking unless the vehicle is adequately screened from view. The area of the parcel "reasonably intended for parking" includes: (1) a garage; (2) a paved driveway whose width does not exceed the width of the garage and setbacks meet zoning requirements; (3) for designated parking areas pre-existing the adoption of the ordinance codified in this section for the parking of not more than three vehicles; and (4) other paved area approved for parking by the design review board. "Adequately screened from view" means substantially screened from a street or other property by a fence or landscaping so that the vehicle is not visible or is barely visible.

Storage of recreational-type vehicles on private property is regulated under Section 8.148.030. Storage and repair of vehicles is regulated under Chapter 8.120.

#### 8.76.110 Requirements in non-business areas.

Whenever one or more parcels of land adjoin a district allowing business uses, off-street parking may be allowed on these parcels to serve authorized retail business uses, after the issuance of a land use permit, if:

A. The parking areas are limited to an area contiguous with and within one hundred fifty (150) feet of the boundary of the district allowing the retail business use. Areas beyond this distance may be used for landscaping and planting;

B. The parking area is for private passenger vehicle parking only;

C. No commercial repair work or sales of any kind are allowed;

D. No signs are permitted other than those to guide traffic, to identify the parking lot, and to state the condition of use;

E. The parking area is designed and developed in the manner and with the conditions deemed proper and adequate to protect residences in the vicinity. These conditions shall include, among others, the following:

1. Proper planting and screening shall be provided either with fencing or planting, or both, to protect nearby residences from noise, light, and other detrimental effects;
2. The entrance and exits shall be designed and located to minimize conflict with both existing and reasonably foreseeable vehicular and pedestrian traffic;
3. The area used for drives and parking shall be suitably graded, drained and maintained;
4. Proper provisions shall be made for adequate lighting of entrances, exits, and parking areas, with measures to shield adjacent streets and residential areas from the lights;
5. Establishment of the parking area shall be subject to the approval of a detailed plot plan depicting and delineating the above requirements and planning location of parking attendant's shelter, together with other necessary elements to constitute a proper parking area.

#### 8.76.120 Loading spaces.

A. In any district, in connection with every building or part thereof, hereafter erected or enlarged which is to be used for manufacturing, storage, warehousing, goods' display, retail sales, wholesaling, hotel, hospital, mortuary, laundry, dry cleaning, or other uses similarly requiring the receipt or distribution by vehicles of materials, there shall be provided and maintained on the same lot with each building, off-street loading spaces as per the following schedule:

10,000--20,000 square feet of gross floor area, one space,  
20,001--30,000 square feet of gross floor area, two spaces,  
30,001--45,000 square feet of gross floor area, three spaces,  
45,001--75,000 square feet of gross floor area, four spaces,  
plus one space for each additional seventy-five thousand (75,000) square feet of  
gross floor area.

As an alternative to this requirement, it may be demonstrated that adequate loading areas may be provided through the use of wider aisles when approved by the design review board.

B. In addition, the following requirements shall be provided:

1. No loading operation for any use required to provide off-street loading space, nor the parking of any vehicle incident to such loading operation shall be permitted within any street right-of-way;
2. Each off-street loading space shall have a minimum width of ten (10) feet, a minimum length of thirty-five (35) feet, and a minimum height of fifteen (15) feet;
3. Off-street loading spaces required by this section shall be separately and permanently maintained as such and shall be used only for this purpose. No part of a required loading space shall be encroached upon by buildings, storage, or any other activity;
4. Each off-street loading space shall be accessible from a public street and shall not be located within the required front yard or side yard, nor cause trucks to encroach upon the front yard or side yard during the process of loading/unloading;
5. Off-street loading, parking and maneuvering areas shall not be located within fifty (50) feet of property lines unless the design mitigates any adverse aspects.

## **Chapter 8.88 SIGNS AND OUTDOOR ADVERTISING**

### **8.88.060 Area--General.**

No sign may have an area exceeding two hundred (200) square feet

### **8.88.080 Area--Walls.**

A wall sign may not exceed ten percent of the wall's area.

### **8.88.090 Area--Windows and shingles.**

Window signs, including temporary promotional signs, may have a total area up to twenty (20) percent of the area of the window on which they are placed. No shingle sign may exceed five square feet in area

8.88.100 Location.

A sign shall be located only on the frontage of a premise. Signs may not be located on more than two frontages of any one premise.

8.88.110 Letters--Lights.

A. No letter or character contained in a sign shall be over four feet high.

B. Lighted signs require design review approval and the intensity shall not exceed five foot-candles of illumination measured at ten (10) feet.

C. Building, premise, under-eave and canopy lighting require design review approval and shall not exceed twenty (20) foot-candles of illumination measured at ten (10) feet.

