

## 3.10 - Land Use and Planning

### 3.10.1 - Introduction

This section describes existing conditions related to land use and planning as well as the relevant regulatory framework. This section also evaluates the possible impacts related to land use and planning that could result from implementation of the project. Information included in this section is based on review of applicable land use policies and regulations, including the Contra Costa County General Plan and Contra Costa County Ordinance Code. During the Environmental Impact Report (EIR) scoping period, the following comments were received related to land use and planning:

- Question as to whether the proposed 284-unit project exceeds the current zoning for 45 units per acre;
- Suggestion that the project should be located on a bigger site to ensure adequate setbacks and greenspace; and
- Question as to whether the height of the project would exceed the current height maximum of six stories.

### 3.10.2 - Environmental Setting

#### Physical Land Use

##### *Surrounding Area*

##### *To the West*

The Pleasant Hill/Contra Costa Centre Bay Area Rapid Transit (BART) station and Interstate 680 are located to the west of the project site, approximately 0.12 mile and 0.36 mile, respectively. The Iron Horse Regional Trail runs parallel to and immediately west of Del Hombre Lane. The Iron Horse Regional Trail spans a distance of 32 miles; it starts in Concord near Highway 4 then runs south traversing the cities of Walnut Creek, Alamo, Danville, and San Ramon, where it terminates at Shadow Cliffs Regional Recreation Area.<sup>1</sup> Block C of the Specific Plan, consisting of 200 apartment units, is currently under construction southwest of the project site across Del Hombre Lane. The Avalon Walnut Creek portion of Block C, an apartment complex, is to the south of the Pleasant Hill/Contra Costa Centre BART station. The Pleasant Hill/Contra Costa Centre BART station and Avalon Walnut Creek are within unincorporated Contra Costa County.

##### *To the North*

Multi-family apartments are located to the north (on Las Juntas Way and Santos Way and Roble Road). There are single-family homes further north across the BART tracks that run parallel to Las Juntas Way before Las Juntas Way turns north. The BART tracks delineate unincorporated Contra Costa County from the City of Walnut Creek, and these single-family homes are in the City of Walnut Creek.

<sup>1</sup> East Bay Regional Park District. 2018. Iron Horse Regional Trail. Website: [https://www.ebparks.org/parks/trails/iron\\_horse/default.htm](https://www.ebparks.org/parks/trails/iron_horse/default.htm). Access November 15, 2018.

*To the East*

Multi-family homes are located to the east of the project site (on Roble Road and Santos Lane). There are single-family homes within unincorporated Contra Costa County further east. Walnut Creek forms the eastern County boundary, and the Countrywood Planned Community is within the City of Walnut Creek just to the east of the County line.

*To the South*

There are multi-family apartments to the south of the project site (on Honey Trail). The Eaves Walnut Creek is a multi-family apartment complex further to the south of the project site just north of Treat Boulevard.

**Project Site**

The 2.37-acre project site consists of five assessor’s parcels, as shown in Exhibit 2-3 and listed in Table 3.10-1. The site is bound by Del Hombre Lane to the west as well as the Iron Horse Regional Trail (just west of Del Hombre Lane), Roble Road to the north, Avalon Walnut Ridge Apartments to the east, and Honey Trail to the south.

**Table 3.10-1: Project Site Assessor’s Parcel Numbers**

Assessor’s Parcel Numbers	Addresses	Ownership
148-170-042	3070 Del Hombre Lane	Reco Investors, LLC (Private)
148-170-037	112 Roble Road	Duncan (Private)
148-170-041	3050 Del Hombre Lane	3000 Del Hombre Holdings, LLC (Private)
148-170-001	3010 Del Hombre Lane	Kohler Trust Et Al (Private)
148-170-022	3018 Del Hombre Lane	McKeen (Private)
Source: Contra Costa County 2018.		

The project site is relatively flat and is currently occupied by two single-story residential houses (3018 Del Hombre Lane and 112 Roble Road), which are 1,040 gross square feet (gsf) and 1,465 gsf, respectively.<sup>2</sup> The property at 3018 Del Hombre Lane also has an attached garage that is 380 gsf.<sup>3</sup> In addition, there is also an unmaintained concrete path with an east-west orientation in the center of the project site that does not connect to anything within or on the project site. In addition, there are various fences and pole-mounted electrical light, power, and telecommunication lines throughout and around the project site. There are no streets or light poles currently on the project site.<sup>4</sup>

<sup>2</sup> Contra Costa County Assessor’s Parcel Map. 2018. Website: <https://ccmap.cccounty.us/Html5/index.html?viewer=CCMAP>. Accessed December 5, 2018.

<sup>3</sup> Zillow. 3018 Del Hombre Lane. Website: [https://www.zillow.com/homedetails/3018-Del-Hombre-Ln-Walnut-Creek-CA-94597/18387555\\_zpid/](https://www.zillow.com/homedetails/3018-Del-Hombre-Ln-Walnut-Creek-CA-94597/18387555_zpid/). Accessed December 5, 2018.

<sup>4</sup> BKF. 2018. Del Hombre Utility Due Diligence. May.

## Land Use Designations and Zoning

### ***Surrounding Area***

Exhibits 2-5 and 2-6 depict the land use designations and zoning for surrounding properties, as described below. Exhibit 3.10-1 depicts the existing land jurisdiction.

#### *To the West*

The Contra Costa County General Plan designates the surrounding area west of the project site as Public and Semi-Public and Pleasant Hill BART Mixed Use (M-3) further to the west. The Contra Costa County Zoning Map zones the surrounding area directly west of the project as Planned Unit District (P-1) and zones northwest of the project site as Single-Family Residential (R-15).

#### *To the North*

The Contra Costa County General Plan designates the surrounding area north of the project site as Multiple-Family Residential Very-High Density (MV). The Contra Costa County Zoning Map zones the surrounding area north of the project site as P-1.

#### *To the East*

The Contra Costa County General Plan designates the surrounding area east of the project site as MV. The Contra Costa County Zoning Map zones the surrounding area east of the project site as P-1.

#### *To the South*

The Contra Costa County General Plan designates the surrounding area south of the project site as Multiple-Family Residential-Medium Density. The Contra Costa County Zoning Map zones the surrounding area south of the project site as Multiple-Family Residential District (M-17).

### ***Project Site***

The Contra Costa County General Plan designates the project site as MV. The Contra Costa County Zoning Map zones the project site as R-15 and P-1.

## **3.10.3 - Regulatory Framework**

### **Federal**

No federal plans, policies, regulations, or laws related to land use and planning are applicable to the project.

### **State**

#### ***California Senate Bill 1818***

California Senate Bill (SB) 1818, Chapter 928, provides developers with a density bonus and other incentives for constructing lower income housing units within a development provided the developer meets certain requirements, as enumerated in Section 65915(b) of the Government Code:

65915 (b) A city, county, or city and county shall grant a density bonus and incentives or concessions described in subdivision (d) when the applicant for the housing development seeks and agrees to construct at least any one of the following:

- (1) Ten percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code.
- (2) Five percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code.
- (3) A senior citizen housing development as defined in Sections 51.3 and 51.12 of the Civil Code.
- (4) Ten percent of the total dwelling units in a condominium project as defined in subdivision (f) of, or in a planned development as defined in subdivision (k) of, Section 1351 of the Civil Code, for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code.

