

## 4.11 LAND USE AND PLANNING

This section describes the existing land uses and land use designations on the project site and in the project vicinity and evaluates the project's land use and planning impacts. Information in this section was collected from the following documents:

- *The Contra Costa County General Plan 2005-2020* (General Plan)
- Zoning Ordinance (Title 8 of the Contra Costa County Code)

The above-mentioned reports are available for review at the Contra Costa County (County) Department of Conservation and Development, Community Development Division, 30 Muir Street, Martinez, California.

No comments related to land use and planning were received in response to the Notice of Preparation for this draft environmental impact report (EIR).

### 4.11.1 EXISTING CONDITIONS

#### Regional Land Uses

The County is comprised of three areas: West County, Central County, and East County. The project site is located within Central Contra Central County (Central County), which is generally defined by low-density development in the flat valleys between the East Bay Hills and Mount Diablo Range. Residential development in Central County covers approximately 30 percent of the total developed land, and commercial use accounts for 11 percent (County, 2005a).

Central County is further comprised of three subregions: North Central County, Lamorinda, and the San Ramon Valley. The project site is located in the San Ramon Valley subregion, which includes unincorporated Alamo, the Town of Danville, the City of San Ramon, and the unincorporated Blackhawk and Tassajara areas.

#### Project Site Land Uses

Located at 300 and 333 Camille Avenue, Alamo, the approximately 61-acre project site is owned by Camille Avenue, LLC and Camille Ironwood Properties, LLC. The property consists of two parcels as shown on **Figure 3-2**:

- APN 198-170-006 is the 6.9-acre easterly parcel with a Single Family Residential – Low Density (1.0-2.9 net units per acre) land use designation.

- APN 198-170-008 is the 54-acre westerly parcel at the foot of Las Trampas Ridge. Approximately 15 acres, along the eastern portion of this lot, is designated as Single Family Residential – Low Density (1.0-2.9 net units per acre) land use designation, and the remaining acreage is *Open Space* (County, 2005a).

The entire project site is zoned as Single Family Residential – Lot Size 20,000 square foot minimum (R-20) by the County Zoning Map (Contra Costa County, 2015).

The project site currently consists of a residential estate, caretaker's living quarters, barn and horse pasture area, office building, two non-producing walnut orchards, and open space. The open space area, which encompasses the western two thirds of the project site, was designated as open space by the Contra Costa County Board of Supervisors through a General Plan Amendment adopted in January 2005.

The office building is currently leased by Gordon N. Ball, Inc. A use permit for this structure was granted by the County so that the office could be erected on land typically zoned for low-density residential.

## Surrounding Land Uses

**Figure 4.11-1** shows the land uses surrounding the project site. Most of the Alamo area is designated as Single Family Residential – Low Density (SL), with scattered Single-Family Residential – Very Low Density (SV), Public/Semi-Public (PS), Parks and Recreation (PR), and Open Space (OS) areas. Large tracts of PR border the western side of the project site, and small blocks of OS exist to the northwest and southeast. A stretch of Agricultural Land (AL) and SV exist roughly 0.3 miles northwest of the project area. To the northeast, Alamo's town center contains Commercial (CO), Single-Family Residential – High Density (SH), Multiple Family Residential – Low Density (ML), and Multiple Family Residential – Medium Density (MM). Danville's urban fringe begins 1.5 miles southeast with SH, MM, and PS (Contra Costa County, 2015).



**Legend**

- Interstate 680
- Urban Limit Line
- Major Road
- Project Site
- San Ramon Creek
- SV (Single Family Residential - Very Low)
- SL (Single Family Residential - Low)
- SH (Single Family Residential - High)
- PS (Public/Semi-Public)
- PR (Parks and Recreation)
- OS (Open Space)
- AL (Agricultural Lands)
- CO (Commercial)
- OF (Office)
- ML (Multiple Family Residential - Low)
- MM (Multiple Family Residential - Medium)

## 4.11.2 REGULATORY SETTING

### Local

#### Contra Costa County General Plan

The General Plan provides goals, policies, and specific implementation measures that will guide decisions on future growth, development, and conservation of resources within the County. The current General Plan was adopted in 2005 and provides policies to guide development through year 2020.

