

City of Piedmont
CITY COUNCIL AGENDA REPORT

DATE: October 20, 2025

TO: City Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Second Reading of Ordinance 784 N.S. Amending City Code Section 17.22.040

RECOMMENDATION

Approve the 2nd reading and adoption of the attached Ordinance 784 N.S., Attachment A, amending Chapter 17, Planning and Land Use, division 17.22, Zone B: Public Facilities and conforming revisions of the Piedmont City Code to implement the Moraga Canyon Specific Plan.

BACKGROUND

On October 6, 2025, the City Council approved a first reading and introduced Ordinance 784 N.S., amending the Piedmont City Code Chapter 17, related to implementation of the Moraga Canyon Specific Plan and development standards for Zone B. Additionally, on October 6, 2025, the City Council approved the Moraga Canyon Specific Plan and an addendum to the 2023-2031 Housing Element Implementation Environmental Impact Report (EIR). The City Council found the proposed Moraga Canyon Specific Plan and the Chapter 17 amendments were consistent with the 2023-2031 Housing Element Implementation EIR.

The potential environmental impacts of the proposed amendments to the Piedmont City Code Chapter 17 are consistent with the 2023-2031 Housing Element Implementation EIR for the following reasons. On October 6, 2025, the City Council approved an Addendum to the 2023-2031 Housing Element Implementation Environmental Impact Report (Housing Element EIR) prepared by the City's team of staff and consultants pursuant to CEQA. The Addendum evaluated the potential environmental effects that may be generated as compared to the MCSP (Housing Element Program 1.L) analyzed under the Housing Element EIR. The Addendum concluded that substantial changes are not proposed to the MCSP as analyzed under the Housing Element EIR nor have substantial changes occurred within the MCSP geographic area or regulatory environment that would require major revisions to the Housing Element EIR or recirculation of the Housing Element EIR. Impacts beyond those identified and analyzed in the Housing Element EIR would not be expected to occur as a result of the proposed MCSP. Overall, the proposed MCSP would not result in new impacts or information of substantial importance that would generate new, more severe impacts or require new mitigation measures compared to those identified for the MCSP, as analyzed in the Housing Element EIR.

As such, the actions to amend the City Code to implement the MCSP would not result in conditions identified in CEQA Guidelines Section 15162, and a Subsequent or Supplemental EIR is not

required for the proposed MCSP amendments. Development and operation pursuant to the MCSP would be subject to all previously required mitigation measures from the Housing Element EIR, as applicable. The Mitigation Monitoring and Reporting Program (MMRP) adopted for the Housing Element EIR would continue to be applicable to the MCSP. In addition, the Addendum prepared for the MCSP concluded that the MCSP and actions to amend the City Code to implement the MCSP would not introduce new or substantially more severe cumulatively considerable impacts beyond those analyzed in the Housing Element EIR. Therefore, no new or substantially more severe cumulative impacts would occur as a result of the MCSP or Chapter 17 amendments. The concerns raised in public correspondence and comments were considered in the Addendum and do not impact the analysis in the Addendum. On September 8, 2025, the Planning Commission recommended City Council adoption of the MCSP including a recommendation to the City Council to approve the Addendum to the Housing Element EIR.

A second and final reading is required for adoption. Once approved, this Ordinance (Ordinance 784 N.S.) will become effective thirty days later, or on November 19, 2025.

Prepared by: Pierce Macdonald, Senior Planner

ATTACHMENTS AND RELEVANT DOCUMENTS

<u>Pages</u>	
A 3 - 4	Ordinance 784 N.S. Amending Chapter 17, Planning and Land Use, Section 17.22.040.C

Related Documents

[City Council Staff Report, dated October 6, 2025, including EIR Addendum](#)

[Draft Moraga Canyon Specific Plan](#)

[MCSP General Plan Consistency Analysis](#)

[City of Piedmont 6th Cycle Housing Element, Adopted March 2023, Revised August 2023](#)

[City Council Staff Report, dated March 18, 2024, titled: Consideration of a Resolution Directing Staff to Refine the approach to Preparation of a Draft Moraga Canyon Specific Plan](#)

[Meeting Minutes for April 28, 2025 City Council Meeting](#)

[Meeting Minutes for April 30, 2025 City Council Meeting](#)

[Meeting Video for June 4, 2025 Park Commission Meeting](#)

[Meeting Video for June 18, 2025 Recreation Commission Meeting](#)

ORDINANCE NO.784 N.S.

