



TOWN OF MORAGA

PLANNING DEPARTMENT DENSITY BONUS SUPPLEMENTAL APPLICATION

The Town of Moraga [Affordable Housing Ordinance](#) requires 10% affordability and has Policy Incentives for new residential developments with 6 or more units. The ordinance is a commonly used tool to ensure that some of the units in new developments are affordable to seniors, students and the workforce. Inclusionary housing requires and incentivizes developers to provide residential units at a price that is considered affordable to low or moderate-income households. Moraga Municipal Code §8.180.040 requires that residential projects proposing 6 or more dwelling units must include affordable housing. Residential developments for rent are required to reserve 10% of the units for low-income households, and residential developments for sale are required to reserve 10% of the units for moderate-income households. The Policy Incentives would provide additional density, reduced parking and an additional concession to make production of affordable housing more viable in the Town.

The State Density Bonus Law as required by [California Government Code Section 65915\(a\)](#), provides incentives for the production of housing that is affordable to moderate, low or very low-income households, senior housing, or includes childcare facilities in accordance with Sections 65915 through 65918 of the California Government Code. Under State Density Bonus law, developments that create 5 or more dwelling units are eligible for a state density bonus if a specified percentage of units are provided at specific affordable rents or sale prices.

To further encourage the development of affordable housing units the Town Council adopted [Resolution 96-2022](#) establishing local development incentives policy for eligible projects that provide on-site affordable housing units, which allows for additional density of 5% to 30% above the State Density Bonus Law depending on the project type.

ELIGIBILITY REQUIREMENTS		YES	NO	N/A
1	PROJECT SUMMARY TABLE: demonstrating the basis under the state density bonus law on which the applicant is requesting a density bonus, including the maximum allowable density permitted by the zoning and general plan designations excluding any density bonus; base units; proposed number of affordable units by income level; proposed bonus percentage; total number of dwelling units; residential gross floor area and total gross floor area proposed; density per acre; proposed number of parking spaces; and unit and bedroom counts and unit types for the purpose of calculating parking requirements. Zoning district information is available on the Town's GIS portal . (<i>Figure 1</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	PRELIMINARY SITE PLAN: drawn to scale, showing the number and location of all proposed units (more details can be found in the site plans submittal requirements).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	SITE LEGAL DESCRIPTION	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	BOUNDARY SURVEY	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	IDENTIFY MAXIMUM DENSITY BONUS: to which the housing development is entitled based on the project as proposed. (Project Summary Table)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ELIGIBILITY REQUIREMENTS		YES	NO	N/A
6	IDENTIFY CONCESSION(S): provide reasonable documentation consisting of a detailed written statement to establish eligibility for the concession(s).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	IDENTIFY WAIVER(S): provide a detailed written explanation of why the development standard from which any waiver is sought would have the effect of physically precluding the construction of the housing development at the density and with any concession(s) or parking ratio reduction sought.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	IDENTIFY EXISTING AND VACATED DWELLING UNITS: If the housing development is proposed on any property that includes a parcel or parcels with existing dwelling units or dwelling units that have been vacated or demolished in the five-year period preceding the application, an explanation of how the project meets the state density bonus law's replacement housing requirements, if applicable, set forth in Government Code section 65915 subdivision (c)(3) , as may be amended.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	DENSITY BONUS IS REQUESTED FOR A LAND DONATION: the location of the land to be dedicated, proof of site control and reasonable documentation that each of the requirements pursuant to state density bonus law, set forth in Government Code section 65915 subdivision (g), as may be amended, can be met.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	DENSITY BONUS OR CONCESSION REQUESTED: based all or in part on the inclusion of a child-care facility, a written summary addressing the eligibility requirements pursuant to state density bonus law, as set forth in Government Code section 65915 subdivision (h) , as may be amended, have been met.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	DENSITY BONUS OR CONCESSION REQUESTED: based all or in part on the inclusion of affordable units as part of a condominium conversion, written summary addressing the eligibility requirements pursuant to state density bonus law, set forth in Government Code section 65915.5 , as may be amended, have been met.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Figure 1: Project Summary Table

