

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 07/13/2021 by the following vote:

John Gioia
Candace Andersen
Diane Burgis
Karen Mitchoff
Federal D. Glover

AYE: 5

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2021/212

IN THE MATTER OF Approving a General Plan Amendment (County File #CDGP19-0002) for the Pantages Residential Subdivision Project (277 Lots)

WHEREAS, the Contra Costa County Board of Supervisors held a public hearing on July 13, 2021, to consider the Pantages Residential Subdivision Project, proposed for the Discovery Bay area. The Project includes the certification of an addendum to the Pantages Bays Residential Development Environmental Impact Report (EIR) and adoption of the mitigation monitoring and reporting program prepared for the Project, a General Plan Amendment (County File #CDGP19-0002), a rezoning ordinance (County File #CDRZ19-3252), and a preliminary and final development plan (County File #CDDP19-3024).

WHEREAS, the General Plan Amendment for the Project reclassifies land from Single-Family Residential-High Density (SH), Single-Family Residential-Medium Density (SM), Water (WA), Open Space (OS), Public/Semi-Public (PS) to Single-Family Residential-High Density (SH), Open Space (OS), Water (WA), and Parks and Recreation (PR).

WHEREAS, a resolution is required under Government Code Section 65356 to amend a general plan.

NOW, THEREFORE, the Contra Costa County Board of Supervisors resolves as follows:

1. The Board of Supervisors makes the following General Plan Amendment findings:
 - a. No change to the County Urban Limit Line (ULL) is proposed. No extension of urban services beyond the ULL is proposed. The subject site is located entirely within the ULL, and therefore may be designated for “urban” or “non-urban” development, as defined in the 2005-2020 Contra Costa County General Plan. The proposed land use designations, Single-Family Residential-High Density (SH), Open Space (OS), Parks and Recreation (PR), and Water (WA) are all allowed.
 - b. Adoption of the proposed General Plan Amendment (GPA) will not violate the 65/35 Land Preservation Standard (the “65/35 Standard”), established by county voters through adoption of Measure C-1990 and reaffirmed through adoption of Measure L-2006. Under the 65/35 Standard, no more than 35 percent of the land in the county may be designated for development with urban uses and at least 65 percent of the land must be designated for non-urban uses such as agriculture, open space, parks, etc. The subject site’s existing land use designations are SH, Single-Family Residential-Medium Density (SM), Public/Semi-Public (PS), OS, and WA. The proposed designations are SH, OS, WA, and PR. SH and SM are urban designations, while the rest are non-urban. The proposed GPA condenses and simplifies the land use plan, reducing the area dedicated to urban uses by 26.2 acres while expanding the OS acreage by 25 acres. The reduced acreage dedicated to urban uses is consistent with, and supports, the 65/35 Standard.
 - c. The current iteration of the Contra Costa County Growth Management Program was established by county voters through adoption of Measure J-2004. The project complies with the objectives and requirements of the Growth Management Program and related Contra Costa Transportation Authority (CCTA) resolutions.
 - d. The County General Plan comprises an integrated, internally consistent, and compatible statement of policies governing land use in the unincorporated areas of the county. The proposed GPA affects only the Land Use Element Map and involves reorganizing the land use plan for a previously approved project. The development footprint would shrink, and the unit count would decrease from 292 single-family homes to 277. Open space would increase by 25 acres and there

would be less overall disturbance to the natural environmental when compared to the previous plan. The proposed change is consistent and compatible with the General Plan's policies for the Discovery Bay area as well as the overarching goals and policies of the General Plan related to land use, growth management, transportation, housing, noise, conservation, open space, and safety. In no way does amending the project's land use plan interfere with the County's ability to otherwise implement the General Plan. Adoption of the proposed GPA will not result in an internal inconsistency within the General Plan.

- e. Adoption of the proposed GPA is in the public interest. The Bay Area suffers from a severe housing shortage. The previous plan for 292 single-family homes was unable to obtain approval from various State and federal agencies because of certain environmental impacts that would occur. The proposed plan for 277 single-family homes avoids many of those impacts and has a higher likelihood of being constructed, thus adding to the housing stock and helping to alleviate the housing shortage.

The project includes the following additional components that also are in the public interest:

- It provides 41.55 inclusionary housing units, which includes construction of 8 Lower Income Housing Units and 33 Moderate Income Housing Units, and payment of an in-lieu fee for the remaining fractional unit (0.55 unit). The previous approval did not include affordable units.
 - It preserves all onsite wetland resources, including 19.77 acres associated with the emergent marsh and seasonal wetlands in the area north of the residential development.
 - It provides public pedestrian access in proximity to the onsite wetlands and Kellogg Creek by way of 5,200 linear feet of new trails meandering through new parks near the wetlands and along the preserved Kellogg Creek. The trails will accommodate pedestrian and bicyclist use on an approximately 10-foot wide, all-weather compacted crushed granite surface that will double as emergency vehicle access. The wetland, park, and trail experiences will be enhanced with educational signage that documents and discusses the types of plant and animal species inhabiting the environmental resource areas.
 - It provides supplemental funding to support park maintenance in the Discovery Bay area.
- f. Pursuant to Government Code Section 65358(b), no mandatory element of the General Plan may be amended more than four times per calendar year. The proposed GPA affects the Land Use Element, a mandatory element, and is the first amendment to such element for 2021.

2. The Board of Supervisors hereby ADOPTS the General Plan Amendment (County File #CDGP19-0002) to reclassify the Land Use Designation of the subject property from Single-Family Residential-High Density (SH), Single-Family Residential-Medium Density (SM), Water (WA), Open Space (OS), Public/Semi-Public (PS) to Single-Family Residential-High Density (SH), Open Space (OS), Water (WA), and Parks and Recreation (PR), and ADOPTS the General Plan Amendment, County File #CDGP19-0002, as the first General Plan amendment for calendar year 2021, as permitted by State Planning Law.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 13, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By:  June McHuen, Deputy

Contact: Jennifer Cruz, (925) 655-2867

cc: