

4.2 GENERAL PLAN AND DEVELOPMENT TITLE CONSISTENCY

SETTING

This section addresses the relationship of the project (the Draft Master Plan, Specific Plan I, and the accompanying General Plan Amendment, Zone Reclassification, and Development Title Amendment applications) to the San Joaquin County General Plan 2010 and Development Title. This section also describes the relationship of the project to other relevant plans and zoning, such as the General Plans and zoning for Contra Costa and Alameda counties, and for the City of Tracy.

2010 San Joaquin County General Plan 2010 and Development Title

San Joaquin County adopted an updated General Plan and Development Title in July 1992. Volume I of the new General Plan addresses goals, objectives, and policies regarding existing and future development within the County, including policies for new communities. The Development Title includes County Zoning Regulations, Subdivision Regulations, Development Regulations, Infrastructure Standards, Financing for Infrastructure and Services, Development Agreements, Natural Resource Regulations, Safety Regulations, Williamson Act Regulations, and Enforcement Regulations.

The San Joaquin County Board of Supervisors amended the General Plan 2010 in February 1993 to include the new community of Mountain House. At that time, the Board designated specific urban land uses for the project site (Figure 3.3). The urban land uses for Mountain House include five General Plan categories of Residential use (Very Low Density, Low Density, Medium Density, Medium-High Density, and High Density), six Commercial categories (Neighborhood, Community, General, Freeway Service, Office, and Mixed Use), two Industrial categories (Limited and General), and various Public, Parks, Resource Conservation and Open Space categories.

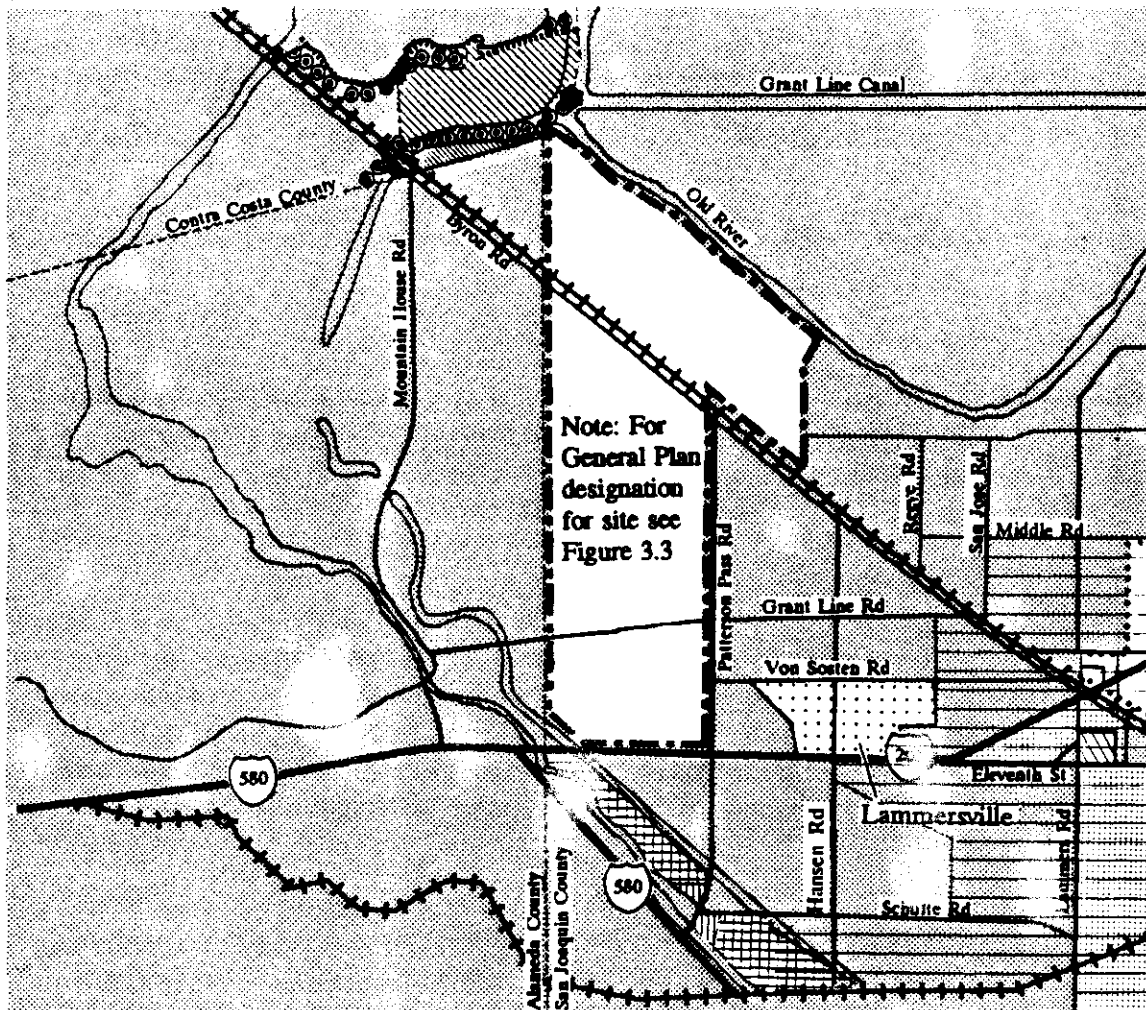
At the time of the General Plan Amendment, the existing zoning for the project site was not changed. The site is currently zoned AG-40, which is General Agriculture with a 40-acre minimum parcel size (Figure 4.2-1).