A.	Location Address / Accessor Parcel Number	
B.	Zoning / General Plan Designation	
C.	Lot or Parcel Area (Net and Gross)	
C.	Maximum Allowable Density (Excluding Any Density Bonus)	
D.	Number of Base Units (Prior to Density Bonus)	
E.	Provide Number of Affordable Units by Income Level	<p>E.1 Number of Very Low Income Units</p> <p>E. 2 Number of Low Income Units</p> <p>E. 3 Number of Moderate Income Units</p> <p>E.3 Other (Senior Units, Foster Youth/Disabled Vets/Homeless, College Students)</p>
F.	Number of Fractional Units (See In-Lieu Fee Calculations Memo for how fractional in-lieu fees are determined and calculated)	
G.	Proposed State Bonus Percentage and Number of Bonus Units	
H.	Proposed Town of Moraga Supplemental Bonus Percentage and Number of Bonus Units	
I.	Total Proposed Density Bonus Percentage and Number of Bonus	

	Units (Add Rows G and H)											
J.	Total Number of Dwelling Units											
K.	Total Number of Bedrooms											
L.	Number of Each Unit Type (Studio, 1 Bedroom, 2 Bedroom etc.											
K.	Proposed Residential Gross Floor Area											
L.	Proposed Total Gross Floor Area											
M.	Density Per Acre											
N.	Proposed Number of Parking Spaces. If Seeking a Reduction in Parking Pursuant to Government Code 65915(p), Indicate the Number of Spaces Proposed per Bedroom and the Criteria Proposed for the Reduction.	<p>Standard State Density Bonus Parking Ratio's.</p> <table border="1"> <tr> <td>Studio</td> <td>1 space</td> </tr> <tr> <td>1 Bedroom</td> <td>1 space</td> </tr> <tr> <td>2 Bedroom</td> <td>1.5 spaces</td> </tr> <tr> <td>3 Bedroom</td> <td>1.5 spaces</td> </tr> <tr> <td>4 Bedroom</td> <td>2.5 spaces</td> </tr> </table>	Studio	1 space	1 Bedroom	1 space	2 Bedroom	1.5 spaces	3 Bedroom	1.5 spaces	4 Bedroom	2.5 spaces
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R.	Are the Units For-Sale or Rent? If For Sale, a Condominium Map Must be Submitted.											

DENSITY BONUS SUBMITTAL REQUIREMENTS

A. General

1. Completed Standard Planning Application
2. Completed Indemnification/Reimbursement Agreement
3. Completed Density Bonus Supplemental Application
4. Appropriate fee or deposit (cash, check, credit card). Please have check payable to the Town of Moraga.
5. Please submit three (3) copies of any written documentation, one (1) set of plans at a minimum 24' x 36" size, two half size sets (12"x18") sets, and an electronic version in PDF format. Electronic plans can be submitted on a USB flash drive or sent by email or online file service hosting link to planning@moraga.ca.us. Additional plan sets will be required prior to the Public Hearing, which will be requested after the project has been deemed complete. All plans must be drawn to an architectural or engineer's scale, such as 1/8th = 1 foot, 1/4th = 1 foot or 1 inch = 20 feet scaled to 24" x 36" drawing sizes unless Staff agrees to an alternate size.
6. A preliminary title report may be required by the project planner. The report shall be no more than six months old, listing all recorded easements and restrictions and providing a legal description of the property.
7. Voluntary Architectural Plan Release Authorization (Recommended, but optional), and/or submit a "massing diagram" that displays the three-dimensional building form and describes the general profile, bulk setbacks, and size of the building, but is not required to contain specific architectural detail.