With respect to parking requirements, Section 65915.p(1) states:

Upon the request of the developer no city, county, or city and county shall require a vehicular ratio, inclusive of handicapped and guest parking, of a development meeting the criteria of subdivision (b) that exceeds the following ratios:

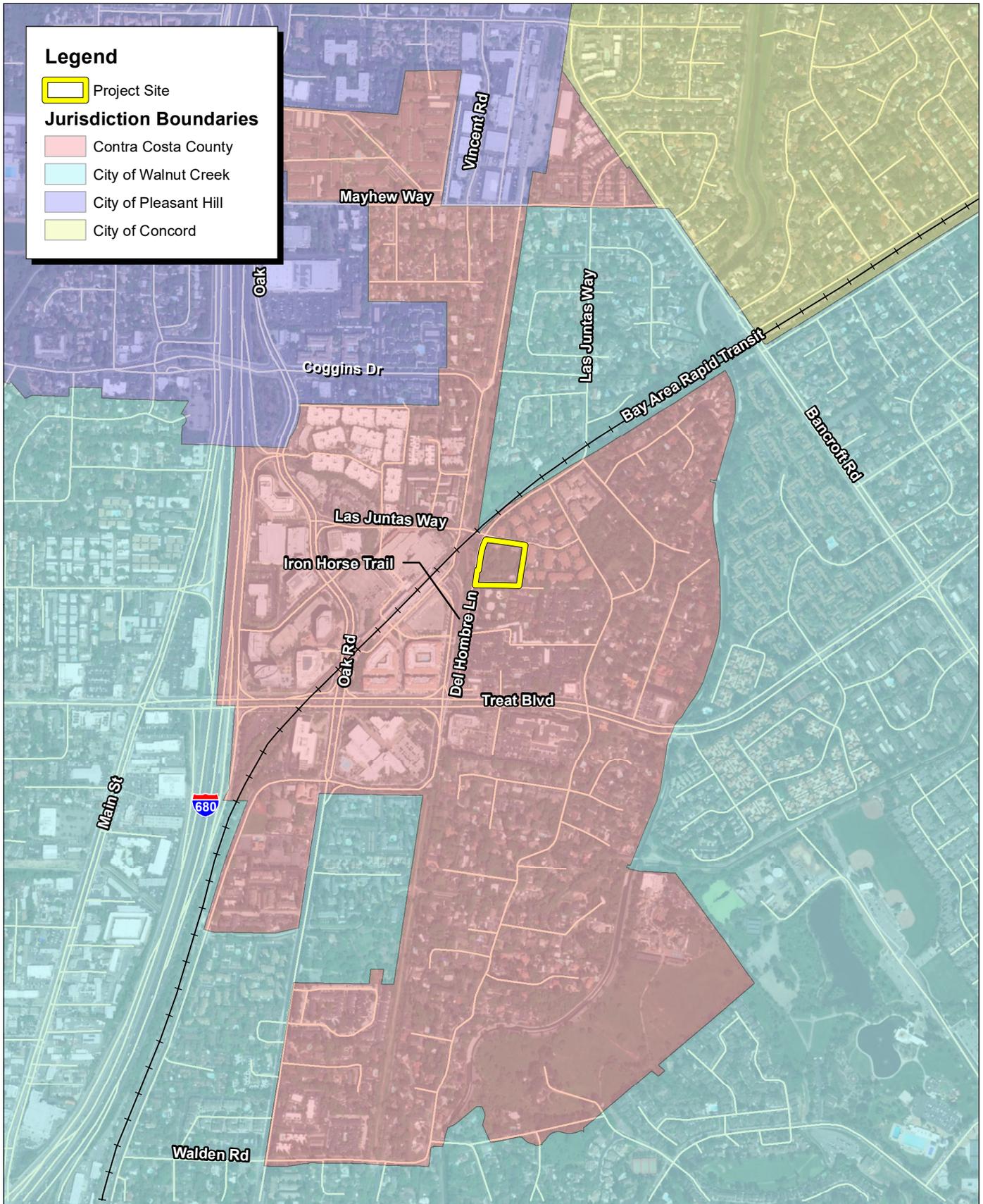
- (A) Zero to one bedrooms: one on-site parking space
- (B) Two to three bedrooms: two on-site parking spaces

- Contra Costa County Off-Street Parking Ordinance Section 82-16.404(b)(1)(c) requires driveway aisle widths of 25 feet for spaces with an angle of parking of 90 degrees. Pursuant to Section 65915(e) of the California Government Code, the project is requesting a reduction of this development standard to allow a driveway aisle width of 24 feet.

## **Regional**

### ***Plan Bay Area***

Plan Bay Area, published by the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), is a long-range integrated transportation and land use/housing strategy through 2040 for the Bay Area. Plan Bay Area functions as the sustainable communities' strategy mandated by SB 375. As a regional land use plan, Plan Bay Area aims to reduce per-capita greenhouse gas (GHG) emissions through the promotion of more compact, mixed-use residential and commercial neighborhoods located near transit. Plan Bay Area is built on Priority Development Areas selected and approved by city and county governments with planning grants, technical assistance, and prioritization for regional and State transportation and affordable housing funds. Plan Bay Area is a limited and focused update that builds upon a growth pattern and strategies developed in the original Plan Bay Area (adopted by MTC in 2013) but with updated planning assumptions that incorporate key economic, demographic, and financial trends from the last 4 years.



Source: ESRI Aerial Imagery.



THIS PAGE INTENTIONALLY LEFT BLANK

### **Regional Housing Need Plan**

In December 2013, the ABAG projected regional housing needs in its Regional Housing Needs Plan for the San Francisco Bay Area: 2015–2023.<sup>5</sup> According to this Plan, unincorporated Contra Costa County’s projected housing need from 2015 to 2023 is 1,367 residential units, consisting of:

- 374 units within the very-low-income level (0–50 percent of area median income);
- 218 units within the low-income level (51–80 percent of area median income);
- 243 units within the moderate-income level (81–120 percent of area median income); and
- 532 units within the above-moderate-income level (more than 120 percent of area median income).

### **Local**

#### **Contra Costa County General Plan**

The Contra Costa County General Plan serves as the fundamental land use and development policy document and identifies how the unincorporated areas will grow and conserve their resources. The Contra Costa County General Plan contains the following elements: Land Use, Growth Management, Transportation and Circulation, Housing, Public Facilities and Services, Conservation, Open Space, Safety, and Noise.

Within each element, the Contra Costa County General Plan sets forth goals, policies, and implementation measures to guide future development and land use activities. Goals provide a description of general community values and set the direction for more specific policies and implementation programs related to public health, safety, or general welfare. Policies are based upon Contra Costa County General Plan goals and provide a specific statement intended to guide the decision-making body. Implementation measures are specific actions, procedures, programs, or techniques that carry out a General Plan policy.

#### **General Plan Land Use Element**

The Contra Costa County General Plan Land Use Element includes land use goals, objectives, and policies, as well as a Land Use Element Map. The map illustrates land use designations throughout the County. The Land Use Element Map designates the site MV (Exhibit 2-5). Pursuant to the General Plan Land Use Element, the MV designation allows between 30.0 and 44.9 multiple-family units per net acre, and site can range up to 1,451 square feet. Primary land uses consist of multiple-family residences including apartments and condominiums as well as accessory buildings and structures ancillary to the primary uses. Secondary land uses that do not conflict with primary uses may also be allowed. These include accessory dwelling units, home occupations, and group care and/or childcare facilities.<sup>6</sup>

Goals and policies as set forth in the Land Use Element that are applicable to the project include the following:

<sup>5</sup> Association of Bay Area Governments (ABAG). 2013. Regional Housing Need Plan-San Francisco Bay Area: 2015-2023. December. Website: [https://abag.ca.gov/planning/housingneeds/pdfs/2015-23\\_RHNA\\_Plan.pdf](https://abag.ca.gov/planning/housingneeds/pdfs/2015-23_RHNA_Plan.pdf). Accessed December 6, 2018.

<sup>6</sup> Contra Costa County General Plan, Chapter 3: Land Use Element. 2005 (reprint 2010), page 3-21. Website: <http://www.co.contra-costa.ca.us/DocumentCenter/View/30913/Ch3-Land-Use-Element?bidId=>. Accessed November 14, 2018.

