

4.0 PLANS AND POLICIES

INTRODUCTION

In accordance with *California Environmental Quality Act (CEQA) Guidelines* Section 15125(d), this chapter discusses potential conflicts of the proposed project with applicable local, regional, state, and federal plans and policies. This chapter includes a discussion of the proposed project's consistency (or inconsistency) with the following:

- City of Pittsburg General Plan and Zoning Ordinance
- Pittsburg Voter Approved Urban Limit Line (Measure P)
- Cortese Knox Hertzberg Local Government Reorganization Act of 2000 (Updated 2012)
- Regional Plans

Policy conflicts do not, in and of themselves, indicate a significant environmental effect within the meaning of CEQA. To the extent that physical environmental impacts may result from such conflicts, such impacts are analyzed in this EIR in the specific topical sections presented in **Chapter 5.0, Environmental Setting, Impacts, and Mitigation Measures**, and Section VI., Evaluation of Environmental Impacts, in the Notice of Preparation/Initial Study (NOP/IS), which is included in this EIR in **Appendix 1.0**.

CITY OF PITTSBURG GENERAL PLAN AND ZONING ORDINANCE

The City of Pittsburg General Plan was adopted in 2001. The Land Use Element of the General Plan includes the project site in the Woodlands subarea and designates the main project site for Low Density Residential and Open Space land uses (General Plan Figure 2-4h). The following Pittsburg General Plan policies are relevant to the project site:

Land Use Goals and Policies

Citywide Goals and Policies

Goal 2-G-1: Maintain a compact urban form within the City's projected municipal boundary. Ensure that hillside lands not environmentally suitable for development are maintained as open space.

Goal 2-G-8: Ensure that hillside development enhances the built environment, improves safety through slope stabilization, is respectful of topography and other natural constraints, and preserves ridgelines and viewsheds.

Consistency Analysis: The proposed project is located within the projected municipal boundary, as recommended in Goal 2-G-1. The project includes grading and construction of housing units generally within the existing valley area which is surrounded by peaks and ridges to the north, south, and west. The southernmost portion of the main project site (approximately 42 acres) consists of a significant ridgeline and is proposed for permanent preservation as open space. By placing housing within the existing valley and preserving the southernmost portion of the main project site as open space, the proposed project would ensure that hillside lands not environmentally suitable for development are maintained as open space in accordance with Goal 2-G-1. Although the northern ridge would be excavated and reduced in its elevation by about 75 feet to accommodate the water tank construction pursuant to the City of Pittsburg Water Master Plan, once the cutting and excavation is complete, the ridgeline and ridge slopes would be graded to mimic the existing character of the ridge and maintain the natural appearance of the hillside. This northern area of the main project site does not contain an identified major or minor ridgeline, thus, the project would be respectful of the topography and other natural constraints as required by Goal 2-G-8. In addition, preservation of the significant ridgeline in the southern portion of the main project site would also be consistent with Goal 2-G-8.

Policy 2-P-23: Restrict development on minor and major ridgelines (as identified in Figure 4-2). Encourage residential construction on flatter natural slopes or non-sensitive graded areas that reduce environmental and visual impacts. Minimize cut-and-fill of natural hillsides.

Policy 2-P-24: Prohibit new development on designated ridgelines. Ensure that residential developers cluster housing units to reduce both environmental and visual impact of hillside development.

Policy 2-P-25: As a condition of approval, ensure that residential developers incorporate natural creeks as open space amenities into the design of residential neighborhoods.

Policy 2-P-28: During development review, ensure that the design of new hillside neighborhoods minimizes potential land use incompatibilities with any grazing/agricultural activities in the southern hills.