8.88.120 Projections--Heights.

A. No part of a sign may project above the roofline or ridgeline of the building to which it is attached.

B. A sign shall not project more than one foot horizontally from a building.

C. A shingle sign may extend outward a maximum of six feet but may not be lower than seven feet four inches above the finished grade.

D. A sign on a wall shall not extend higher than fifteen (15) feet above the ground.

8.88.320 Planned signing program.

Special consideration shall be given to a coordinated sign program for blocks, clusters or groups of buildings, shopping centers or theaters. Proposals require design review board approval and the board may modify the standards set forth in this chapter after making appropriate findings.

8.88.330 Signs in scenic corridors.

If a person applies for a building permit within a scenic corridor, the existing signing is subject to design review board approval in order to bring non-conforming signs into compliance with this chapter.

**Chapter 8.124 SECONDARY LIVING UNIT**

8.124.060 Development standards.

A secondary living unit is allowed on a single-family or multifamily residential lot containing an existing primary unit if the following development standards are met:

A. There may be only one secondary living unit per lot. It may be either attached to or detached from the existing primary unit.

B. The lot on which the secondary living unit is to be located may not be adjacent to a lot that shares a property line with any other lot on which a secondary living unit has been approved or is located unless the secondary living units are a minimum of five hundred (500) feet apart.

C. A secondary living unit shall comply with all applicable building, fire, and health and safety codes, which apply to multifamily dwellings. If the existing primary unit requires an automatic sprinkler system, an automatic sprinkler system approved by the fire district shall be installed in the secondary living unit.

D. The secondary living unit and all associated outdoor living areas and structures shall comply with the existing setback requirements of the zoning district in which the secondary living unit is to be located. The maximum aggregate building height for the secondary living unit shall not exceed one story and it shall not be more than nineteen (19) feet between the highest point on the building including the roof and the lowest point on the building at grade. The skirt wall (if any) shall be included in the maximum height measurement. A secondary living unit may not be constructed over a garage or a basement. The maximum lot coverage for a secondary living unit and all associated structures and paving shall not exceed one thousand three hundred (1,300) square feet. The floor area ratio for the secondary living unit shall not exceed seven percent of the lot area. A secondary living unit shall not be constructed on an existing slope that is twenty percent (20%) or greater at the time of application within the proposed development area.

E. The interior living area of a secondary living unit shall be at least one hundred fifty (150) square feet and not more than seven hundred fifty (750) square feet. The secondary living unit may contain no more than twenty-five percent (25%) of the existing interior living area of the existing primary unit, calculated before the addition of the secondary living unit.

F. A secondary living unit may not have more than one bedroom.

G. In addition to parking required for the existing primary unit, one off-street parking space measuring at least nine feet by nineteen (19) feet and not more than seventeen (17) feet by nineteen (19) feet shall be provided for the secondary living unit. Such parking space may not be located within a required setback area and may not block vehicular access to a parking space, which is required for the existing primary unit. The parking space for the secondary living unit shall be located adjacent to the parking spaces for the existing primary unit and shall match the design of the existing primary unit parking spaces. Access to the secondary living unit parking space shall be provided by a driveway that also provides access to the required parking spaces for the existing primary unit. The size of the existing driveway curb cut shall not be increased. The guest parking spaces required by Moraga Municipal Code Section 8.76.100(C) and (D) are not required for a secondary living unit.

H. No secondary living unit shall be located within the drip line of any native, orchard or historic tree as defined by Moraga Municipal Code Section 12.12.020.

I. The applicant for a secondary living unit shall be an owner-occupant.

J. The secondary living unit shall be located at least as close to the existing primary unit as it is to any adjacent property line. Any secondary living unit wall located within fifty (50) feet of a property line shared with a lot on which an existing residence is located, shall have all windows set at a sill height of not less than five feet six inches above the interior floor level.

K. The secondary living unit shall be located at an elevation that is at least one foot above the one hundred (100) year flood level for any nearby creek.

L. The secondary living unit shall not be located within any easement.

M. The secondary living unit must qualify for a categorical exemption in accordance with the requirements of the California Environmental Quality Act (CEQA).

N. The secondary living unit must satisfy the design standards set forth in Section 8.124.070.

#### 8.124.070 Design standards.

A secondary living unit is allowed on a single-family or multifamily residential lot containing an existing primary unit if the following design requirements are met:

A. If the secondary living unit is attached to the existing primary unit and if both the secondary living unit and the existing primary unit have an entrance at the front, both units shall be served by a common entrance. If the entrance to the secondary living unit is at the side or rear of the existing primary residence, it may be a separate entrance.

B. All exterior colors, materials and architectural and landscape designs of the secondary living unit shall match the exterior color, materials and architectural and landscape designs of the existing primary unit.

C. All exterior lighting shall be directed downward or inward toward the property.

D. All retaining walls associated with the construction of a secondary living unit shall be no higher than three feet. If a fence is located within two feet of a retaining wall the combined retaining wall and fence height shall not exceed six feet. There shall be no more than two new retaining walls located within thirty (30) feet of one another in conjunction with the construction of a new secondary living unit.