- **Goal 3-C:** To encourage aesthetically and functionally compatible development which reinforces the physical character and desired images of the County.
- **Goal 3-E:** To recognize and support existing land use densities in most communities, while encouraging higher densities in appropriate areas, such as near major transportation hubs and job centers.
- **Goal 3-F:** To permit urban development only in locations of the County within identified outer boundaries of urban development where public service delivery systems that meet applicable performance standards are provided or committed.
- **Goal 3-J:** To encourage a development pattern that promotes the individuality and unique character of each community in the County.
- **Policy 3-5:** New development within unincorporated areas of the County may be approved, providing growth management standards and criteria are met or can be assured of being met prior to the issuance of building permits in accordance with the Growth Management Program.
- **Policy 3-6:** Development of all urban uses shall be coordinated with provision of essential Community services or facilities including, but not limited to, roads, law enforcement and fire protection services, schools, parks, sanitary facilities, water and flood control.
- **Policy 3-7:** The location, timing and extent of growth shall be guided through capital improvements programming and financing (i.e., a capital improvement program, assessment districts, impact fees, and developer contributions) to prevent infrastructure, facility and service deficiencies.
- **Policy 3-8:** Infilling of already developed areas shall be encouraged. Proposals that would prematurely extend development into areas lacking requisite services, facilities and infrastructure shall be opposed. In accommodating new development, preference shall generally be given to vacant or under-used sites within urbanized areas, which have necessary utilities installed with available remaining capacity, before undeveloped suburban lands are utilized.
- **Policy 3-18:** Flexibility in the design of projects shall be encouraged in order to enhance scenic qualities and provide for a varied development pattern.
- **Policy 3-22:** Housing opportunities for all income levels shall be created. Fair affordable housing opportunities should exist for all economic segments of the county.
- **Policy 3-23:** A diversity of living options shall be permitted while ensuring community compatibility and quality residential development.
- **Policy 3-24:** Housing opportunities shall be improved through encouragement of distinct styles, desirable amenities, attractive design and enhancement of neighborhood identity.
- **Policy 3-25:** Innovation in site planning and design of housing developments shall be encouraged in order to upgrade quality and efficiency of residential living arrangements and to protect the surrounding environment.
- **Policy 3-28:** New residential development shall be accommodated only in areas where it will avoid creating severe unmitigated adverse impacts upon the environment and upon the existing community.

### **General Plan Growth Management Element**

Goals and policies as set forth in the Growth Management Element that are applicable to the project include the following:

- **Goal 4-A:** To provide for the levels of growth and development depicted in the Land Use Element, while preserving and extending the quality of life through the provision of public facilities and ensuring traffic levels of services necessary to protect the public health, safety, and welfare.
- **Policy 4-5:** For the purpose of applying the Traffic Level of Service standards consistent with Measure C-1988 only, unincorporated areas subject to the growth management standards of this Element shall be characterized as Central Business District, Urban, Suburban, Semi-rural and Rural as depicted in Figure 4-2.

### **General Plan Transportation and Circulation Element**

Goals and policies as set forth in the Transportation and Circulation Element that are applicable to the project include the following:

- **Goal 5-C:** To balance transportation and circulation needs with the desired character of the community.
- **Goal 5-D:** To maintain and improve air quality above air quality standards.
- **Goal 5-E:** To permit development only in locations of the County where appropriate traffic level of service standards are ensured.
- **Goal 5-I:** To encourage use of transit.
- **Goal 5-L:** To reduce greenhouse gas emissions from transportation sources through provision of transit, bicycle, and pedestrian facilities.
- **Policy 5-3:** Transportation facilities serving new urban development shall be linked to and compatible with existing and planned roads, bicycle facilities, pedestrian facilities and pathways of adjoining areas, and such facilities shall use presently available public and semi-public rights of way where feasible.
- **Policy 5-4:** Development shall be allowed only when transportation performance criteria are met and necessary facilities and/or programs are in place or committed to be developed within a specified period of time.
- **Policy 5-12:** The use of local and collector roadways for neighborhood circulation shall be encouraged.
- **Policy 5-13:** The use of pedestrian and bicycle facilities shall be encouraged. Proper facilities shall be designed to accommodate bikes, pedestrians, and transit.
- **Policy 5-15:** Adequate lighting shall be provided for pedestrian, bicyclist, and vehicular, safety, consistent with neighborhood desires.
- **Policy 5-16:** Curbs and sidewalks shall be provided in appropriate areas.
- **Policy 5-17:** Emergency response vehicles shall be accommodated in development project design.
- **Policy 5-20:** New development (including redevelopment and rehabilitation projects) shall contribute funds and/or institute programs to reduce parking demand and/or provide adequate parking.

- **Policy 5-21:** New development shall contribute funds and/or institute programs to provide adequate bicycle and pedestrian facilities where feasible.
- **Policy 5-24:** Use of alternative forms of transportation, such as transit, bike and pedestrian modes, shall be encouraged in order to provide basic accessibility to those without access to a personal automobile and to help minimize automobile congestion and air pollution.
- **Policy 5-32:** Local road dimensions shall complement the scale and appearance of adjoining properties.

#### **General Plan Housing Element**

Goals and policies as set forth in the Housing Element that are applicable to the project include the following:

- **Goal 6-1:** Maintain and improve the quality of the existing housing stock and residential neighborhoods in Contra Costa County.
- **Goal 6-3:** Increase the supply of housing with a priority on the development of affordable housing, including housing affordable to extremely-low income households.
- **Policy 6-3.3:** Increase the supply of affordable housing and encourage the development of mixed-income housing through the Inclusionary Housing Ordinance.
- **Goal 6-6:** Provide adequate sites through appropriate land use and zoning designations to accommodate the County's share of regional housing needs.

#### **General Plan Public Facilities Element**

Goals and policies as set forth in the Public Facilities Element that are applicable to the project include the following:

- **Goal 7-F:** To assure potable water availability in quantities sufficient to serve existing and future residents.
- **Goal 7-J:** To ensure that new development pays the costs related to the need for increased water system capacity.
- **Goal 7-N:** To assure that new development pays the costs related to the need for increased sewer system capacity.
- **Goal 7-T:** To ensure that new development pays its fair share of the costs related to increased runoff created by the development.
- **Goal 7-Y:** To ensure a high standard of fire protection, emergency, and medical response services for all citizens and properties throughout Contra Costa County.
- **Goal 7-AE:** To provide for the safe, efficient, and cost-effective removal of waste from residences, and businesses.
- **Goal 7-AR:** To assure that primary and secondary school facilities are adequate or committed to be adequate, prior to approvals of major applications for residential growth.
- **Policy 7-1:** New development shall be required to pay its fair share of the cost of all existing public facilities it utilizes, based upon the demand for these facilities which can be attributed to new development.

- **Policy 7-2:** New development, not existing residents, should be required to pay all costs of upgrading existing public facilities or constructing new facilities which are exclusively needed to serve new development.
- **Policy 7-21:** At the project approval stage, the County shall require new development to demonstrate that adequate water quantity and quality can be provided. The County shall determine whether (1) capacity exists within the water system if a development project is built within a set period of time, or (2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the County from consultations with the appropriate water agency, the applicant, or other sources.
- **Policy 7-44:** New development should be required to finance its legal share of the full costs of drainage improvements necessary to accommodate projected peak flows due to the project. Reimbursement from subsequent developments which benefit from the added capacity may be provided.
- **Policy 7-64:** New development shall pay its fair share of costs for new fire protection facilities and services.
- **Policy 7-66:** Sprinkler systems may be required in new residential structures, where necessary to protect health, safety, and welfare.