Consistency Analysis: The project includes grading and construction of housing units generally within the existing valley area which is surrounded by peaks and ridges to the north, south, and west. The southernmost portion of the main project site (approximately 42 acres) includes a portion of a “major” ridgeline as identified in General Plan, Figure 4-2. This ridgeline is proposed for permanent preservation as open space. In addition, the southernmost portion of the main project site includes a seasonal wetland

swale. The construction of residential uses within the existing valley would place development on flatter natural slopes and work to cluster development, thus reducing environmental impacts on surrounding slopes and preserving views of the ridgelines to the north and south in accordance with General Plan policies 2-P-23 and 2-P-24. In addition, the preservation of the southernmost portion of the main project site would incorporate the seasonal wetland swale as an open space amenity and also separate the proposed residential uses from grazing and agricultural activities on properties within the County, consistent with General Plan policies 2-P-25 and 2-P-28.

Woodlands Subarea

Policy 2-P-73: Allow Low Density Residential development in selected areas along Kirker Pass Road and other valley floors as appropriate, under the following criteria:

- *Permanent greenbelt buffers be established to encompass: 1) the southerly 1/5 (approximately) of the Montreux property; and 2) the area south of the existing PG&E transmission corridor and south of the final alignment of the Buchanan Road Bypass, just east of Kirker Pass Road;*
- *Natural topography be retained to the maximum extent feasible, and large-scale grading discouraged;*
- *No development on minor and major ridgelines (as identified in Figure 4-2), with residential construction on flatter natural slopes encouraged;*
- *Development designed and clustered so as to be minimally visible from Kirker Pass Road;*
- *Creeks and adjacent riparian habitat protected;*
- *An assessment of biological resources completed; and*
- *Be limited to a maximum density of 3.0 du/ac.*

Policy 2-P-75: Cluster new residential development within the hills to maximize preservation of open space resources and viewsheds.

Consistency Analysis: The proposed use of the land for residential use is consistent with the land use designations for the site contained in the General Plan. The rezoning designations for the main project site include HPD (Hillside Planned Development) and OS (Open Space) Districts. With the approval of the proposed change from HPD to RS-6 (Single-Family Residential, 6,000 sq. ft. Minimum Lot Size), the proposed project would be consistent with the General Plan designation of Low Density Residential, and the overall density allowed on-site would not exceed 3.0 dwelling units per acre (du/ac), as required by General Plan Policy 2-P-73. Also consistent with policy 2-P-73, the proposed Vesting Tentative Map (Subdivision No. 8279) includes approximately 42 acres (Parcel B) of land along the southern portion of

the site that would remain undeveloped and would provide the required greenbelt. This preservation also effectively eliminates the potential for development on any designated “minor” or “major” ridgelines (as identified in General Plan Figure 4-2) and preserves a seasonal wetland swale in this portion of the main project site. In addition, while the northern ridgeline on the main project site would be altered in order to accommodate the planned water tank pursuant to the City of Pittsburg Water Master Plan, the proposed grading plan would include grades that would mimic the existing character of the ridge and maintain the natural appearance of the hillside thus retaining the natural topography of the hillside to the maximum extent feasible. Finally, an assessment of biological resources on the project site has been completed (See **Section 5.3, Biological Resources**).

Regarding General Plan Policy 2-P-75, the layout of the site has been proposed to generally cluster the new home development within the existing valley area that is surrounded by various peaks and ridges to the north, south, and west. While the proposed design would alter the appearance of the northern ridgeline, it would not eliminate the viewshed on the main project site as seen from Railroad Avenue and State Route (SR) 4 (see General Plan Figure 4-1), as the houses would be constructed behind and at a lower elevation than the ultimate configuration of the northern ridge.

Urban Design Goals & Policies

Hillside Development

The following hillside policies are intended to apply to projects located above the 500-foot elevation (General Plan, page 4-10) and/or have a land use designation of “Hillside Low Density Residential.” The main project site is neither designated for Hillside Low Density Residential development, nor does the project propose development above a 500-foot elevation; however, there are some portions of the project area that are located above the 500-foot elevation. Therefore, the following goal has been included in this analysis.