B. Affordable Housing Plan

1. The location, tenure (rental or ownership) and size of the proposed market-rate and inclusionary units;
2. The calculations used to determine the number of inclusionary units;
3. A floor plan or site plan depicting the location of the inclusionary units;
4. The affordability level for each inclusionary unit;
5. The term of affordability;
6. A phasing plan for the inclusionary units, in the event the project includes phases;
7. A description and details of any requested density bonuses, incentives, waivers or exemptions;
8. The process by which eligibility of qualified households will be reviewed and selected to rent or purchase affordable units;
9. An annual reporting schedule; and
10. Additional information that may be requested by the planning director.

C. Site Plan

1. North arrow
2. Drawing scale
3. Dimensioned property lines
4. Footprints of existing and proposed buildings, structures (new buildings, structures, additions should have cross-hatching/shading or other notation to differentiate them from existing buildings and structures)
5. Existing and proposed setbacks
6. Building envelopes (Examples include Open Space properties and Planned Developments)
7. Demolition plan for portions of buildings or structures to be removed from the property.
8. Roof overhangs/eave lines
9. Indicate the number of stories of existing buildings on adjacent lots.
10. Existing and proposed exterior lighting.

11. Location of existing and proposed improvements labeled accordingly (i.e. Paved patios, accessory buildings, pools etc.)
12. Location of exterior air conditioning units or other mechanical equipment that generate noise
13. Location of walks and access driveways for circulation of pedestrians and vehicles
14. Adjacent streets and location of curb and sidewalk improvements
15. Dimensions and number of existing and proposed off-street parking spaces.
16. A table containing the following information:
 - a. Total lot area of the project site, both net and gross. (in square feet)
 - b. Total existing Gross Floor Area of home, including all living areas, garages, carports and accessory buildings (Do not include covered porches, or accessory buildings less than 400 square feet).
 - c. Total Gross Floor Area of proposed additions to home, garage, carport or accessory buildings.
 - d. Total Gross Floor Area of home including the garage, carport, accessory buildings and the proposed addition(s)
 - e. Existing and proposed area and percentage of lot covered by buildings.
 - f. The existing and proposed area and percentage of the total lot coverage by impervious surfaces.
 - g. An itemized calculation of existing and proposed impervious surface area on the project site (including area of all roofs and paved surfaces).
 - h. Tabulation citing how the project meets all applicable objective standards, including minimum parking; minimum front, side and rear yard setbacks; maximum lot coverage; maximum number of stories; maximum building height; and maximum aggregate building height.
 - i. For properties with an average pre-development slope of 20% or greater, existing and proposed topographic contours (with minimum contour intervals of 2 feet), for land within 20 feet of any proposed site improvements or drainage facilities.
 - j. Indicate the zoning of the parcel and if applicable, the location of any Moraga Open Space Ordinance Ridgelines, Ridgeline Buffers, Scenic Corridors, and Scenic corridor Buffers.
 - k. Indicate whether the parcel is within a High or Very High Fire Severity Zone.
 - l. If one or more new residential units are proposed, the site plan shall label the type of unit.
17. Show the total existing and proposed impervious surface area on the project site, including the area of all roofs and hardscape surfaces. This information is required to determine compliance with the latest edition of the Contra Costa Clean Water Program's Stormwater C.3 Guidebook available at www.cccleanwater.org.
 - a. If your project creates or replaces impervious surface area exceeding 10,000 sq. ft., or if your project involves auto service facilities, retail gasoline outlets (gas stations), restaurants, and uncovered parking lots, that create or replace impervious area exceeding 5,000 sq. ft., then you will be required to submit a Storm Water Control Plan in accordance with Chapter 2 of the C.3 Guidebook. The project engineer shall also show sufficient area of the site reserved to satisfy the treatment and/or detention requirements described in Chapter 3 of the C.3 Guidebook.
 - b. Smaller projects that create or replace a minimum of 2,500 sq. ft. will need to comply with the Best Management Practices (BMPs) required under the Town's NPEDS Permit. This includes but is not limited to disconnecting all roof drains and designing surface drains for new impervious surfaces to be routed through a biofilter, sand filter, or planted vegetated swale for ten or more feet prior to entering any storm drainage pipe or tight line drainage system.
 - c. Smaller projects that create or replace 2,500 sq. ft. will need to comply with the Best Management Practices (BMPs) required under the Town's NPEDS Permit. This includes but is not limited to disconnecting all roof drains and designing surface drains for new impervious surfaces to be routed through a biofilter, sand filter, or planted vegetated swale for ten or more feet prior to entering any storm drainage pipe or tight line drainage system.
18. Location and depth of subdrains (if any), particularly important for new swimming pools.
19. Existing and proposed public and private easements.
20. Location and width of creeks, water courses, drainage easements, and drainage facilities
21. Location of natural features.
22. Existing and proposed landscaping (identify trees to be removed or relocated – full landscaping details