#### **General Plan Safety Element**

Goals and policies as set forth in the Safety Element that are applicable to the project include the following:

- **Goal 10-A:** To protect human life and reduce the potential for serious injuries from earthquakes; and to reduce the risks of property losses from seismic disturbances which could have severe economic and social consequences for the County as a whole.
- **Goal 10-B:** To reduce to a practical minimum injuries and health risks resulting from the effects of earthquake ground shaking on structures, facilities and utilities.
- **Policy 10-10:** Policies regarding liquefaction shall apply to other ground failures which might result from groundshaking but which are not subject to such well-defined field and laboratory analysis.

#### **General Plan Noise Element**

Goals and policies as set forth in the Noise Element that are applicable to the project include the following:

- **Goal 11-A:** To improve the overall environment in the County by reducing annoying and physically harmful levels of noise for existing and future residents and for all land uses.
- **Policy 11-2:** The standard for outdoor noise levels in residential areas is a  $L_{dn}$  of 60 dB. However, a  $L_{dn}$  of 60 dB or less may not be achievable in all residential areas due to economic or aesthetic constraints. One example is small balconies associated with multi-family housing. In this case, second and third story balconies may be difficult to control to the goal. A common outdoor use area that meets the goal can be provided as an alternative.
- **Policy 11-4:** Title 24, Part 2, of the California Code of Regulations requires that new multiple family housing projects, hotels, and motels exposed to a  $L_{dn}$  of 60 dB or greater have a

detailed acoustical analysis describing how the project will provide an interior DNL of 45 dB or less. The County also shall require new single-family housing projects to provide for an interior DNL of 45 dB or less.

- **Policy 11-5:** In developing residential areas exposed to a  $L_{dn}$  in excess of 65 dB due to single events such as train operation, indoor noise levels due to these single events shall not exceed a maximum A-weighted noise level of 50 dB in bedrooms and 55 dB in other habitable rooms. Single event indoor residential noise levels from airport related causes will be 45 dB CNEL.

### **Contra Costa County Ordinance Code**

Contra Costa County Zoning Ordinance (Title 8) regulates land use and structures in order to implement the goals and policies presented in the Contra Costa County General Plan. The County Ordinance Code provides the basis for how to promote health, safety, and welfare to the public, and preserve and enhance the aesthetics quality of life.

The Contra Costa County Zoning Map zones the site Planned Unit District (P-1) and Single-Family Residential (R-15) (Exhibit 2-6). These designations are described below in more detail.

#### *Planned Unit District (P-1)*

As stated in Chapter 84-66.204, the intent of the P-1 district is to allow “diversification in the relationship of various uses, buildings, structures, lot sizes and open space while insuring (sic) substantial compliance with the general plan and the intent of the county code in requiring adequate standards necessary to satisfy the requirements of the public health, safety and general welfare. These standards shall be observed without unduly inhibiting the advantages of large-scale or special area planning.”<sup>7</sup>

The following uses are allowed in the P-1 district:<sup>8</sup>

- a) Any land use permitted by an approved final development plan that are in harmony with each other, serve to fulfill the function of the planned unit development, and are consistent with the general plan.
- b) A detached single-family dwelling on each legally established lot and the accessory structures and uses normally auxiliary to it.
- c) Single room occupancy facilities that meet the requirements of Chapter 82-48.
- d) In a P-1 district for which residential uses are approved, the following uses are allowed:
  - 1) Accessory dwelling units complying with the provisions of Chapter 82-24.
  - 2) Supportive housing, operated by a person with all required state and local agency approvals and licenses, where not more than six person reside.
  - 3) Transitional housing, operated by a person with all required state and local agency approval and licenses, where not more than six persons reside.
- e) Commercial cannabis activities that meet the requirements of Chapter 88-28.

<sup>7</sup> Contra Costa County. 2018. Contra Costa County Ordinance Code, Chapter 84-66.204-Intent and Purpose. Website: [https://library.municode.com/ca/contracosta\\_county/codes/ordinance\\_code?nodeId=TIT8ZO\\_DIV84LAUSDI\\_CH84-66PLUNDI](https://library.municode.com/ca/contracosta_county/codes/ordinance_code?nodeId=TIT8ZO_DIV84LAUSDI_CH84-66PLUNDI). Accessed November 15, 2018.

<sup>8</sup> Contra Costa County. 2018. Contra Costa County Ordinance Code, Chapter 84-66.402-Uses. Website: [https://library.municode.com/ca/contracosta\\_county/codes/ordinance\\_code?nodeId=TIT8ZO\\_DIV84LAUSDI\\_CH84-66PLUNDI\\_ART84-66.2GE\\_84-66.204INPU](https://library.municode.com/ca/contracosta_county/codes/ordinance_code?nodeId=TIT8ZO_DIV84LAUSDI_CH84-66PLUNDI_ART84-66.2GE_84-66.204INPU). Accessed December 3, 2018.

Article 84-66 establishes the minimum areas for uses within the P-1 zoning district. Article 84-66.8 establishes the residential density requirements for P-1. Table 3.10-2 summarizes these requirements.

**Table 3.10-2: P-1 District Development Standards**

Development Feature	Requirement
<b>Area (Minimums)</b>	
Residential	Five acres for residential uses except that a mobile home subdivision shall have a minimum of ten acres
Nonresidential	Ten acres for nonresidential uses
Mixed	Fifteen acres for mixed residential and nonresidential uses
Office	No minimum for office uses which do not require heavy vehicular delivery or have easy automobile site access including some ancillary retail, service and residential uses when consistent with the general plan.
<b>Density</b>	
Residential	In computing the net development area to set residential densities, use the general plan as a guide and exclude areas set aside for churches, schools, streets, commercial use or other nonresidential use, but include areas set aside for common open space, outdoor recreation or parks.
Source: Contra Costa County Ordinance Code Articles 84-66.6 and 84-66.8 (2018).	

*Single Family Residential District (R-15)*

Pursuant to Contra Costa County Ordinance Code Chapter 84-12.402, the following residential uses are permitted in an R-15 district: (1) a detached single-family dwelling on each lot and the accessory structures and uses normally auxiliary to it; (2) residential care facility for the elderly, operated by a person with all required State and local agency approvals or licenses, where no more than six persons reside or receive care, not including the licensee or members of the licensee’s family or persons employed as facility staff; and (3) accessory dwelling units.

*Bicycle Parking*

Section 82-16.412 of the Contra Costa County Ordinance Code sets forth the amounts of long-term and short-term bicycle parking that a project must provide. The County Code requires a multi-family dwelling to provide space for 15 percent of the number of bedrooms for long-term parking, or two spaces (whichever is greater) and space for 5 percent of the number of bedrooms for short-term parking, or two spaces (whichever is greater).<sup>9</sup> Therefore, the project would be required to provide 56 long-term and 19 short-term spaces, for a total of 75 bicycle parking spaces.

<sup>9</sup> Contra Costa County Ordinance Code. 2018. Chapter 82-16.412—Bicycle Parking. Website: [https://library.municode.com/ca/contra\\_costa\\_county/codes/ordinance\\_code?nodeId=TIT8ZO\\_DIV82GERE\\_CH82-16OREPA\\_82-16.412BIPA](https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT8ZO_DIV82GERE_CH82-16OREPA_82-16.412BIPA). Accessed November 26, 2018.

### 3.10.4 - Impacts and Mitigation Measures

#### Significance Criteria

According to 2019 California Environmental Quality Act (CEQA) Guidelines Appendix G, to determine whether impacts related to land use and planning are significant environmental effects, the following questions are analyzed and evaluated. Would the project:

- a) Physically divide an established community?
- b) Cause a significant environmental impact due to conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

#### Approach to Analysis

The analysis in this section focuses on whether implementing the project would physically divide an established community. It also identifies whether the project would conflict with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Conflicts and inconsistencies with a policy, in and of themselves, do not constitute significant environmental impacts, unless such conflicts or inconsistencies result in direct physical environmental impacts. The physical impacts of the project are discussed throughout Chapter 3.0 of this EIR. Conflicts with land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect are discussed. The potential for land use impacts was assessed through review of applicable land use policy documents.