Goal 4-G-4: Encourage development that preserves unique natural features, such as topography, rock outcroppings, mature trees, creeks, and ridgelines, in the design of hillside neighborhoods.

Consistency Analysis: The main project site contains a small amount of existing wetlands, creek channels, some scattered valley oaks, and a rock outcrop specifically located in the north-central portion of the main project site. While development of the proposed project would result in the grading of the rock outcrop and removal of some valley oaks, a seasonal wetland swale and a General Plan designed “major” ridgeline (General Plan, Figure 4-2) would be preserved in the southern portion of the main project site. The northern ridgeline is not designated as a “major” or

“minor” ridgeline in accordance with General Plan Figure 4-2 and as a result would be re-graded largely to accommodate the planned water tank pursuant to the City of Pittsburg Water Master Plan; however, proposed grading would include curved and gradual grades mimicking the existing character of the ridge and maintaining a natural appearance to the hillside.

Views, Ridges, and Edges

Goal 4-G-1: Retain views of major and minor ridgelines within the southern hills, as designated in Figure 4-2.

Consistency Analysis: While the project’s northern ridgeline is not designated as a “major” or “minor” ridgeline in accordance with General Plan, Figure 4-2, it is included in the General Plan Viewshed Analysis (General Plan, Figure 4-1). As part of the proposed project, the northern ridge would be altered and reduced in its overall height, yet it would retain the natural appearance of the hillside through the use of contoured grading and it would continue to screen views of the site and proposed homes, as seen from the north (looking south). Therefore, views of the southern hills as seen from portions of Railroad Avenue and SR 4 (in accordance with General Plan, Figure 4-1), would be retained, as encouraged by General Plan Goal 4-G-1. The southern ridgeline is part of an identified “major” ridgeline (General Plan, Figure 4-2) and has been proposed for permanent preservation.

Policy 4-P-2: As a part of the new development process, require design review of proposed hillside development. Ensure that:

- *Hillside development is clustered in small valleys and behind minor ridgelines, to preserve more prominent views of the southern hills.*
- *Hillside streets are designed to allow open views by limiting the building of structures or planting of tall trees along the southern edge or terminus of streets.*

Consistency Analysis: Development of the main project site is proposed to be nestled within the existing valley area adjacent to Kirker Pass Road, and surrounded by hills to the north, west, and south. While the northern ridgeline is proposed to be re-graded for the planned water tank, the proposed grading would include curved and gradual grades mimicking the existing character of the ridge and maintaining a natural appearance to the hillside. The northern ridge would also remain at a higher elevation than the homes to be built behind it, so views of the southern hills (as seen from certain points north of the main project site) would remain substantially unchanged, as encouraged by General Plan Policy 4-P-2.

Preservation and Grading

Policy 4-P-9: Encourage new hillside development to preserve unique natural features by mapping all natural features as a part of development applications, including landforms, mature tree stands, rock outcroppings, creekways, and ridgelines. During development and design review, ensure that site layout is sensitive to such mapped features.

Consistency Analysis: As previously stated, the main project site contains a small amount of existing wetlands, creek channels, some scattered valley oaks and a rock outcrop specifically located along the north-central portion of the site. As encouraged by General Plan Policy 4-G-9, all of these unique features have been documented and considered in **Section 5.1, Aesthetics; Section 5.3, Biological Resources; and Section 5.4, Geology and Soils**, of the Draft EIR.

Policy 4-P-11: Limit grading of hillside areas over 30 percent slope (see Figure 10-1) to elevations less than 900 feet, foothills, knolls, and ridges not classified as major or minor ridgelines. During review of development plans, ensure that necessary grading respects significant natural features and visually blends with adjacent properties.

Consistency Analysis: The northern ridgeline on the main project site would be extensively graded. However, this ridgeline is less than 900 feet in elevation, and is not classified as a “major” or “minor” ridgeline, in accordance with General Plan, Figure 4-2. In addition, grading of this area is necessary for placement of the planned water tank pursuant to the City of Pittsburg Water Master Plan and the grading plan for the northern ridge would mimic the existing character of the ridgeline and maintain the natural appearance of the hillside thereby respecting the significant natural features of the hillside and visually blending with adjacent properties.