As previously noted, the General Plan land use designations for the project site are SL and OS. These designations are defined in the General Plan as follows:

- *Single-Family Residential – Low Density (SL)*. This designation allows between 1.0 and 2.9 single family units per net acre. Sites can be as large as 43,560 square feet. Unique environmental characteristics of a parcel may justify larger lot sizes. With an average of 2.5 persons per household, population densities would normally range from about 2 to about 7.5 persons per acre. Primary land uses permitted in this designation include detached single-family homes and accessory structures. Secondary uses that are compatible with low density homes may also be allowed, including home occupations, small residential care and childcare facilities, churches and other similar places of worship, secondary dwelling units, and other uses and structures incidental to the primary uses.
- *Open Space (OS)* – This designation includes publicly owned open space lands which are not designated as "Public and Semi-Public," "Watershed", or "Parks and Recreation." Lands designated "Open Space" includes wetlands, tidelands, and other areas of significant ecological resources or geologic hazard.

The OS designation also includes privately-owned properties for which future development rights have been deeded to a public or private agency. For example, significant open space areas owned and maintained by a homeowners association fall under this designation. Also included are the steep, unbuildable portions of approved subdivisions which may be deeded to agencies, but which have not been developed as park facilities.

The most appropriate uses in OS areas involve resource management, such as maintaining critical marsh and other endangered habitats or establishing "safety zones" around identified geologic hazards. Other appropriate uses are low intensity, private recreation for nearby residents. The construction of permanent structures not oriented towards recreation or resource conservation is inconsistent with this open space designation. One single-family residence on an existing legal lot is consistent with this designation.

### *Project Consistency Analysis*

The project will be developed to a density of 1.76 units per acre with lots ranging from 20,000 square feet to approximately 52,000 square feet. These uses fall within the SL designation.

### *Zoning Ordinance*

Parcels on the site are zoned R-20 by the Zoning Ordinance (Title 8 of County Code). Permitted uses within the R-20 districts include:

- A detached single-family dwelling on each lot and the accessory structures and uses normally auxiliary to it.
- Crop and tree farming, and horticulture.
- A temporary stand for the sale of agricultural products grown on the premises, with two and one-half acres per stand, set back at least thirty-five feet from the front property line, and operated not more than three months in any calendar year.
- Small farming; including the raising of poultry and rabbits or other grain-fed rodents, primarily for home consumption thereon.
- Keeping livestock on lots forty thousand or more square feet in area (with at least forty thousand square feet for each two head of livestock) and all contiguous and in one fee ownership.
- Publicly owned parks and playgrounds.
- A residential care facility for the elderly, operated by a person with all required state and local agency approvals or licenses, where not 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.
- A family day care home where care, protection and supervision of twelve or fewer children in the provider's own home are provided for periods of less than twenty-four hours per day, while the parents or guardians are away.
- Aviaries, which shall be not over twelve feet high nor exceeding one square foot (not over 1,600) in area for each fifty square feet of net land area per lot, and unless otherwise provided herein, shall be set back at least twenty-five feet from the front property line or any street line and at least ten feet from any side or rear property line, and shall be maintained in a sanitary manner as determined by the county health department.

### *Project Consistency Analysis*

The R-20 classification sets forth the specific development standards of the project, including lot size, width, setbacks, building heights, etc. The project would be consistent with these standards, with the exception of the 8-foot Emergency Vehicle Access gate and fence along Ironwood Place at the northern boundary of the project

site. Whereas the Zoning Ordinance ordinarily allows for a maximum fence height of 7 feet, the proposed 8-foot fence located on the property line would require a variance permit.

### *Subdivision Ordinance and Building Code*

The Subdivision Ordinance (Title 9 of the County Code) is intended to guide the adoption of subdivision regulations in accordance with the Subdivision Map Act, Division 2 of Title 7 of the Government Code of the State of California. The Subdivision Ordinance includes development standards related to site improvements, streets and roadways, and utilities.

The Building Code (Title 7 of the County Code) establishes the regulations and standards that apply to all buildings or structures within the County.

### *Project Consistency Analysis*

The project applicant would be required to submit Final Subdivision Maps to the County for approval. Project plans are required to comply with the County's Building Code.

### *Urban Limit Line – 65/35 Contra Costa County Land Preservation Plan*

County voters approved the 65/35 Contra Costa County Land Preservation Plan (Plan) as part of Measure C – 1990, was adopted on November 6, 1990. The Plan limits urban development to 35 percent of land within the County and requires that at least 65 percent of all land within the County be preserved for agriculture, open space, wetlands, parks, and other non-urban uses. According to the General Plan, 168,500 acres (35 percent) of land within the County could potentially be devoted to an urban use under the 65/35 standard<sup>1</sup> (County, 2005a).