#### Specific Thresholds of Significance

For purposes of this analysis, the following thresholds are used to evaluate the significance of land use and planning impacts resulting from implementation of the project:

- Development resulting in physically dividing the surrounding community
- Development conflicting with the Contra Costa County General Plan or the Contra Costa County Ordinance Code

#### Impact Evaluation

##### *Divide an Established Community*

---

**Impact LAND-1: The project would not physically divide an established community.**

---

##### **Construction**

Impacts related to physical division of an established community are limited to operational impacts. No respective construction impacts would occur.

##### **Operation**

The physical division of an established community would occur if the project would involve construction of a large linear feature, such as a railroad or interstate highway or if it would involve removal of access that would impact mobility, such as removal of a bridge. The project involves

development of 284 multi-family residential units and associated amenities and recreational space, as well as parking and demolition of the two existing single-family residences and attached garage. The project does not propose the type of large linear construction that would impact mobility within an existing community and the surrounding area. The Contra Costa County General Plan envisioned redevelopment of the project site within the County limits with residential uses, by applying the MV designation to the project site. The project would not divide an established community. Rather, the project would increase connectivity and pedestrian access by providing pedestrian improvements along Del Hombre Lane (along the project frontage) and Roble Road. As a result, there would be no impact related to physical division of an established community.

### **Level of Significance**

No Impact

### **Conflict with Applicable Land Use Plans, Policies, or Regulations**

---

**Impact LAND-2:**     **The project would not cause a significant environmental impact due to conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.**

---

Development of the project would result in a significant impact if it would conflict with applicable land use plans and policies of the Contra Costa County General Plan or the Contra Costa County Ordinance Code that were adopted for the purpose of avoiding or mitigating an environmental effect. A policy inconsistency is considered a significant adverse impact only if the inconsistency would result in a significant adverse physical impact based on the established significance criterion. Consistency of the project with applicable land use plans and policies is evaluated below. Consistency with the County's adopted land use compatibility standards specifically with respect to noise are evaluated in Section 3.11, Noise, and consistency with the County's adopted Ordinance Code with respect to protected trees are evaluated in Section 3.3, Biological Resources.

### **Construction**

Impacts related to consistency with applicable land use plans and policies are limited to operational impacts. No respective construction impacts would occur.

### **Operation**

#### *Contra Costa County General Plan Consistency*

The Contra Costa County General Plan designates the project site as MV. Pursuant to the General Plan Land Use Element, the MV designation allows between 30.0 and 44.9 multiple-family units per net acre. Primary land uses consist of multiple-family residences including apartments and condominiums, as well as accessory buildings and structures ancillary to the primary uses. The project is requesting an amendment to the Contra Costa County General Plan to re-designate the project site from MV to Multiple-Family Residential-Very Special High (MS) that would allow between 45.0 and 99.9 multiple-family units per acre.

When a project seeks an amendment to the Contra Costa County General Plan as an element of the project itself, to rectify inconsistency with the existing designation or zoning, the amendment necessitates a legislative policy decision by the agency and does not signify a potential environmental

effect. As such, the proposed General Plan amendment and rezoning, if approved, constitute a self-mitigating aspect of the project that would serve to correct a conflict that would otherwise exist.

The project includes development standards and design guidelines consistent with the MS designation. Development standards for MS designation “allows between 45.0 and 99.9 multiple-family units per net acre. Sites can range up to 967 square feet.”<sup>10</sup> Lot sizes and dimensions would be somewhat smaller (consistent with the higher proposed density). The MS designation allows for the same land uses as permitted under the MV designation. In addition, the project would be consistent with the suburban, transit-oriented residential character of the surrounding area.

With respect to density, the project would provide 36 affordable units; representing 15 percent of the 237 units allowed by the proposed MS land use district and 12 of those (5 percent) would be affordable to very low income households. Therefore, the project would be eligible for the State density bonus of 20 percent, and the total allowable unit count would increase from 237 units to 284 units. By providing 5 percent of units as affordable to very low income households, the project is also eligible for one development incentive or concession. The project would require a concession to provide the remaining affordable units (24 total) as affordable to moderate income.

The project would be consistent with Contra Costa County General Plan goals and policies relative to providing residences in unincorporated area of the County. Table 3.10-3 summarizes the project’s consistency with the applicable policies of the Contra Costa County General Plan adopted for various land use planning reasons, including the purpose of avoiding or mitigating an environmental impact.

**Table 3.10-3: Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
Chapter 3—Land Use Element	Goal 3-C	To encourage aesthetically and functionally compatible development which reinforces the physical character and desired images of the County.	<b>Consistent:</b> The project would be a residential development consistent with the suburban, transit-oriented residential character of the surrounding area.
	Goal 3-E	To recognize and support existing land use densities in most communities, while encouraging higher densities in appropriate areas, such as near major transportation hubs and job centers.	<b>Consistent:</b> The project would develop 284 multi-family residential units adjacent to the Pleasant Hill/Contra Costa Center Bay Area Rapid Transit (BART) Station.
	Goal 3-F	To permit urban development only in locations of the County within identified outer boundaries of urban development where public service delivery systems that meet applicable performance standards are provided or committed.	<b>Consistent:</b> The project would be an infill development. The project site is well within identified boundaries of public service systems and would be able to receive public services at acceptable performance standards.

<sup>10</sup> Contra Costa County General Plan, Chapter 3: Land Use Element. 2005 (reprint 2010), page 3-22. Website: <http://www.co.contra-costa.ca.us/DocumentCenter/View/30913/Ch3-Land-Use-Element?bidId=>. Accessed November 27, 2018.

**Table 3.10-3 (cont.): Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
	Goal 3-J	To encourage a development pattern that promotes the individuality and unique character of each community in the County.	<b>Consistent:</b> The project would be a residential development consistent with the suburban, transit-oriented residential character of the surrounding area.
	Policy 3-5	New development within unincorporated areas of the County may be approved, providing growth management standards and criteria are met or can be assured of being met prior to the issuance of building permits in accordance with the Growth Management Program.	<b>Consistent:</b> The project would be an infill development in a well-developed area in unincorporated Contra Costa County. The project shall meet standards and criteria set by the Growth Management Program.
	Policy 3-6	Development of all urban uses shall be coordinated with provision of essential Community services or facilities including, but not limited to, roads, law enforcement and fire protection services, schools, parks, sanitary facilities, water and flood control.	<b>Consistent:</b> The project shall ensure the provision of essential community services and facilities to the future residents. More information can be found in Section 3.13, Public Services, Section 3.14, Recreation, Section 3.15, Transportation, and Section 3.17, Utilities and Service Systems.
	Policy 3-7	The location, timing and extent of growth shall be guided through capital improvements programming and financing (i.e., a capital improvement program, assessment districts, impact fees, and developer contributions) to prevent infrastructure, facility and service deficiencies.	<b>Consistent:</b> The project applicant shall pay development impact fees to prevent infrastructure, facility and service deficiencies. More information can be found in Section 3.13, Public Services.
	Policy 3-8	Infilling of already developed areas shall be encouraged. Proposals that would prematurely extend development into areas lacking requisite services, facilities and infrastructure shall be opposed. In accommodating new development, preference shall generally be given to vacant or under-used sites within urbanized areas, which have necessary utilities installed with available remaining capacity, before undeveloped suburban lands are utilized.	<b>Consistent:</b> The project would be an infill development. The site is surrounded by residential land uses and 0.12 mile from the Pleasant Hill/Contra Costa Centre BART station. The project site is mostly vacant with two single-family residences.
	Policy 3-18	Flexibility in the design of projects shall be encouraged in order to enhance scenic qualities and provide for a varied development pattern.	<b>Consistent:</b> The project would develop a six-story podium apartment community with recreational uses. Currently, the project site contains two single-family residences and non-native grassland and trees. The project would enhance scenic qualities of the project site. More information can be found in Section 3.1, Aesthetics.