Policy 4-P-14: Preserve natural creeks and drainage courses as close as possible to their natural location and appearance.

Consistency Analysis: A seasonal wetland swale located in the southern portion of the main project site would be preserved by the greenwall proposed as part of the project. The remaining waters and wetlands on the main project site, totaling approximately 0.128 acre, would be filled, as they are located approximately in the center of the site. As encouraged by General Plan Policy 4-P-14, these unique features have been documented and further analyzed in **Section 5.3, Biological Resources**, of the Draft EIR.

Lot Configuration

Policy 4-P-15: Minimize the visual prominence of hillside development by taking advantage of existing site features for screening, such as tree clusters, depressions in topography, setback hillside plateau areas, and other natural features.

Consistency Analysis: The building pads would be located in the broad Y-shaped valley that is framed by hills to the north and south. The hills to the north and south would screen the proposed project from other existing development in the City located to the north and from rural areas to the south.

Policy 4-P-19: Encourage lot configuration such that perimeter walls and fences along arterial corridors within the southern hills are not needed.

Policy 4-P-20: Discourage lot orientation that fronts onto the cross-slope of street segments on steep grades.

Policy 4-P-22: Discourage placement of lots that allow the rear of homes to be exposed to lower elevation views.

Consistency Analysis: The subdivision configuration places stormwater detention basins between the proposed housing units and the nearby Kirker Pass Road, which is identified as a major arterial in the General Plan, Figure 7-1. Behind the basins, there is a single loaded street proposed with housing fronting onto that street, thereby minimizing the use and necessity of perimeter walls, as encouraged by General Plan Policy 4-P-19. Because of the subdivision's unique location behind existing ridgelines that run along the northern and southern portions of the main project site, the homes within the subdivision would be well screened from views from the north and at lower elevations. There are, however, approximately seven homes that would be visible (rear elevations) as seen from Railroad Avenue/Kirker Pass Road. The visual impacts associated with these residential units are discussed in **Section 5.1, Aesthetics**, of the Draft EIR. Lastly, street grades within the development would generally not exceed 12 percent, so houses would not front onto steep cross-slopes, as suggested in General Plan Policy 4-P-20.

Street Layout

Policy 4-P-28: Encourage developers to align and construct streets along natural grades. Minimize visibility of streets from other areas within the City (see Figure 4-7).

Policy 4-P-30: Ensure that all residential developers provide multi-use trails or trailheads connecting to local schools and parks, commercial centers, and regional open spaces.

Consistency Analysis: The project includes gradual grade increases from the entrance to the site off of Kirker Pass Road, heading west, towards the rear of the site. As further discussed in **Section 5.1**,

Aesthetics, of the Draft EIR, streets within the project area would only be visible from select points along Kirker Pass Road, near the project entrance, consistent with General Plan Policy 4-P-28. As currently proposed, the project does not include any new trail connections, as encouraged by General Plan Policy 4-P-30. However, **Section 5.7, Transportation and Traffic**, of the Draft EIR, provides further discussion and analysis of pedestrian access to existing development to the north.

Pittsburg Voter Approved Urban Limit Line (Measure P)

In 2005, Pittsburg voters approved the “City of Pittsburg Voter Approved Urban Limit Line and Rezoning Act (Measure P),” which established the City of Pittsburg Urban Limit Line (ULL) along the southern boundary of the main project site. The text of Measure P established the City of Pittsburg Voter Approved ULL in order to comply with the purposes of Measure J (Contra Costa’s Transportation Sales Tax Expenditure Plan) to ensure the preservation and protection of non-urban land (including agricultural, open space and parkland) by establishing a line beyond which urban development is prohibited. Measure P included rezoning of the main project site for HPD and OS. Section 7 (Amendments) of Measure P states that the ULL may only be changed by a vote of the voters at a city election, but the approved rezoning could be changed by either a subsequent vote of the voters at a city election or by a majority vote of the City Council. The proposed project is fully within the bounds of the voter approved ULL and the proposed southern greenwall area (parcel B) is also within the bounds of the ULL and includes an open space buffer between the proposed residential development and the undeveloped open space lands to the south of the ULL, further ensuring no services would be extended beyond the ULL.