AN ORDINANCE AMENDING DIVISION 17.22, ZONE B,
OF CHAPTER 17 OF THE PIEDMONT CITY CODE

The City Council of the City of Piedmont hereby ordains, as follows:

SECTION 1 – BACKGROUND AND INTENT

State of California housing element law, as set forth in Government Code §§ 65302 and 65580, et seq., requires the City of Piedmont to periodically prepare and update its Housing Element in its General Plan, and to establish goals, policies, and programs to accommodate the maintenance, diversification, and expansion of the City's housing supply to accommodate the City of Piedmont's regional housing needs allocation (RHNA) of 587 housing units, comprised of 238 above moderate income units, 92 moderate income units, 94 low income units, and 163 extremely and very low income units. The City Council approved the Piedmont Housing Element on March 20, 2023 and adopted a resolution approving the Moraga Canyon Specific Plan (MCSP) on October 6, 2025 to implement Housing Element Program 1.L, Specific Plan.

Further it is the intent of the City Council to implement the MCSP development standards which require amending Division 17.22, Zone B, of Chapter 17, Planning and Land Use, of the Piedmont City Code for conformance with the MCSP development standards.

SECTION 2 – CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The potential environmental impacts of the proposed amendments to the Piedmont City Code Chapter 17 are consistent with the 2023-2031 Housing Element Implementation EIR for the following reasons. On October 6, 2025, the City Council approved an Addendum to the 2023-2031 Housing Element Implementation Environmental Impact Report (Housing Element EIR) prepared by the City's team of staff and consultants pursuant to CEQA. The Addendum evaluated the potential environmental effects that may be generated as compared to the MCSP (Housing Element Program 1.L) analyzed under the Housing Element EIR. The Addendum concluded that substantial changes are not proposed to the MCSP as analyzed under the Housing Element EIR nor have substantial changes occurred within the MCSP geographic area or regulatory environment that would require major revisions to the Housing Element EIR or recirculation of the Housing Element EIR. Impacts beyond those identified and analyzed in the Housing Element EIR would not be expected to occur as a result of the MCSP. Overall, the MCSP would not result in new impacts or information of substantial importance that would generate new, more severe impacts or require new mitigation measures compared to those identified for the MCSP, as analyzed in the Housing Element EIR.

As such, the MCSP and actions to amend the City Code to implement the MCSP would not result in conditions identified in CEQA Guidelines Section 15162, and a Subsequent or Supplemental EIR is not required for the MCSP or City Code amendments. Development and operation pursuant to the MCSP would be subject to all previously required mitigation measures from the Housing Element EIR, as applicable. The Mitigation Monitoring and Reporting Program (MMRP) adopted for the Housing Element EIR would continue to be applicable to the MCSP. In addition, the Addendum prepared for the MCSP concluded that the MCSP and actions to amend the City Code

to implement the MCSP would not introduce new or substantially more severe cumulatively considerable impacts beyond those analyzed in the Housing Element EIR. Therefore, no new or substantially more severe cumulative impacts would occur as a result of the MCSP or Chapter 17 amendments. The concerns raised in public correspondence and comments were considered in the Addendum and do not impact the analysis in the Addendum. On September 8, 2025, the Planning Commission recommended City Council adoption of the MCSP including a recommendation to the City Council to approve the Addendum to the Housing Element EIR.

SECTION 3 – AMENDING SECTION 17.22.040.C

Section 17.22.040.C is hereby amended to read in its entirety as follows:

“C. In Zone B, the development standards for the following uses are set forth below, **except to the extent such standards are not consistent with an adopted specific plan, in which case the adopted specific plan shall prevail:**

- a. Wireless communications facility as provided in division 17.46.
- b. Multi-family residential as provided in section 17.24.040.A.
- c. Cemetery, public utility – no standards.
- d. Building occupied by a public agency or other nonprofit entity – no standards, except as set forth in section 17.22.040.A.
- e. Parks and open space, including recreational uses and facilities – no standards.”

SECTION 4 – SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

SECTION 5 – CODIFICATION

The City Clerk is directed to codify this ordinance in a manner which reflects the legislative intent of the City Council

SECTION 6 – POSTING, EFFECTIVE DATE, AND SUBMISSION

The City Clerk is directed to post this Ordinance at City Hall after its second reading by the City Council for at least 30 days and shall become effective 30 days after the second reading. The City Clerk is directed to submit a copy of this ordinance to the Department of Housing and Community Development in the manner required by law.

[END OF ORDINANCE]