E. Any blank wall that is without windows and is more than fifteen (15) feet long or one hundred eighty (180) square feet in area, whichever is less, shall have landscaping

installed and maintained along the wall which reaches a minimum height of four feet within three years.

F. A secondary living unit porch or above grade landing shall not exceed twenty-five (25) square feet. The maximum depth of a secondary living unit porch or above grade landing shall not exceed four feet. No above grade decks or balconies shall be permitted on a secondary living unit.

G. The skirt height of a secondary living unit shall not exceed four feet.

H. All secondary living unit landscaping shall be irrigated and maintained for a minimum of one year.

I. There shall be a minimum of six feet near level clearance area from any top or bottom of a slope to a secondary living unit. The post development slope of the near level clearance area shall not exceed five percent. This requirement is also applicable to split level lots, with the exception of the primary pad split.

J. A detached secondary living unit shall be located a minimum of ten (10) feet away from the existing primary unit.

K. Permanent trash and recycling enclosures for use by the secondary living unit occupants shall be located on the property. The colors, materials and design of the trash and recycling enclosures shall match the secondary living unit.

L. No fence, screens, walls, landscaping or other means may be used to visually subdivide the secondary living unit from the primary unit.

M. The design of the mailbox for the secondary living unit shall match the design of the mailbox for the existing primary unit. In addition, the mailbox for the secondary living unit shall be co-located with the mailbox for the existing primary unit.

N. The secondary living unit shall not encroach upon the required twenty-five (25) foot by forty (40) foot usable rear or side yard area of the existing primary unit.

O. The utilities associated with the construction of a new secondary living unit shall be underground.

## **Chapter 8.132 SCENIC CORRIDORS**

### **8.132.050 Development guidelines.**

A. The objective of this chapter is to develop corridor aesthetics in keeping with those of a residential community.

B. Development or improvements within a major scenic corridor and subject to regulation under Section 8.132.040 shall comply with the following guidelines:

1. The design and location of each building and landscaping shall create a compatible visual relationship with surrounding development and with the natural terrain and vegetation. Road widths and road configurations should be considered as part of the design element.
2. Buildings and landscaping shall be so located that each does not create a walled effect along the scenic corridor. Setbacks and building heights may be made more restrictive than otherwise permitted by the applicable zoning regulations. In general, the greater the mass or bulk, the greater the setback should be. The positioning of buildings shall be varied in order to create a complimentary relationship between mass and void.
3. Existing topography, vegetation and scenic features of the site shall be retained and incorporated into the proposed development wherever possible. Manmade structures, as a visual element in the scenic corridor, should be secondary in importance to natural growth.
4. Each structure or feature reviewable under this chapter shall be limited to scale and siting to reduce visual dominance or obstruction of existing landforms, vegetation, water bodies and adjoining structures.
5. Each structure shall be constructed, painted and maintained and all planted material shall be planted and maintained to complement and enhance scenic views and the natural landscape.
6. Unnatural and conflicting aesthetic elements shall be eliminated to the extent feasible consistent with safety requirements (for example, retain street lighting, but place wiring underground). Where it is not possible to locate such a feature out of view, it must be located in an area so as to minimize visibility from a scenic corridor or screened from view by planting, fence wall or berm. Where the screen consists of a fence, wall or berm, it may not be higher than six feet. Screening shall consist of primarily natural materials rather than solid fencing. Preference shall be given vegetation in conjunction with a low earth berm.
7. Lighting shall be compatible in type, style and intensity to the surrounding elements and not cause undue or aggravating disruption, glare or brightness.
8. Grading or earth moving shall be planned and executed in such manner that final contours appear consistent with a natural appearing terrain. Finished contours shall be planted with plant materials native to the area so that minimum care is required and the material is visually compatible with the existing ground cover.

9. The number of access points to and from the scenic corridor shall be minimized consistent with safety and circulation needs.

10. Parking on the scenic corridor roadways should be minimized.

11. Each specimen tree and each grove of trees may be approved for removal only if the tree or grove of trees is unsafe or diseased or to provide the smallest cleared area necessary to locate an approved road or structure on the site under guidelines of the tree preservation ordinance. Selective clearing of vegetation may be permitted upon review and approval by the design review board.

12. In applying these guidelines, consideration shall be given to protecting the privacy and security requirements of individual property owners who seek approval for improvements under this chapter.

## **9. MCSP CONTRIBUTORS**

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## **APPENDICES**

- A. Moraga Center Specific Plan Market Assessment, Economic & Planning Systems, Inc., January 2006.
- B. MCSP Design Guidelines, The Dahlin Group, May 2008
- C. Summary of Community Input for the MCSP process, 2006