CORTESE KNOX HERTZBERG ACT POLICIES (RELEVANT EXCERPTS)

56668. Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

- (a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.*
- (b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. “Services,” as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.*

- (c) *The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.*
- (d) *The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.*
- (e) *The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.*
- (f) *The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.*
- (g) *A regional transportation plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.*
- (h) *The sphere of influence of any local agency which may be applicable to the proposal being reviewed.*
- (i) *The comments of any affected local agency or other public agency.*
- (j) *The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.*
- (k) *Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.*
- (l) *The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.*
- (m) *Any information or comments from the landowner or owners, voters, or residents of the affected territory.*
- (n) *Any information relating to existing land use designations.*
- (o) *The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.*

Consistency Analysis: Relevant discussions regarding the project's environmental impacts related to land use, agricultural lands, population and housing, availability of public services, transportation and water

supply, are contained within the Initial Study located in **Appendix 1.0**, and various sections of the Draft EIR. Further information related to the factors mentioned in Government Code section 56668 would be appropriately addressed within the Contra Costa Local Agency Formation Commission (LAFCO) application materials, once a request for reorganization is submitted.

56741. Territory may not be annexed to a city unless it is located in the same county. Unless otherwise provided in this division, territory may not be annexed to a city unless it is contiguous to the city at the time the proposal is initiated pursuant to this part. Territory incorporated as a city shall be located within one county and, except as otherwise provided in Section 56742, shall be contiguous with all other territory being incorporated as a city.

Consistency Analysis: The main project site is located entirely within the same County (Contra Costa) as the City of Pittsburg and is contiguous with the existing southern City Limits of Pittsburg and City of Pittsburg Sphere of Influence.

56744. Unless otherwise determined by the commission pursuant to subdivision (m) of Section 56375, territory shall not be incorporated into, or annexed to, a city pursuant to this division if, as a result of that incorporation or annexation, unincorporated territory is completely surrounded by that city or by territory of that city on one or more sides and the Pacific Ocean on the remaining sides.

Consistency Analysis: The main project site is contiguous with the existing southern City Limits of Pittsburg and the annexation of the site would not result in any unincorporated land remaining surrounded by the City Limits.

56749. (a) The commission shall not approve or conditionally approve a change of organization or reorganization that would result in the annexation to a city of territory that is within a farmland security zone created pursuant to Article 7 (commencing with Section 51296) of Chapter 7 of Division 1 if that city provides or would provide facilities or services related to sewers, nonagricultural water, or streets and roads, unless the facilities or services provided by the city benefit land uses that are allowed under a farmland security zone contract and the landowner consents to the change of organization or reorganization. However, this subdivision shall not apply under any of the following circumstances:

- (1) If the farmland security zone is located within a designated, delineated area that has been approved by the voters as a limit for existing and future urban facilities, utilities, and services.*
- (2) If annexation of a parcel or a portion of a parcel is necessary for the location of a public improvement, as defined in Section 51290.5, except as provided in subdivision (f) or (g) of Section 51296.*
- (3) If the landowner consents to the annexation.*

(b) This section shall not apply during the three-year period preceding the termination of a farmland security zone contract under Article 7 (commencing with Section 51296) of Chapter 7 of Part 1 of Division 1.

Consistency Analysis: The active Williamson Act contract has a filed nonrenewal with an expiration date of January 2016. The City would require that the proposed project comply with the contractual requirements of the nonrenewal processing order to ensure that the property tax benefits received under the Williamson Act contract are phased out accordingly (for further discussion, see Subsection IV.2.b of the Initial Study, in **Appendix 1.0**). In accordance with the Voter Approved Urban Limit Line (Measure P), the main project site is within an area designated for urban development. The southern portion of the site (designated OS) has been identified as a limit for existing and future urban services and is adjacent to the voter approved ULL.

57329. (a) If unincorporated territory was, or is hereafter, annexed to a city, all roads and highways or portions of a road or highway in the territory which had been accepted into the county road system pursuant to Section 941 of the Streets and Highways Code are, or shall become, as the case may be, city streets on the effective date of the annexation.

(b) Subdivision (a) does not apply to a road or highway which had been accepted into the county road system pursuant to Section 941 of the Streets and Highways Code after the date of the first signature on a petition for annexation or incorporation, the adoption of a resolution of application by an affected local agency, or a date mutually agreed upon by the city and the county.

(c) Nothing in subdivision (a) requires a city to improve the affected road or highway to city standards.

Consistency Analysis: The main project site includes a segment of Kirker Pass Road, located adjacent to the site. In accordance with California Government Code section 57329, the City would assume responsibility of this segment of Kirker Pass Road and it shall become a city street upon effective annexation into the City Limits. Once the segment of Kirker Pass Road becomes a city street, the City shall assume maintenance responsibilities and any further modifications to the roadway would comply with the City roadway standards.

APPLICABLE CONTRA COSTA LAFCO ANNEXATION POLICIES

The statutory goals of the LAFCO include the promotion of orderly growth and development by determining logical local boundaries [§56001], preservation of open space by encouraging development of vacant land within cities before annexation of vacant land adjacent to cities [§56377(b)], and preservation of prime agricultural land by guiding development away from presently undeveloped prime agricultural lands [§56377(a)].

Consistency Analysis: The proposed annexation of the main project site into the City of Pittsburg, Contra Costa Water District (CCWD), and Delta Diablo Sanitation District (DDSD) service areas includes approximately 148 acres (71 as open space and 77 for residential development). The project is located within the City of Pittsburg's Planning Area, Sphere of Influence (SOI), and voter approved ULL and was considered in the buildout horizon of the City of Pittsburg General Plan through 2020. Future water demand estimates in the CCWD Urban Water Management Plan (UWMP) (2010) includes buildout of the City of Pittsburg. Implementation of mitigation measures contained in the Initial Study, which is included in this EIR as **Appendix 1.0**, would ensure that all necessary documentation required by the CCWD for its application for inclusion of the main project site in the Central Valley Project (CVP) is completed prior to construction of the proposed new residential dwellings (see Subsection VI.17.b, in **Appendix 1.0**, for further details).

The City of Pittsburg is responsible for the wastewater collection system from the main project site to the Rossmoor Bypass Sewer (the designated DDSD regional wastewater conveyance facility), which is located west of the intersection of Frontage Way and Dover Way in Pittsburg. The regional conveyance facilities transport wastewater to the DDSD Wastewater Treatment Plant located at 2500 Pittsburg-Antioch Highway, in Antioch. The wastewater is then treated with secondary level treated effluent, either discharged through a deep-water outfall to New York Slough, or further processed through the District's Recycled Water Facility to tertiary Title 22 recycled water standards and distributed for reuse.