The project includes a General Plan Amendment that would reconfigure some of the urban land uses approved for the site in February 1993. The proposed number of housing units and acreages devoted to commercial and industrial development are similar to the original land use plan (Table 3.1).

The project site acreage has expanded slightly from 4,667 to 4,784 acres. The difference in acreage is due to the inclusion of Grant Line Village, an existing collection of approximately 30 rural residences immediately west of the previous project boundaries on Grant Line Road, and revisions

EXISTING GENERAL PLAN DESIGNATIONS FOR SITE AND ENVIRONMENT

Figure 4.2-1



Legend

All Counties

Agricultural (San Joaquin, Alameda and Contra Costa counties)

San Joaquin County

- Rural Residential (R/R)
- Residential (Low to Medium - High)
- General Industrial (I/G)
- Limited Industrial (IL)
- Area designated for urban development in Tracy Urban Management Plan (but designated Agriculture in San Joaquin County Plan).

Neighborhood Commercial (C/N)

Freeway Service Commercial

City Limits of Tracy

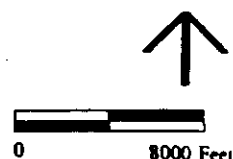
Contra Costa County

Public/Semi-Public (PS)

Parks and Recreation (PR)

Open Space (OS)

Delta Recreation



Note: Boundaries are approximate. General Plan designations are as of June, 1994.

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to streets and rights-of-way calculations. County staff requested that the rural residential area be included in the overall planning for the new community. The General Plan designation for the Grant Line Village area is proposed to be changed from Agriculture, which does not require public services, to Residential-Very Low Density, which requires public water, sewer, and drainage systems for new urban subdivisions.

The project would require several amendments to the County General Plan 2010, including the use of combined Residential-Low Density and Residential-Medium Density land use categories on the project's land use map and a transportation Level of Service (LOS) of D on certain County roads that are "gateways" to the project. The General Plan Amendments would be required to ensure consistency between the County General Plan and the Master Plan. These inconsistencies are identified in the "Impacts" section. Some inconsistencies between the two plans could be rectified by changing policies in the Master Plan to conform with the General Plan. Inconsistencies also have been identified between the detailed use and design standards included in the Draft Master Plan and the County Development Title.

General Plans and Zoning Designations for Surrounding Area

General Plan and zoning designations for San Joaquin, Alameda, and Contra Costa counties apply to areas surrounding the project site to the south and east, west, and northwest, respectively, and are discussed below.

San Joaquin County

Within San Joaquin County, the predominant General Plan 2010 land use designation surrounding the project site is General Agriculture (Figure 4.2-2). The nearest non-agricultural land use designations are east and south of the Mountain House site.

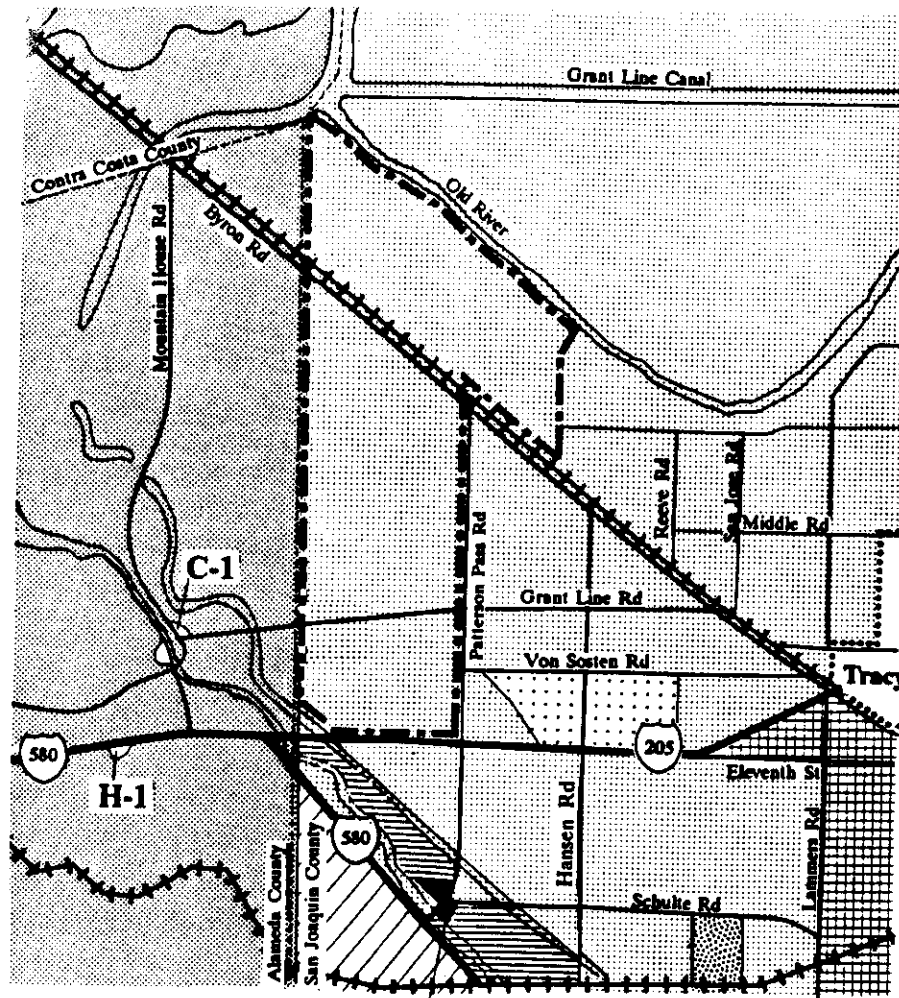
The Rural Community of Lammersville is located approximately 1,200 feet (0.2 mile) east of the project site. The Lammersville community is designated Rural Residential (R/R) in the General Plan 2010.

