



Published December 7th, 2022

Planning Commission discusses HCD's comments regarding Housing Element working draft

By Vera Kochan

The town of Moraga submitted its working draft of the Housing Element to the State Department of Housing and Community Development (HCD), which was received on Aug. 12. HCD had 90 days to review the content, and on Nov. 10, the town received a two-page cover letter that accompanied a 12-page Appendix containing HCD's responses to the working draft.

According to a Nov. 29 staff report to the Planning Commission by Planning Director Afshan Hamid and Planning Consultant Barry Miller, "The letter/appendix includes a combination of broad observations and findings, as well as direction relating to specific sites, programs, metrics, and analyses."

Hamid and Miller informed the Planning Commission that they have attempted to connect with an HCD reviewer for the past two weeks in order to discuss the comments, but have met with no luck. Staff's goal is to complete a revised Housing Element by Dec. 21 for public viewing over the holidays. The staff report explains that the "documents to be produced include a 'tracked change' version of the HCD Draft, a 'clean' copy for adoption, and responses to each of the HCD comments."

It was noted that currently 35 of the 109 municipalities in the Bay Area have also received their HCD review letters with many of the same comments as were given to Moraga.

Included in the letter were 41 comments to which staff generally characterized into categories. With regards to fair housing issues, HCD requests that Moraga edits its draft to "show that the Town complies with state and federal fair housing laws; add local knowledge on fair housing issues based on input from local and regional advocates and service providers; address any historical patterns, capital investments, budget decisions, or local policies that may have resulted in parts of Moraga having lower (or higher) incomes (or concentrations of racial/ethnic groups) than others; analyze the location and distribution of housing opportunity sites to ensure that they are equitably dispersed and do not concentrate affordable housing in a single location; identify how the programs in Chapter 6 of the Draft Housing Element contribute to fair housing goals such as housing choice and mobility, increased access to opportunity in high-resource areas, and tenant protection; document in greater detail potential constraints to housing for persons with disabilities, including requirements for conditional use permits for large group homes, and reasonable accommodation findings that require accessibility improvements to be 'compatible' with adjacent uses." The state also needed additional information regarding the town's housing sites to make certain the designated 1,118 units can be accommodated according to the Regional Housing Needs Allocation (RHNA) requirements. More specifically, the state requested "analysis that demonstrates that the sites in the two commercial centers will develop at 20 dwelling units per acre or more, given that recent development in Moraga has been less dense; analysis that demonstrates that 'mixed use' sites will develop with housing, when the zoning also allows projects that are entirely commercial; additional information on sites that are publicly owned, demonstrating they can realistically be redeveloped; additional information on the potential for lower income units on larger sites (several lower income units were assigned to these sites based on the proposed exclusionary zoning regulations); HCD also takes issue with the classification of the sites at the north end of School Street as 'vacant' since these sites have existing uses such as RV storage, a baseball practice facility, and a seasonal Christmas tree sales lot."

The town has asked HCD to send copies of letters that the state received from third parties during the 90-day review period, some of which requested additional actions in the Housing Element to ease development constraints. Additional issues include maximum allowable densities within the Moraga Center Specific Plan area; Planned Development zoning; residential care facilities; single room occupancy hotels; and development fees.

Moreover, HCD's comments stated that programs should support "housing mobility" in terms of creating housing for people who work in Moraga to also reside in town, in addition to allowing individuals of all incomes and abilities the opportunity to live in town as well.

The staff report adds that "the Planning Commission is tentatively scheduled to consider a Resolution on Jan. 10, 2023 that recommends Town Council adoption of the Housing Element and General Plan Consistency Amendments, and certifications of the EIR [Environmental Impact Report]."

Reach the reporter at: vera@lamorindaweekly.com

[back](#)

Copyright © Lamorinda Weekly, Moraga CA