**Table 3.10-3 (cont.): Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
	Policy 3-22	Housing opportunities for all income levels shall be created. Fair affordable housing opportunities should exist for all economic segments of the county.	<b>Consistent:</b> The project would consist of 284 residential units. However, the project would include 36 affordable housing units: 24 moderate-income units and 12 very low income units.
	Policy 3-23	A diversity of living options shall be permitted while ensuring community compatibility and quality residential development.	<b>Consistent:</b> The project would consist of 284 residential units. However, the project would include 36 affordable housing units: 24 moderate-income units and 12 very low income units.
	Policy 3-24	Housing opportunities shall be improved through encouragement of distinct styles, desirable amenities, attractive design and enhancement of neighborhood identity.	<b>Consistent:</b> The project would be consistent with the suburban, transit-oriented residential character of the surrounding area. Furthermore, the project would be constructed in a uniform architectural style that would employ materials that are currently utilized in the surrounding development.
	Policy 3-25	Innovation in site planning and design of housing developments shall be encouraged in order to upgrade quality and efficiency of residential living arrangements and to protect the surrounding environment.	<b>Consistent:</b> The project would construct a six-story podium apartment building, consisting of residential units and two levels of parking. The project would include amenities to serve residents, including a recreational area with a swimming pool.
	Policy 3-28	New residential development shall be accommodated only in areas where it will avoid creating severe unmitigated adverse impacts upon the environment and upon the existing community.	<b>Consistent:</b> The project would be an infill development, surrounded by residential land uses. The project would be consistent with the existing uses in the community.
Chapter 4—Growth Management Element	Goal 4-A	To provide for the levels of growth and development depicted in the Land Use Element, while preserving and extending the quality of life through the provision of public facilities and ensuring traffic levels of services necessary to protect the public health, safety, and welfare.	<b>Consistent:</b> The project is an infill development and thus would be provided with public services. Further information can be found in Section 3.13, Public Services, and 3.15, Transportation.
	Policy 4-5	For the purpose of applying the Traffic Level of Service standards consistent with Measure C-1988 only, unincorporated areas subject to the growth management standards of this Element shall be characterized as	<b>Consistent:</b> The Traffic Impact Study evaluated the traffic impact of the project by applying Contra Costa Level of Service (LOS) standards. Further information can be found in Section 3. 13, Public Services and 3.15, Transportation.

**Table 3.10-3 (cont.): Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		Central Business District, Urban, Suburban, Semi-rural and Rural as depicted in Figure 4-2.	
Chapter 5— Transportation and Circulation Element	Goal 5-C	To balance transportation and circulation needs with the desired character of the community.	<b>Consistent:</b> The Traffic Impact Study evaluated the transportation and circulation of the community and determined that the project would not negatively impact the desired character of the community. Further information can be found in Section 3.13, Public Services and 3.15, Transportation of this EIR.
	Goal 5-D	To maintain and improve air quality above air quality standards.	<b>Consistent:</b> The project would not conflict with the Bay Area Air Quality Management District (BAAQMD) standards or the 2018 Clean Air Plan with implementation of mitigation.
	Goal 5-E	To permit development only in locations of the County where appropriate traffic LOS standards are ensured.	<b>Consistent:</b> The Traffic Impact Study evaluated the transportation and circulation impacts associated with the project. Further information can be found in Section 3.13, Public Services and 3.15, Transportation of this EIR.
	Goal 5-I	To encourage use of transit.	<b>Consistent:</b> The project would be located 0.12 mile from the Pleasant Hill/Contra Costa Centre BART station. This would encourage the use of transit.
	Goal 5-L	To reduce GHG emissions from transportation sources through provision of transit, bicycle, and pedestrian facilities.	<b>Consistent:</b> The project would be located 0.12 mile from the Pleasant Hill/Contra Costa Centre BART station. The Iron Horse Trails, which runs parallel to and immediately west of the project site, is available to pedestrian and bicyclists. The project would provide 75 bicycle parking spaces.
	Policy 5-3	Transportation facilities serving new urban development shall be linked to and compatible with existing and planned roads, bicycle facilities, pedestrian facilities and pathways of adjoining areas, and such facilities shall use presently available public and semi-public rights of way where feasible.	<b>Consistent:</b> The project would be located 0.12 mile from the Pleasant Hill/Contra Costa Centre BART station. The Iron Horse Trails, which runs parallel to and immediately west of the project site, is available to pedestrian and bicyclists. The project would provide 75 bicycle parking spaces. Further information can be found in Section 3.15, Transportation.

**Table 3.10-3 (cont.): Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
	Policy 5-4	Development shall be allowed only when transportation performance criteria are met and necessary facilities and/or programs are in place or committed to be developed within a specified period of time.	<b>Consistent:</b> The Traffic Impact Study evaluated the transportation and circulation impacts associated with the project. Further information can be found in Section 3.13, Public Services, and 3.15, Transportation.
	Policy 5-12	The use of local and collector roadways for neighborhood circulation shall be encouraged.	<b>Consistent:</b> Primary vehicle access to the project site would be granted from Del Hombre Lane, a public local street. Secondary emergency access would be provided from the back of the structure from Roble Road, a two-lane private street.
	Policy 5-13	The use of pedestrian and bicycle facilities shall be encouraged. Proper facilities shall be designed to accommodate bikes, pedestrians, and transit.	<b>Consistent:</b> The project would be located 0.12 mile from the Pleasant Hill/Contra Costa Centre BART station. The Iron Horse Trails, which runs parallel to and immediately west of the project site, is available to pedestrian and bicyclists. The project would provide 75 bicycle parking spaces. Further information can be found in Section 3.15: Transportation.
	Policy 5-15	Adequate lighting shall be provided for pedestrian, bicyclist, and vehicular, safety, consistent with neighborhood desires.	<b>Consistent:</b> The project would include lighting in the parking lots, lampposts, and safety lighting. Further information can be found in Section 3.1, Aesthetics.
	Policy 5-16	Curbs and sidewalks shall be provided in appropriate areas.	<b>Consistent:</b> The project would construct an 8-foot-wide sidewalk on the eastern side of Del Hombre Lane (along the project frontage). The sidewalk would widen to 10.6 feet farther south of the garage access. The project would also construct an 8-foot-wide sidewalk on the southern side of Roble Road. The sidewalks would be Americans with Disabilities Act (ADA) accessible.
	Policy 5-17	Emergency response vehicles shall be accommodated in development project design.	<b>Consistent:</b> The project would provide sufficient access to accommodate emergency vehicles, including a secondary emergency access provided from the back of the structure from Roble Road.
	Policy 5-20	New development (including redevelopment and rehabilitation projects) shall contribute funds and/or	<b>Consistent:</b> The project apartment community would include two levels of parking for the use of future residents of

**Table 3.10-3 (cont.): Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		institute programs to reduce parking demand and/or provide adequate parking.	the project. The required roadway improvements are discussed in more detail in Section 3.15, Transportation.
	Policy 5-21	New development shall contribute funds and/or institute programs to provide adequate bicycle and pedestrian facilities where feasible.	<b>Consistent:</b> The Iron Horse Trail, which runs parallel to and immediately west of the project site, is available to pedestrian and bicyclists. The project would provide 75 bicycle parking spaces. A pedestrian walkway would connect the outdoor project courtyard area to the pool. The project would construct an 8-foot-wide sidewalk on the eastern side of Del Hombre (along the project frontage). The sidewalk would widen to 10.6 feet farther south of the garage access. The project would also construct an 8-foot-wide sidewalk on the southern side of Roble Road. The sidewalks would be ADA accessible.
	Policy 5-24	Use of alternative forms of transportation, such as transit, bike and pedestrian modes, shall be encouraged in order to provide basic accessibility to those without access to a personal automobile and to help minimize automobile congestion and air pollution.	<b>Consistent:</b> The project would be located 0.12 mile from the Pleasant Hill/Contra Costa Centre BART station. The Iron Horse Trails, which runs parallel to and immediately west of the project site, is available to pedestrian and bicyclists. The project would provide 75 bicycle parking spaces. Further information can be found in Section 3.15, Transportation.
	Policy 5-32	Local road dimensions shall complement the scale and appearance of adjoining properties.	<b>Consistent:</b> The required roadway improvements associated with the project are discussed in more detail in Section 3.15, Transportation.
Chapter 6— Housing Element	Goal 6-1	Maintain and improve the quality of the existing housing stock and residential neighborhoods in Contra Costa County.	<b>Consistent:</b> The project would construct a six-story podium apartment building with 9,442 square feet of amenity and recreational space. The project would be consistent with the suburban, transit-oriented residential character of the surrounding area.
	Goal 6-3	Increase the supply of housing with a priority on the development of affordable housing, including housing affordable to extremely-low income households.	<b>Consistent:</b> The project would consist of 284 residential units. Of the 284 residential units, the development would include 36 affordable housing units: 24 moderate-income units and 12 very low income units.

**Table 3.10-3 (cont.): Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
	Policy 6-3.3	Increase the supply of affordable housing and encourage the development of mixed-income housing through the Inclusionary Housing Ordinance.	<b>Consistent:</b> The project would consist of 284 residential units. However, the project would include 36 affordable housing units: 24 moderate-income units and 12 very low income units.
	Goal 6-6	Provide adequate sites through appropriate land use and zoning designations to accommodate the County’s share of regional housing needs.	<b>Consistent:</b> The project would rezone the entire site to P-1. The P-1 zoning would allow flexibility with respect to use, building types, lot size, and open space while ensuring the project complies with the Contra Costa County General Plan and requirements as set forth in the Contra Costa County Ordinance Code.
Chapter 7— Public Facilities Element	Goal 7-F	To assure potable water availability in quantities sufficient to serve existing and future residents.	<b>Consistent:</b> The Contra Costa Water District would supply the project site with potable water supply. The project would construct two 30-foot-long water pipes that would connect with the existing water line along the west side of the project site within Del Hombre Lane in two different locations. The site would also construct a 20-foot long water pipe to connect with the existing eight-inch water line in Honey Trail in one location.
	Goal 7-J	To ensure that new development pays the costs related to the need for increased water system capacity.	<b>Consistent:</b> The project would develop 284 residential units, and the project applicant would pay costs related to the need for increased water demand.
	Goal 7-N	To assure that new development pays the costs related to the need for increased sewer system capacity.	<b>Consistent:</b> The project would construct a 33-foot-long sanitary sewer line that would connect with the existing 30-inch sanitary sewer line along the west side of the project site within Del Hombre Lane. The project applicant would pay costs related to the need for increased sewer capacity.
	Goal 7-T	To ensure that new development pays its fair share of the costs related to increased runoff created by the development.	<b>Consistent:</b> The project would increase impermeable surfaces on the project site thus increasing stormwater runoff. The project would drain most of the site to an underground detention pipe system along the northern edge of the property and northern half of the eastern edge of the property. The incorporation of landscaped bioretention areas are

**Table 3.10-3 (cont.): Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
			intended to absorb stormwater to prevent off-site flow at a high speed while preventing pollutants from entering into nearby creeks. The applicant would pay its fair share of the costs related to increased runoff created by the development.
	Goal 7-Y	To ensure a high standard of fire protection, emergency, and medical response services for all citizens and properties throughout Contra Costa County.	<b>Consistent:</b> The project site would be located in an urbanized area. The nearest fire station is located near enough to the project site to respond under the 5-minute response standard set by the Contra Costa County General Plan.
	Goal 7-AE	To provide for the safe, efficient, and cost-effective removal of waste from residences, and businesses.	<b>Consistent:</b> RecycleSmart would provide solid waste removal services for the project site. RecycleSmart is contracted with Republic Services for the collection, transfer, and disposal of residential and commercial garbage, recycling, and organics.
	Goal 7-AR	To assure that primary and secondary school facilities are adequate or committed to be adequate, prior to approvals of major applications for residential growth.	<b>Consistent:</b> The project would increase demand for schools and educational facilities. The project would be required to pay development impact fees towards schools.
	Policy 7-1	New development shall be required to pay its fair share of the cost of all existing public facilities it utilizes, based upon the demand for these facilities, which can be attributed to new development.	<b>Consistent:</b> The project consists of 284 residential units and thus the project would increase demand for public facilities. The applicant would pay its fair share of the cost of all existing public facilities the project utilizes.
	Policy 7-2	New development, not existing residents, should be required to pay all costs of upgrading existing public facilities or constructing new facilities which are exclusively needed to serve new development.	<b>Consistent:</b> The project consists of 284 residential units and thus the project would increase demand for public facilities. The applicant would pay its fair share of the cost of all existing public facilities the project utilizes.
	Policy 7-21	At the project approval stage, the County shall require new development to demonstrate that adequate water quantity and quality can be provided. The County shall determine whether (1) capacity exists within the water system if a development project is built	<b>Consistent:</b> This EIR’s water supply analysis evaluates potential project impact to potable water supply and systems. This analysis is consistent with the County’s goal to assure potable water availability. Refer to Section 3.17, Utilities and Service Systems, for further discussion.

**Table 3.10-3 (cont.): Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		within a set period of time, or (2) capacity will be provided by a funded program or other mechanism. This finding will be based on information furnished or made available to the County from consultations with the appropriate water agency, the applicant, or other sources.	
	Policy 7-44	New development should be required to finance its legal share of the full costs of drainage improvements necessary to accommodate projected peak flows due to the project. Reimbursement from subsequent developments, which benefit from the added capacity may be provided.	<b>Consistent:</b> The project would drain most of the site to an underground detention pipe system along the northern edge of the property and northern half of the eastern edge of the property. Runoff from the project would be stored in a detention system. The applicant would pay its fair share of the costs related to drainage.
	Policy 7-64	New development shall pay its fair share of costs for new fire protection facilities and services.	<b>Consistent:</b> The project applicant shall pay its fair share of costs for new fire protection facilities and services.
	Policy 7-66	Sprinkler systems may be required in new residential structures, where necessary to protect health, safety and welfare.	<b>Consistent:</b> The project would comply with the California Building Standards Code, which is adopted by the Contra Costa County Ordinance Code.
Chapter 10— Safety Element	Goal 10-A	To protect human life and reduce the potential for serious injuries from earthquakes; and to reduce the risks of property losses from seismic disturbances which could have severe economic and social consequences for the County as a whole.	<b>Consistent:</b> The project shall incorporate recommendations of the project-site-specific geotechnical report and be coordinated with a County-approved Geotechnical Engineer and Engineering Geologist in order to tailor the plans as needed to reduce risk related to known soil and geologic hazards and to improve the overall stability of the site.
	Goal 10-B	To reduce to a practical minimum injuries and health risks resulting from the effects of earthquake ground shaking on structures, facilities and utilities.	<b>Consistent:</b> The project site is not located within a designated Alquist-Priolo Earthquake Fault Zone. The project would develop 284 multi-family residential units on this property that would be constructed to the most recent California Building Code standards. The project shall incorporate recommendations of the project site-specific geotechnical report.
	Policy 10-10	Policies regarding liquefaction shall apply to other ground failures, which might result from ground shaking but	<b>Consistent:</b> The project shall incorporate recommendations of the project site-specific geotechnical report and be