The purpose of the Urban Limit Line (ULL) is two-fold:

- To ensure the preservation of identified non-urban agricultural, open space, and other areas by establishing a line beyond which no urban land uses can be designated during the term of the General Plan; and,
- To facilitate the enforcement of the 65/35 Land Preservation Standard Plan, which limits urban development to 35 percent of land within the County and requires that at least 65 percent of all land within the County be preserved for agriculture, open space, wetlands, parks, and other non-urban uses.

### *Project Consistency Analysis*

As shown in **Figure 4.11-1**, the project site is located within the ULL. No adjustment to the ULL boundary is required.

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<sup>1</sup> Of the 481,430 acres of land in Contra Costa County.

## Applicable General Plan Goals and Policies

This section evaluates policies contained in the Land Use Element of the General Plan that are applicable to the project and determines whether the project conforms to those policies. Project consistency with policies in other elements of the General Plan is provided throughout the applicable technical sections of this draft environmental impact report.

### *Land Use Element*

- 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.
- 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 land is utilized.
- 3-115: The character of the area as one of predominantly single family residences shall be developed, and multiple family residential units shall be provided in suitable densities and locations. A range of densities shall be offered in order to provide for a variety of family sizes, income levels, and age groups.

### *Project Consistency Analysis*

The portions of the project site proposed for residential development are located within the ULL and are designated for future urban uses. The project can be considered an infill development because the lower portions are surrounded by existing development and have access to necessary utility connections.

## 4.11.3 IMPACTS AND MITIGATION MEASURES

### Significance Criteria

Appendix G of the California Environmental Quality Act (CEQA) Guidelines identifies environmental issues a lead agency can consider when determining whether a project could have significant effects on the environment. The project would have a significant impact if it would:

- Physically divide an established community.
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan,

specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

- Conflict with any applicable habitat conservation plan or natural community conservation plan.

## Discussion of No Impacts

### Would the project physically divide an established community?

Implementation of the project would continue the area's existing residential development pattern. Single-family residential development borders the project site to the northwest, northeast, and southeast. These communities extend to the ULL, then transition into open space. Development along the project site will conform to adjacent land uses, establishing a single-family neighborhood within the ULL. The project will not sever existing roads or introduce any access modifications for adjacent properties, and therefore would not divide the existing community.

### Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

No local, regional, or statewide habitat conservation plans have been adopted for the area in which the proposed project is located. No impact would occur.

## Discussion of Less-Than-Significant Impacts

### Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The project is consistent with allowable uses in the General Plan. The 35 residential lots to be developed on the lower portions of the project site are within the SL land use designation and ULL. Though staging areas are not specifically identified as an allowed use within SL areas, this facility would be compatible with the prevailing character of a single-family neighborhood adjacent to public open space. The Parcel D staging area would be located within an area designated as OS, and as a recreation-oriented facility, it would be consistent with the open space designation. The remaining portions of the site would remain OS.

The project would generally comply with the Zoning Ordinance, with the exception of a proposed variance permit to build an 8-foot-high Emergency Vehicle Access gate and fence along Ironwood Place at the northern boundary of the project site. Though the Zoning Ordinance establishes a 7-foot maximum allowable fence height, the proposed variance to allow the 8-foot fence on the property line would not represent a conflict with a regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Each of the consistency analyses set forth in other topical sections of this draft EIR are incorporated herein. This impact would be less than significant.

#### 4.11.4 CUMULATIVE IMPACTS

The cumulative context for land use and planning includes development projects listed in **Chapter 4.0, Setting, Impacts, and Mitigation Measures**.

The General Plan EIR (County, 2005b) noted the change in land use patterns that would occur with implementation of the ULL; namely, a concentration of growth within areas designated for urban development and a preservation of the agricultural core for purely agricultural uses.

The project site is included within the ULL as part of the urban/suburban corridor extending along either side of I-680. All projects listed in **Chapter 4.0, Setting, Impacts, and Mitigation Measures** are within the ULL and have been designated for urban development; therefore, the combined development of these properties would not result in a cumulative land use impact.

#### 4.11.5 REFERENCES

Contra Costa County, 2005a. *Contra Costa County General Plan 2005-2020*.

Contra Costa County, 2005b. *General Plan EIR*. Available: <http://www.co.contra-costa.ca.us/4732/General-Plan>. Accessed December 29, 2015.

Contra Costa County, 2015. *Zoning Code and Ordinances*. Available: <http://www.cccounty.us/4736/Zoning-Code-and-Ordinances>. Accessed September 9, 2015.

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