may be on separate landscaping plan)

23. Location, type and height of existing and proposed retaining walls and fences. Show the location of all existing native trees and trees with a trunk diameter of 5" or more measured three feet above natural grade or, if having multiple trunks, a total perimeter of forty (40) inches or more measured three feet above natural grade. Also, label the species or common name of the tree and trunk diameter, and indicate the status (to be removed, relocated, or retained).
24. Location and dimension of trash/recycling/compost disposal area.
25. Existing and proposed recreational facilities.

D. Building Elevations

1. Drawing scale should not be less than one-eighth inch equals one foot.
2. Existing and Proposed Elevations for all sides affected by improvements.
3. All proposed exterior elevations showing existing and proposed exterior walls, roof, architectural features, doors, windows, trim, down spouts, exterior wall, exterior lighting, and roofing materials.
4. Indicate a material schedule with colors and materials for all exterior walls, glass, trim, and roofing.
5. Indicate both existing and finished grade.
6. Provide color and materials specs for new buildings or if colors or materials are being changed from existing colors or materials. A color and material board may be required for projects that require a public hearing.
7. Dimensioned maximum height of building and aggregate building height.
 - a. BUILDING HEIGHT – the vertical distance measured between any point of the roof or parapet walls and the existing grade, or approved modified grade directly beneath.
 - b. AGGREGATE BUILDING HEIGHT – the vertical distance measured from the highest point of the roof or parapet wall to the lowest point of the foundation at the approved grade.
 - c. Indicate maximum allowable building height as measured from existing grade.
8. All changes or additions to existing structures shall be ballooned, hatched, or otherwise highlighted and noted on the drawing revision.
9. Show existing and proposed conditions with two separate elevation view drawings, done at the same scale, for each building elevation to be modified by the addition.
10. Include retaining wall and fence elevations/profiles, indicating heights, colors, and materials, if retaining wall and fence are part of the project.
11. Photos of the existing site and structures.
12. Photo or Visual Analysis to include renderings of the project from public streets as well as other appropriate perspectives.
13. Materials and Colors Board: 8.5" x 11" board size and 3/4" maximum thickness, with a colored elevation of the proposal and referencing the color chips and manufacturers' specifications of the following:
 - a. Body/Siding
 - b. Trim
 - c. Windows
 - d. Roof
 - e. Exterior light fixtures
 - f. Fences
 - g. Walls and retaining walls
 - h. Hardscape

E. Floor Plans

1. Drawing scale should not be less than one-eighth inch equals one foot.
2. Show all existing and proposed rooms and label their use (including basements, attics, detached accessory structures, etc.), provide the dimension of each room and indicate their size in square feet.
3. Show all doors, windows, bay windows, chimneys, stairways, etc.

4. Show all existing and proposed decks, balconies, porches, garages/carports, etc., and label their use.
5. Indicate all areas to be demolished with proposed walls and existing walls clearly indicated.
6. Indicate all exterior dimensions.
7. Indicate the limits of the floor above and the floor below on multi-level structures.
8. Show total living area of each residential unit, including:
 - a. The area of any portion of a room with a ceiling higher than 15 feet.
 - b. The area of any attic space with a clear height of 7 feet above the floor.
 - c. The area of any accessory building greater than 400 square feet.

F. Roof Plan

1. Drawn to the same scale, and superimposed over, the grading plan (or the site plan if a grading plan is not required).
2. Note elevation of each roof ridge above established data.
3. Note the pitch of the roof(s).
4. Indicate all changes or additions to existing structures with ballooning, hatching, or by otherwise highlighting.

G. Landscaping Plans. (If applicable)

1. Topography - show existing topography with a light line weight and proposed topography with a darker or heavier line weight.
2. Existing trees - show all trees with a trunk diameter of 5" or more measured three feet above natural grade or, if having multiple trunks, a total perimeter of forty (40) inches or more measured three feet above natural grade and label:
 - a. Tree species
 - b. Diameter of trunk
 - c. Elevation at trunk base
 - d. Field surveyed accurate driplines (generic symbols are not accepted)
 - e. Tree identification number, provided by the arborist.
 - f. Trees proposed to be removed with a prominent "X"
3. Plant list table – list proposed planting as follows:
 - a. Trees – species (common and botanical name), quantity, size to be planted, whether the species is native, invasive/noninvasive, drought tolerant, fire resistant and is it a plant material recommended in Appendix B of the Town's Design Guidelines.
 - b. Shrubs - species (common and botanical name), quantity, size to be planted, whether the species is native, invasive/noninvasive, drought tolerant, fire resistant and is it a plant material recommended in Appendix B of the Town's Design Guidelines.
 - c. Groundcover - species (common and botanical name), quantity, size to be planted, whether the species is native, invasive/noninvasive, drought tolerant, fire resistant and is it a plant material recommended in Appendix B of the Town's Design Guidelines.
4. Irrigation - submit a preliminary plan showing:
 - a. Watering zones (drip/spray) with corresponding legend and table.
5. Landscape lighting:
 - a. List and label existing and proposed lighting.
 - b. Provide a legend and indicate quantity of each lighting type.
 - c. Lighting specifications for each proposed lighting type.
6. Total landscaped area (sq. ft) – all planting areas, turf, and water features

H. Model Water Efficient Landscape Ordinance (MWELO)

Pursuant to MMC§8.178.040: "New Construction project with a landscape area greater than 500 square feet, or rehabilitating an existing landscape with a total landscape area greater than 2,500

square feet” are subject to the requirements and standards of MWEL. *Projects with only minor alterations to existing landscaping may include the landscape plan as part of the site plan. Projects with no new landscaping planned may include a “no new landscaping proposed” notation on the site plan.*

