



## MEMORANDUM

DATE: November 15, 2023

TO: Recreation Commission

FROM: Kevin Jackson, Planning & Building Director  
Pierce Macdonald, Senior Planner

SUBJECT: Informational Report: Status of the Preparation of a  
Moraga Canyon Specific Plan

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### AGENDA ITEM NUMBER 2

#### RECOMMENDATION

This is an informational report on the status of the preparation of a Moraga Canyon Specific Plan (MCSP). Staff recommends the Commission receive staff's report and presentation and entertain a discussion about the Commission's priorities related to the recreation facility improvements and activity goals set forth by the City Council.

#### EXECUTIVE SUMMARY

On March 20, 2023, the City Council adopted Piedmont's 6<sup>th</sup> Cycle Housing Element (Housing Element), comprised of 7 goals, 56 policies and 77 programs that the City will deliver to advance the development of a Regional Housing Needs Allocation of 587 housing units at all income levels during the 2023-2031 cycle. One of the more significant programs in the Housing Element is Program 1.L, which calls for the preparation of a Moraga Canyon Specific Plan for City-owned parcels that total an estimated 18 acres in the Moraga Canyon area and the Moraga Avenue roadway that intersects them ("Study Area").

On July 17, 2023, the City Council approved an agreement with JZMK Partners (JZMK) for services related to the preparation of a Moraga Canyon Specific Plan, and staff and the consulting team met the following week to launch the project. The first steps in the process have commenced, including existing conditions analysis, neighborhood and stakeholder engagement, and an online survey.

At this early stage of the process the intent of this report is to introduce the City Council's goals and objectives for the project; present the project schedule; clarify the Recreation Commission's role; and glean any priorities the Commission may have related to the City Council's goals for recreation facilities and activities in the study area.

During the Commission's meeting, staff will also provide a slide presentation consisting of a summary of the information in this report. In addition, the slide presentation will include early findings of site conditions and results of an online survey.

**BACKGROUND**

**Moraga Canyon Specific Plan Study Area**

As shown in Figure 1, the City owns five parcels (comprised of APN 050457901900, 050457902100, 050457908000, 048A700200303, and 050457906100) totaling roughly 18 acres on both the north and south sides of Moraga Avenue near Red Rock Road. North of Moraga Avenue are two parcels totaling approximately 12.8 acres that contain Coaches Field and Kennelley Skate Park recreational facilities, the Public Works corporation yard, two small parking lots, and open space on sloping terrain. South of Moraga Avenue are three parcels totaling approximately 5 acres that provide an open space area known as Blair Park. The study area abuts Mountain View Cemetery to the north, and single-family residential neighborhoods to the east, south and west.

**Figure 1. Study Area**



**Housing Element Program 1.L**

As provided in the 6<sup>th</sup> Cycle Housing Element adopted by the City Council, the primary objective of Program 1.L is to accommodate at least 132 dwelling units. The full text of Program 1.L Specific Plan is provided in Attachment 1 to this report. While it is noted that the City’s Housing Element has yet to be certified by the California Department of Housing and Community Development (“HCD”), the development of the Moraga Canyon Specific Plan as the City’s path forward is not in question. The only comments regarding Program 1.L are HCD’s

request to revise the timeline to include a date for the issuance of building permits and a date to evaluate progress and identify alternative sites for housing should the Program's success be determined unlikely. Consequently, it is concluded that implementation of Program 1.L aligns with the City's compliance with State law.

### **Goals of the Moraga Canyon Specific Plan**

When adopting Piedmont's 6<sup>th</sup> Cycle Housing Element the City Council included a set of goals in Program 1.L for the Moraga Canyon Specific Plan. As summarized below, the goals will lead to a plan that would:

- a. Develop from a robust public engagement process that might include surveys, flyers, media posts, open houses, design charrettes, study sessions, stakeholder meetings, and other methods of engagement;
- b. Result in the subdivision of parcels and development standards that are attractive to builders of housing at all income levels, and providing at least 60 units of housing affordable to households earning less than 80 percent of the area median income (AMI) (i.e., 20 low-income units, 20 very low-income units, and 20 extremely low-income units), and at least 72 units of housing affordable to households earning more than 80 percent of the AMI;
- c. Result in the identification of a site for the development of at least one affordable housing project that qualifies for Piedmont's allocation of \$2.2 million from the Alameda County Measure A1 low-interest loan program, and that leads to the County's approval of the funds for an affordable housing project on the site by December 2024;
- d. Improve public safety in regards to design standards for structures in an Wildland Urban Interface Area;
- e. Improve pedestrian, bicycle and vehicular safety in the Moraga Canyon roadway, and design for safe evacuation routes in developed areas;
- f. Include recreation facilities including but not limited to: a) sports field(s) sized for under-14 soccer and youth baseball/softball with batting cages, artificial field turf, and ballfield seating; b) a skate spot; c) a picnic area; and d) parking for these facilities;
- g. Provide a modern Public Works corporation yard;
- h. Address the supply of all public utilities to new housing and City facilities in a manner consistent with public safety standards and Piedmont Climate Action Plan goals and programs;
- i. Provide a comprehensive landscape plan prioritizing to the extent practicable fire safety, open space, native trees, hiking trails and significant viewsheds;
- j. Provide a program for implementation including General Plan amendments, regulations, design standards, infrastructure projects, and financing measures necessary to implement the specific plan;
- k. Provide an evaluation of the economic feasibility of the plan; and
- l. Provide a fiscal analysis of potential expenses and revenues (both one-time and ongoing) for the consideration of the City of Piedmont and Piedmont Unified School District. Potential revenue sources include but are not limited to property tax, sales tax, capital facilities fees, school impact fees, traffic impact fees, affordable housing fees and park fees. Revenue sources to (re)cover the cost of preparing the Specific Plan should be considered.

### **Specific Plan Preparation and Benefits**

Several benefits are anticipated with the preparation of a specific plan for the study area at this time. The Governor's Office of Planning and Research has published [\*The Planner's Guide to Specific Plans\*](#), which provides detailed information about the requirements and content of

specific plans, but in sum, a specific plan includes text, maps and diagrams which specify the following:

- The location of land uses, including open space, within the study area.
- The location of major infrastructure needed to support the land uses in the plan.
- Standards and criteria by which development will proceed.
- Implementation and financing measures necessary to carry out the items listed above.

A specific plan is a tool the City of Piedmont can use to maintain local control in a geographical area and ensure that the design of this development is consistent with community expectations.

Proceeding with the preparation of the Moraga Canyon Specific plan now provides several benefits, including:

- Maximizing opportunities for community and stakeholder input in the fall when Piedmont residents are more likely to be available, and throughout the process;
- Ensuring that the project meets the timeline approved by the City Council and thereby demonstrate the City’s compliance with State law;
- Enabling the City to meet the deadline of December 31, 2024, to secure approval by the Alameda County Board of Supervisors for the use of up to \$2,100,000 of Measure A-1 Bond funding for an affordable housing project. Failure to meet the deadline will result in the diversion of the funds to other jurisdictions.

**Tentative Moraga Canyon Specific Plan Schedule**

Provided below is a tentative schedule for the MSSP. Staff expects modifications to be made to the schedule as the plan develops, including the addition of public engagement events.

July 2023	Project Kick-off
Aug-Sep 2023	Existing Conditions Analysis
Sep-Oct 2023	Online Survey
Oct 2023	Neighborhood Engagement
Oct-Nov 2023	Alternatives Development
November 30, 2023	Community Workshop (review of alternatives)
Jan-Feb 2024	Study Sessions of City Council & Planning Commission
Feb-May 2024	Specific Plan Development
Jun-Jul 2024	Presentation of Specific Plan to City Council and Park, Recreation and Planning Commissions
Jun-Sep 2024	Environmental Impact Report Completed
Oct-Nov 2024	Recommendations by Park, Recreation and Planning Commissions Consideration for Adoption by City Council

**DISCUSSION**

**Role of the Recreation Commission During the MCSP Planning Process**

Piedmont City Code Section 25.7, Powers and Duties of Recreation Commission, states that the Commission shall: a) consider and make recommendations to the City Council on the planning, development and administration of programs and activities relative to public recreation and those facilities and public property under the control of the City for such purposes; b) consider and make recommendations to the Council on the development and implementation of rules of conduct, procedures, resolutions, ordinances or other pertinent matters relating to recreation in the City; and

c) assist in the execution of any plan, project, program or proposal relating to recreation in the City as approved or designated by the Council.

The City Council has committed to the preparation of a Moraga Canyon Specific Plan as described above. During this initial information-gathering stage of the planning process the Commissioners have the opportunity to consider the goals and objectives the Council has established and informally indicate any priorities related to the goals for recreation facilities and activities in conformance with City Code Section 25.7. The goal specific to recreation seeks the inclusion of recreation facilities including but not limited to: a) sports field(s) sized for under-14 soccer and youth baseball/softball with batting cages, artificial field turf, and ballfield seating; b) a skate spot; c) a picnic area; and d) parking for these facilities. During the Commission's discussion, staff will take note of priorities and concerns articulated by the Commissioners to help inform the draft alternatives to be presented at the November 30<sup>th</sup> Community Workshop.

The Recreation Commission also has a role as the MCSP nears completion. After the City Council has selected a concept plan to be developed into a specific plan and all the objectives and elements of a final Moraga Canyon Specific Plan are nearing completion, the Recreation Commission has the responsibility of reviewing the Plan and make a recommendation to the City Council as provided in City Code Section 25.7.

### NEXT STEPS

As noted above, the existing site conditions, the results from the online survey, and information gathered during the neighborhood meeting, stakeholder interviews, and the November meetings of the Park and Recreation Commissions will inform the development of alternative concept plans for the MCSP study area. The alternative concept plans will be presented and discussed during a Community Workshop to be held at Veterans Hall on Thursday, November 30<sup>th</sup>, from 7:00 to 9:00 p.m.

The results of the Community Workshop will be presented to the Planning Commission and City Council during one or more study sessions to be scheduled in January and/or February 2024. Ultimately, the information gathered, the results of the community engagement, and the remarks of the three Commissions will be considered by the City Council when it directs staff and the consulting team to develop a Moraga Canyon Specific Plan based on a selected concept plan.

A final draft MCSP is expected to be completed and considered for adoption during the second half of 2024.

### ATTACHMENTS

A *Pages 6-8* Program 1.L Specific Plan, from City of Piedmont 6<sup>th</sup> Cycle Housing Element

### Related Document

[\*City of Piedmont 6<sup>th</sup> Cycle Housing Element, Adopted March 2023, Revised August 2023\*](#)

Excerpted from the City of Piedmont 6<sup>th</sup> Cycle Housing Element

### **“Program 1.L: Specific Plan**

As described in Appendix B, Section B.3.1, the City owns four sites (comprised of APN 050457901900, 050457908000, 048A700200303, and 050457906100) totaling about 18.25 acres on both the north and south sides of Moraga Avenue near Red Rock Road. The City of Piedmont has the ability to subdivide the parcels and declare them to be surplus under the Surplus Land Act (SLA- California Government Code §54222 et seq.). The intent of this process would be to facilitate the development of below-market-rate housing to help meet the demand for affordable housing in the City. In order for the City to meet its RHNA requirements, these sites need to accommodate at least 132 housing units at all income levels. Given the size of the site, existing constraints, and the desire to preserve the existing public uses (open space, recreation, and City Corporation Yard), the area will be planned using the specific plan process outlined in Government Code §65450 et seq. This process requires the orderly development of the area, including the following: phasing; subdivision; adequate infrastructure; identification of financing; protection of amenities and City facilities; and production of affordable housing. The goals of the specific plan are as follows.

The first goal is to enable construction of housing at a minimum of 132 units, on portions of the site, totaling approximately 3.5 acres of land, yielding a minimum of 60 units of housing affordable to households earning less than 80 percent of the area median income (AMI) and a minimum of 72 units affordable to households earning more than 80 percent of the AMI.

In addition, specific plan goals include improved safety. New habitable structures shall be built to meet fire code requirements for Wildland Urban Interface Areas.

The specific plan must include replacement and/or modernization of existing Public Works Department facilities, offices, storage areas, vehicle storage areas, etc., so that service capacity is maintained or increased, and so that the facilities meet current building and fire code requirements.