The DDSD Wastewater Treatment Plant National Pollutant Discharge Elimination System (NPDES) permit allows an average dry weather flow of 16.5 million gallons per day (mgd) and the DDSD has wastewater conveyance and treatment facilities planned and under construction to increase system capacity. The DDSD collects Capital Facility Capacity Charges to build capacity as it is consumed by new connections. Capacity is provided through facilities constructed by the DDSD as prescribed in the Conveyance and Treatment Master Plan. According to Pittsburg sewer collection system planning documents, the main project site is located in sewer basin DS422N. The 2004 DDSD Conveyance and Wastewater Treatment Master Plan utilized information from 2002 Pittsburg documents, which projected 202 new single-family homes in this sewer basin. In the City of Pittsburg 2007 Wastewater Collection System Master Plan (Amendment No. 2), the projection was increased to 300 new single-family homes in this sewer basin. A recent update to the DDSD conveyance master plan was completed in 2010 and an update to the wastewater treatment master plan is underway. These recent DDSD planning documents used a projection of 360 new single-family homes for the sewer basin (based on the Pittsburg Planning Department's most current available information in 2009), which the project proposal, at 356 single-family homes, would be in compliance with (see Subsection VI.17.b, in **Appendix 1.0**, for further details).

The City of Pittsburg has rezoned the main project site for residential and open space uses, and the proposed project is consistent with those planned land uses. In accordance with Measure P (voter approved ULL) and City of Pittsburg General Plan policies, the project would preclude development on the lower 20 percent of the site to create a greenwall with no utility services to extend further south beyond the ULL. This open space buffer on the southern portion of the main project site would buffer future residents from continued agricultural use of the grazing lands south of the City. Proposed Mitigation Measure LUP-1 (as discussed in Subsection VI.10 in **Appendix 1.0**), would ensure that the southern portion of the main project site remains undeveloped, consistent with the intent of Measure P and the City of Pittsburg General Plan. The main project site is currently used for grazing land, and is not identified as prime farmland. Development of the main project site as proposed would allow for the conversion of grazing land to residential land, but would not impede grazing on the remaining agricultural lands south of the City.

Territory for which an annexation is proposed should be within the adopted SOI of the annexing agency. If not, an SOI amendment will be required prior to consideration of the annexation. Territory for which an annexation is proposed should be within the area shown as the 5-year SOI-Urban Service Area in the adopted SOI of the annexing agency. Annexations proposed for territory beyond the 5-year SOI-Urban Service Area usually will be denied unless overriding reasons demonstrate need for the annexation at the present time. Whenever feasible, annexation to all agencies that are expected to provide urban services to the area should be submitted at the same time.

Consistency Analysis: The main project site is within the existing City of Pittsburg SOI, General Plan Planning Area, and ULL, and would be consistent with existing rezoning designations.

Annexation proposals should avoid creation of "islands" or corridors of territory not served by the annexing agency, and boundaries that are not definite and certain or do not conform to lines of assessment or ownership. The Commission's approval of boundary change proposals containing split parcels will typically be subject to a condition requiring the recordation of a parcel map, lot line adjustment or other instrument to avoid creating remnants of legal lots.

Consistency Analysis: In order to ensure no islands are created by the annexation, the City of Pittsburg would include annexation of a portion of Kirker Pass Road as it passes adjacent to the main project site. Annexation of the entire main project site would include land contiguous with the City of Pittsburg and within the ULL.

Territory to be annexed by a city shall be pre-zoned by the city. A map submitted by the proponents should show all zoning designations for the territory to be annexed.

Consistency Analysis: The main project site is currently pre-zoned for open space and residential uses. The proposed annexation and change in residential rezoning from HPD to RS-6 would be consistent with the City of Pittsburg General Plan designations for the site. Approval by the Pittsburg City Council of this zone change is permitted in the provisions of Measure P.

REGIONAL PLANS

The regional policies and regulations associated with the proposed project include, but are not limited to: the Contra Costa Transportation Authority's (CCTA) Countywide Comprehensive Transportation Plan (including the 2004 Update-Measure J), the Bay Area Air Quality Management District's (BAAQMD) 2010 Clean Air Plan (CAP), the Draft Sustainable Communities Strategy (Plan Bay Area), and the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). Approval of the proposed project is subject to the requirements of these regional plans, and the project's consistency is further evaluated in **Section 5.2, Air Quality; Section 5.3, Biological Resources; Section 5.5, Greenhouse Gas Emissions; and Section 5.7, Transportation and Traffic.**