1. Drawn at the same scale as the site plan.
 2. Include a north arrow, legend, and scale.
 3. Include vegetation key with the following information for both existing and proposed landscaping:
 - a. Species
 - b. Common Name
 - c. Number
 - d. Size
 - e. Method of Irrigation
 4. Provide the total square footage of irrigated area.
- I. Grading and drainage plans.** (If applicable) – Projects that require a grading permit under Moraga Municipal Code §14.04.031 shall use the grading permit application submittal checklist.
1. Note on plans if there are no drainage improvements proposed.
 2. All items listed under Site Plan.
 3. Topographic contours of existing and proposed ground surface based on a topographic survey (survey preparation by a licensed surveyor may be required.)
 4. Existing and proposed surface and subsurface drainage facilities and watercourses including but not limited to creeks, swales, drainage ditches, discharge facilities, dissipaters, catch basins, and subsurface drainage pipes. Also indicate septic tanks, with, or as part of, or subsequent to the proposed work.
 5. Areas subject to inundation or ponding. (Note if there are none)
 6. Detail methods proposed to intercept and carry off surface and subsurface water.
 7. Include details of engineered treatment at discharge points and pipe specifications (size, material, etc.).
 8. Drainage across interior lot lines creating cross-lot drainage is not permitted nor changes in the drainage pattern which alter or increase the quantity which discharges to adjoining properties.
 9. Hydrologic calculations and plans stamped by a California licensed professional are required for new homes or additions of 1,500 square feet or more.
 10. Erosion control plan.
- J. Geotechnical or soils report.** Typically required for new residential projects, new commercial projects, subdivisions, Hillside Development Permits, Grading Permits or if deemed necessary by the Planning Department due to the specifics of the project. For Hillside Development and Grading Permits, see Geological and Soil Report requirements in those applications.
1. The report must be prepared and signed by an engineering geologist or soil engineer.
 2. The required reports must be based on the latest grading plan for the subdivision and must reference the date of that grading plan.
 3. The format for the required geotechnical reports should include the following information:
 - a. A detailed geologic map showing the location and extent of any geologic hazard or potentially hazardous soil condition warranting further evaluation within or immediately adjoining the subject property.
 - b. Recommendations outlining an exploration program to fully define and delineate any geologic hazard or potentially hazardous soil condition, and to accurately identify developable areas.
 - c. Conclusions regarding the effect of any geologic hazard or potentially hazardous soil condition within or immediately adjoining the project site.

- d. Recommendations for construction procedures to mitigate potentially hazardous conditions, if warranted.

K. Additional Documents. (Applicable based on the specifics of the project)

1. A boundary survey (wet stamped and signed) may be required for projects that propose development near to property lines, setback lines, easements, or where the location of these are unknown or in dispute, or where accurate topographic information is required. The survey shall include the following.
 - a. All property lines.
 - b. Building footprint of all structures with dimensions to property line.
 - c. Easements, fully dimensioned, as reflected on a current title report including:
 - i. All public and private roads (labeled accordingly);
 - ii. Rights-of-way; and
 - iii. Easements, within and to the parcel.
 - d. Street improvements - (curb, gutter, sidewalk, edge of paving)
 - e. Topography – (2' contour intervals in area to be developed)
 - f. Drainage features including:
 - I. Swales;
 - II. Creeks (with required creek setbacks shown in both plan and sectional view);
 - III. Wetlands; and
 - IV. Riparian habitat.
 - g. Trees - show all trees with a trunk diameter of 5" or more measured three feet above natural grade or, if having multiple trunks, a total perimeter of forty (40) inches or more measured three feet above natural grade within 100 feet of proposed development, with the following labeled:
 - i. Tree species;
 - ii. Diameter of trunk;
 - iii. Elevation at trunk base;
 - iv. Field surveyed accurate driplines (generic symbols are not accepted);
 - v. Tree identification number, provided by the arborist; and
 - vi. Trees proposed to be removed with a prominent "X."
2. An arborist report may be required when trees are proposed for removal or may be impacted by the project, such as work near or within driplines. The report should include;
 - a. Tree location(s), genus, species, diameter, dripline, and elevation at trunk base;
 - b. Health and condition of the tree(s), including existing hazards to the tree;
 - c. Potential impact of development on the tree(s) or existing tree(s) condition;
 - d. Evaluation of preservation potential based on the tree's existing condition and in relation to any potential development; Recommendations for protection, preservation, and requirements to maintain and improve tree health and assure survival;
 - e. Tree inventory table listing the tree number (as numerically tagged in the field), species, trunk diameter, health of tree, potential impact of proposal, and indicate whether tree is to be saved or removed
 - f. Site plan showing: numbered trees, accurate driplines, and proposed location of tree protection fencing;
 - g. Photos as applicable; and
 - h. Post construction recommendations as applicable.
3. A biological survey when a project is proposed within a sensitive habitat area, such as a riparian environment, oak woodland, or within a substantially undisturbed natural area.
4. Additional studies may be required depending on specific project type and potential impacts of the project, such as, traffic, parking or noise studies, prior to consideration of the project at a public hearing.