The specific plan must include recreation facilities, including but not limited to an under-14 soccer field, youth baseball/softball field, batting cages, artificial field turf, ballfield seating, a skate spot, a picnic area, and parking for these facilities.

The specific plan must provide all public utilities to new housing and all City facilities to be constructed within the specific plan area in a manner consistent with public safety standards and Piedmont Climate Action Plan goals and programs.

The specific plan must include improvements to pedestrian and vehicular circulation, as determined necessary by the City Engineer, to provide safe pedestrian, bicycle, and motor vehicle movements, ensure safe evacuation routes, and provide optimal emergency response.

The goals of the specific plan include a comprehensive landscape plan for areas planned for development. The landscape plan shall prioritize to the extent practicable: fire safety and the preservation of significant open space, scenic views, and native and heritage trees.

Density in the plan area will be determined at the time of plan development and could range from 40 to 60 dwelling units per acre, including housing for seniors, disabled persons, single-parents, low-income families, and/or people requiring supportive services. This program requires an amendment to the City’s General Plan and the preparation of a specific plan to accommodate the density and create development standards for the unique site conditions. The

required amendments would be reviewed by the City Attorney for conformance with the City Charter and other legal requirements. If it is determined that it is infeasible to develop this site during the planning process, the City will consider utilizing other City-owned properties as alternative sites (See Appendix B).

The City will apply for grants and other funding sources to help fund the planning and development of affordable housing in this area. The City could also leverage local, State, and federal affordable housing funding sources.

The City issued a request for proposals (RFP) seeking professional services for the preparation of a Moraga Canyon Specific Plan on January 23, 2023. Proposals were received on March 13, 2023 and contract execution and project kick-off are expected to occur by the end of July 2023. There are no known impediments to the development of housing within the study area. The scope of services detailed in the RFP include but are not limited to the following:

- Detailed guidance on phasing and subdivision that accommodates the 60 units of lower-income housing and 72 units of above moderate-income housing identified for the study area in Housing Element program 1.L and the Sites Inventory (Housing Element Appendix B), and that prioritizes and expedites the identification of a site for the development of affordable housing that meets the criteria and timelines to secure Alameda County Measure A-1 funding. (The due date for the City to gain County approval of a project using Measure A-1 funding is December 31, 2024.);
- The preparation of a surplus land declaration;
- A program of implementation measures including regulations, programs, infrastructure projects, and financing measures necessary to implement the Specific Plan; and
- An evaluation of the economic feasibility of the Specific Plan.

Necessary entitlements and the issuance of building permits will occur during the planning period and will be specified through the Specific Plan process. As noted in Appendix F, any new housing in Piedmont represents increased access to opportunity and housing mobility, as the City is considered to be “highest resource” throughout. The Specific Plan will promote housing choice and affordability, given that it includes measures to provide housing for below-market rate households, which will help overcome existing patterns of income segregation within the Bay Area and East Bay region.

The City will also determine appropriate partnership opportunities in order to ensure successful implementation of this program and adequate funding for the development of affordable housing. Proposals would be reviewed and approved by the City Council.

- Objective: Develop a specific plan to accommodate at least 132 dwelling units at a density of 40 to 60 dwelling units per acre affordable to a variety of households, including seniors, disabled persons, single-parents, low-income families, and people requiring supportive services.
- Timeframe:
  - Award contract for professional services for the preparation of the specific plan and kick off project by July 2023.
  - Apply for available grant funding by December 2024.
  - Begin subdivision of site and Surplus Land declaration timed to be completed concurrent with Specific Plan adoption.
  - Prepare specific plan with the goal of completion by the end of 2025.
  - Adopt specific plan, General Plan amendments (See Program 1.P), and associated development standards by 2025.
  - Pursue goal of entering into exclusive negotiating agreement with development partners by the end of 2026.

- Issue building permits by the end of 2027 (if an agreement is finalized with developers by 2026).
- Identify alternative site(s) by June 2027 (if no agreement is finalized by the end of 2026).
- Responsible Agency: Planning & Building Department, with direction of City Council and Planning Commission.”