

## **3.5 LAND USE**



This section of the Draft EIR (DEIR) addresses the potential environmental impacts of the proposed project related to land use and planning. The existing land use characteristics of the project site and surrounding area are described in the context of the Pittsburg General Plan (2001) and Zoning Ordinance and other adopted plans and policies. The impact analysis focuses on consistency with applicable land use plans and policies. Information used in the preparation of this section was obtained primarily from applicable land use plans, site reconnaissance, and aerial photography.

The City published a Notice of Preparation (NOP) for the project. A copy of the NOP, along with comments received during the public review period, is contained in **Appendix A**. Comments received related to land use were considered in the preparation of this section.

### 3.5.1 EXISTING SETTING

The 36 acre project site is located along Loveridge Road north of East 14<sup>th</sup> Street and south of the Burlington Northern and Santa Fe (BNSF) railroad.

#### EXISTING LAND USES

A 17.5-acre portion of the project site is currently developed and operated as the Mt. Diablo Recycling Facility (MDRF), Recycling Center and Transfer Station (RCTS), Mixed Construction and Demolition Processing Area, and Green Material Processing Area. The existing site plan is shown in **Figure 2.0-2**. The project applicant also currently uses an approximately 5-acre area west of the existing facility for parking and storage. Immediately south of the existing facility is the former power plant site once owned by GWF Power Systems (approximately 3.5 acres). The project applicant proposes to use this area for a truck maintenance facility. West of the existing facility is approximately 15 acres of vacant land and the project applicant proposes to use this area for commodity, vehicle and equipment storage.

The northern portion of the property is located adjacent to the BNSF Line and a railroad spur already exists on the property. Northwest of the project site, across the BNSF railroad, is an industrial facility operated by USS-POSCO Industries, which manufactures flat rolled steel sheets. Northeast of the site, also across the BNSF railroad, is an industrial facility operated by Dow Chemical. East of the site, across Loveridge Road, are the Christenson Recycling Center, a vacant parcel, and two other large industrial facilities. South of the project site is the Union Pacific Railroad.

#### EXISTING GENERAL PLAN DESIGNATIONS AND ZONING

The project site is designated by the City of Pittsburg General Plan as Industrial, which permits manufacturing, wholesale, warehousing and distribution, commercial and business services, research and development, agricultural, food and drug, industrial processing, and storage uses. The surrounding properties are also designated as Industrial. **Figure 2.0-4** shows the existing General Plan land use designations of the project site and adjacent properties.

The site is zoned IG (General Industrial) District and IL (Limited Industrial) District which provide for intense industrial uses and service-oriented commercial and limited industrial uses in transitional areas between heavy and residential and commercial land uses. Large recycling facilities, such as the project, require a Use Permit within the IG and IL Districts.

The property located west of the project site is zoned IL (Limited Industrial) District, while all other properties surrounding the site are zoned IG District. **Figure 2.0-5** shows the existing zoning of the project site and adjacent properties.

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### 3.5.2 REGULATORY SETTING

#### LOCAL

#### City of Pittsburg General Plan

The City adopted its current General Plan in 2001. **Appendix F** provides those General Plan policies relevant to land use and the proposed project as well as a preliminary evaluation of the project's consistency with these policies. While this DEIR discusses the project's consistency with the General Plan pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15125(d), the appropriate reviewing authority will ultimately make the determination of the project's consistency with the General Plan.

### 3.5.3 IMPACTS AND MITIGATION MEASURES

#### STANDARDS OF SIGNIFICANCE

The impact analysis provided below is based on the CEQA Guidelines Appendix G thresholds of significance. The project would have a significant impact related to land use if it would:

- 1) Physically divide an established community.
- 2) 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.
- 3) Conflict with any applicable habitat conservation plan or natural community conservation plan.

The Initial Study prepared for the proposed project (see **Appendix A**) determined that the project would not physically divide an established community or conflict with the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan. Further, the Columbia Solar Project Mitigated Negative Declaration (State Clearinghouse No. 2013012038) found no potentially significant impacts in the area of Land Use as a result of development and use of the 15 acre vacant site onto which the proposed project would expand. Therefore, these issues (significance thresholds 1 and 3) are not discussed further in this section.

#### METHODOLOGY

Evaluation of potential land use impacts associated with the proposed project was based on review of applicable land use planning documents including the Pittsburg General Plan and Zoning Ordinance, as well as consultation with appropriate agencies and field review of the project site and surrounding area.

#### PROJECT IMPACTS AND MITIGATION MEASURES

#### Conflict with Applicable Land Use Plans (Standard of Significance 2)

**Impact 3.5.1** The proposed project is consistent with the existing land use designation and zoning district for the site and requires a Use Permit. This impact is **less than significant**.

The project site has an Industrial General Plan land use designation that permits commercial services, industrial processing, and storage uses (City of Pittsburg 2001). The proposed project is a permitted use under the Industrial land use designation, and no conflicts with respect to land use designation would occur.

The project site is zoned IG and IL, which provide for intense industrial uses and service-oriented commercial and limited industrial uses in transitional areas between heavy industry and residential and commercial land uses, respectively. Large recycling facilities are conditionally permitted uses within the IG and IL Districts. The project is the subject of Use Permit Application No. 10-712. As the proposed project includes a request for a Use Permit that is currently under review, this impact is **less than significant**.

### Mitigation Measures

None required.

## 3.5.4 CUMULATIVE SETTING, IMPACTS, AND MITIGATION MEASURES

### CUMULATIVE SETTING

The cumulative setting for land use consists of the industrial area along the Loveridge Road corridor located generally north of the Pittsburg-Antioch Highway and east of Harbor Street. This area is an established and mostly developed industrial area located on the banks of New York Slough. The majority of this area is designated for industrial uses with some low-density residential uses at its southwestern corner and some open space along the banks of New York and Dowest sloughs. Refer to **Tables 3.0-1** through **3.0-3** in Section 3.0, Introduction to the Environmental Analysis and Assumptions Used, for a list of proposed and future projects in this area of the city.

### CUMULATIVE IMPACTS AND MITIGATION MEASURES

#### Cumulative Land Use Impacts

**Impact 3.5.2** The proposed project, in combination with other approved, proposed, and reasonably foreseeable projects in the cumulative study area, could conflict with the City's Zoning Ordinance. This is considered to be a **less than cumulatively considerable** impact.

As described under Impact 3.5.1 above, the project site is zoned IG and IL where the proposed project would be conditionally permitted with an approved Use Permit. Other proposed and reasonably foreseeable projects in the cumulative study area may result in the need for similar zoning approvals. Design review approval and conditional use permits are discretionary activities by the City that would require the City's review, which would include a determination by the City for conformance with the General Plan and zoning and would also consider potential incompatibility issues. Therefore, the potential environmental effects associated with future projects would be evaluated as part of the review process for those projects. This impact would be **less than cumulatively considerable**.

### Mitigation Measures

None required.

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#### REFERENCES

City of Pittsburg. 2001. *City of Pittsburg General Plan*.

———. 2010. *Pittsburg Municipal Code*. Accessed February 8, 2011.  
<http://www.codepublishing.com/ca/pittsburg/>.

Contra Costa Waste Services. 2010. Conditional Use Permit Application Package: Mt. Diablo Resource Recovery Park. Prepared by Edgar and Associates.