**Table 3.10-3 (cont.): Contra Costa County General Plan Consistency Analysis**

Element	Goal/Objective/Policy		Consistency Determination
	No.	Text	
		are not subject to such well-defined field and laboratory analysis.	coordinated with the project Geotechnical Engineer in order to tailor the plans as needed to reduce risk related to known soil and geologic hazards and to improve the overall stability of the site.
Chapter 11— Noise Element	Goal 11-A	To improve the overall environment in the County by reducing annoying and physically harmful levels of noise for existing and future residents and for all land uses.	<b>Consistent:</b> This EIR’s noise analysis evaluates potential construction and operational noise impacts to the surrounding areas and identifies mitigation measures. This analysis is consistent the County’s goal of maintaining acceptable noise levels. Refer to Section 3.11, Noise, further discussion.
	Policy 11-2	The standard for outdoor noise levels in residential areas is a Day/Night Noise Average Level ( $L_{dn}$ ) of 60 decibel (dB). However, a $L_{dn}$ of 60 dB or less may not be achievable in all residential areas due to economic or aesthetic constraints. One example is small balconies associated with multi-family housing. In this case, second and third story balconies may be difficult to control to the goal. A common outdoor use area that meets the goal can be provided as an alternative.	<b>Consistent:</b> This EIR’s noise analysis evaluates potential construction and operational noise impacts to the surrounding areas and identifies mitigation measures. This analysis is consistent the County’s goal of maintaining acceptable noise levels. Refer to Section 3.11, Noise, for further discussion.
	Policy 11-4	Title 24, Part 2, of the California Code of Regulations requires that new multiple-family housing projects, hotels, and motels exposed to a $L_{dn}$ of 60 dB or greater have a detailed acoustical analysis describing how the project will provide an interior $L_{dn}$ of 45 dB or less. The County also shall require new single-family housing projects to provide for an interior $L_{dn}$ of 45 dB or less.	<b>Consistent:</b> Refer to Section 3.11, Noise, for further discussion.
	Policy 11-5	In developing residential areas exposed to a $L_{dn}$ in excess of 65 dB due to single events such as train operation, indoor noise levels due to these single events shall not exceed a maximum A-weighted noise level of 50 dB in bedrooms and 55 dB in other habitable rooms. Single event indoor residential noise levels from airport related causes will be 45 dB CNEL.	<b>Consistent:</b> Refer to Section 3.11, Noise, for further discussion.

### *Contra Costa County Zoning Code Consistency*

The project site is currently zoned Residential (R-15) and Planned Unit District (P-1) by the Contra Costa County Zoning Map. As stated in Chapter 84-66.204, the intent of the P-1 district is to allow “diversification in the relationship of various uses, buildings, structures, lot sizes and open space while insuring (sic) substantial compliance with the general plan and the intent of the county code in requiring adequate standards necessary to satisfy the requirements of the public health, safety and general welfare. These standards shall be observed without unduly inhibiting the advantages of large-scale or special area planning.”<sup>11</sup>

The project would rezone the entire site to P-1. The P-1 zoning would allow flexibility with respect to use, building types, lot size, and open space while ensuring the project complies with the Contra Costa County General Plan and requirements as set forth in the Contra Costa County Ordinance Code. It allows necessary public health and safety standards to be observed without inhibiting large-scale development.

As shown in Table 3.10-2, the minimum lot size for residential uses under the P-1 zoning is 5 acres (Section 84-66.602). This project site is 2.37 acres, and therefore requires a variance from the minimum lot size requirement of the P-1 zone district. In order to approve a variance, Pursuant to Section 26-2.2006, the planning agency must make the following findings:

- (1) That any variance authorized shall not constitute a grant of special privilege inconsistent with the limitations on other properties in the vicinity and the respective land use district in which the subject property is located;
- (2) That because of special circumstances applicable to the subject property because of its size, shape, topography, location or surroundings, the strict application of the respective zoning regulations is found to deprive the subject property of rights enjoyed by other properties in the vicinity and within the identical land use district;
- (3) That any variance authorized shall substantially meet the intent and purpose of the respective land use district in which the subject property is located. Failure to so find shall result in a denial.

### **Parking**

As discussed above, pursuant to SB 1818, the project would be required to provide 369 spaces. The project would provide 380 spaces and thus would satisfy the number of spaces required.

Contra Costa County Off-Street Parking Ordinance Section 82-16.404(b)(1)(c) requires driveway aisle widths of 25 feet for spaces with an angle of parking of 90 degrees. Pursuant to Section 65915(e) of the California Government Code, the project would require a reduction of this development standard to allow a driveway-aisle width of 24 feet.

---

<sup>11</sup> Contra Costa County. 2018. Contra Costa County Ordinance Code, Chapter 84-66.204-Intent and Purpose. Website: [https://library.municode.com/ca/contra\\_costa\\_county/codes/ordinance\\_code?nodeId=TIT8ZO\\_DIV84LAUSDI\\_CH84-66PLUNDI](https://library.municode.com/ca/contra_costa_county/codes/ordinance_code?nodeId=TIT8ZO_DIV84LAUSDI_CH84-66PLUNDI). Accessed November 15, 2018.

### **Bicycle Parking**

There are no designated bicycle lanes proposed as part of the project, and no bicycle circulation would be available on site. However, the project would be consistent with Contra Costa Zoning Code Sections 82-16.412. Section 82-16.412 sets forth the amounts of long-term and short-term bicycle parking that a project must provide. The Contra Costa County Ordinance Code requires a multi-family dwelling to provide space for 15 percent of the number of bedrooms for long-term parking, or two spaces (whichever is greater) and space for 5 percent of the number of bedrooms for short-term parking, or two spaces (whichever is greater).<sup>12</sup> Therefore, the project would be required to and would provide 56 long-term and 19 short-term spaces, for a total of 75 bicycle parking spaces.

Overall, the project would not conflict with applicable land use plans, policies, or regulations of the Contra Costa County General Plan or the Contra Costa County Ordinance Code that were adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts would be less than significant.

### **Level of Significance**

Less Than Significant

### **Cumulative Impacts**

The geographic scope of the cumulative land use analysis is the unincorporated area of Contra Costa County with a focus on the area surrounding the project site. Land use decisions for both the project and for some of the other cumulative projects listed in Table 3-1 are made at the County level. Some of the projects listed in Table 3-1 are located in the cities of Pleasant Hill and Walnut Creek, and land use decisions for those projects are made at the City level.

Development within unincorporated Contra Costa County is governed by Contra Costa County General Plan and the Contra Costa County Ordinance Code, which ensure logical and orderly development and require discretionary review to ensure that projects do not result in environmental impacts due to inconsistency with the Contra Costa County General Plan and other land use planning regulations. This would minimize any cumulative impact related to division of an established community.

Development in unincorporated Contra Costa County would be required to demonstrate consistency with the Contra Costa County General Plan and applicable codes, ordinances, and policies. Development in the City of Walnut Creek would be required to demonstrate consistency with the City of Walnut Creek General Plan and applicable codes, ordinances, and policies. Development in the City of Pleasant Hill would be required to demonstrate consistency with the City of Pleasant Hill General Plan and applicable codes, ordinances, and policies. This would ensure that these cumulative projects comply with applicable planning regulations. Given the above information, there would be a less than significant cumulative impact related to land use and planning.

### **Level of Cumulative Significance**

Less Than Significant

---

<sup>12</sup> Contra Costa County Ordinance Code. 2018. Chapter 82-16.412—Bicycle Parking. Website: [https://library.municode.com/ca/contracosta\\_county/codes/ordinance\\_code?nodeId=TIT8ZO\\_DIV82GERE\\_CH82-16OREPA\\_82-16.412BIPA](https://library.municode.com/ca/contracosta_county/codes/ordinance_code?nodeId=TIT8ZO_DIV82GERE_CH82-16OREPA_82-16.412BIPA). Accessed November 26, 2018.

THIS PAGE INTENTIONALLY LEFT BLANK