South of the project site, approximately 625 acres of land have been designated for Limited Industrial development (Figure 4.2-2). The industrial area, known as the Patterson Pass Business Park, is located south of I-205 between the Delta-Mendota Canal and the California Aqueduct, and south of Schulte Road. Industrial development south of Schulte Road includes the large Safeway regional warehouse complex and other smaller warehouse buildings. The industrial land west of Patterson Pass Road, near the project site, has not been developed. A portion of the Park is planned for Freeway Service Commercial (C/FS).

East of Lammersville, at the western edges of the City of Tracy, the County General Plan designates a variety of urban uses such as Medium-High Density Residential, Medium Density Residential, Low Density Residential, General Industrial, Limited Industrial, Neighborhood Commercial, General Commercial, and Public Lands (Figure 4.2-1). These urban designations are intended to reflect

EXISTING ZONING FOR SITE AND SURROUNDINGS

Figure 4.2-2



Legend

Contra Costa County



Agricultural

Alameda County



Agricultural



Retail Business



Highway Frontage

San Joaquin County



AG - 40: Agricultural (40-acre minimum)



AG - 160: Agricultural (160-acre minimum)



AU - 20: Agricultural-Urban Reserves (20-acre minimum)



R - R: Rural Residential



I - G: General Industrial



I - L: Limited Industrial



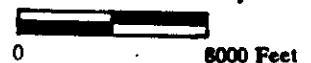
C-FS: Freeway Service Commercial



City Limits of Tracy



Project Site Boundary



Source: Zoning Maps for Contra Costa, San Joaquin, and Alameda Counties. Agricultural Zoning for Contra Costa County includes A-2, A-3 and A-4 Zoning. Zoning as of June, 1994.

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growth allowed under the City's General Plan. The Tracy city limits are approximately 3.3 miles east of the project site's eastern boundary at Patterson Pass Road.

City of Tracy

The City of Tracy adopted an update of their General Plan in June 1993. The Tracy Urban Management Plan designates more of the land west of Lammers and Hansen roads for residential and industrial development than is shown on the County General Plan (Figure 4.2-1). The Tracy Urban Management Plan designates the project site as "Agriculture"; and the Plan's land use map depicts a symbol labeled "Mountain House" for the project site.

Alameda County

The Alameda County General Plan designates the area west of the project site as Agricultural (Figure 4.2-2). The zoning category that applies to this designation is Agriculture (A). The minimum parcel size for the agricultural lands in Alameda County is 320 acres. Two small non-agricultural zoning districts are located within the Agricultural zoning, representing existing or former businesses. One area, near Mountain House and Grant Line roads, is zoned for Retail Business (C-1) and a second area, at the intersection of Grant Line Road and I-580, is zoned for Highway Frontage (H-1) (Figure 4.2-2).

A Retail Business zoning district, approximately one mile west of the project site, is located at the historic area of Mountain House and reflects an existing crossroads bar and restaurant. The Highway Frontage area southwest of the site at the Grant Line Road/I-580 interchange consists of an abandoned gas station site that is used informally as a park-and-ride facility.

Contra Costa County

Contra Costa County General Plan designations apply to the area northwest of the project site. The area is designated Delta Recreation, Public/Semi-Public, Parks and Recreation, and Agricultural (Figure 4.2-1). Zoning for this area includes three zoning districts which are all agricultural with varying minimum lot areas (Figure 4.2-2). The A-2 district requires a minimum lot size of five acres; the A-3 district requires a minimum lot size of ten acres; and the A-4 district requires a minimum lot size of 20 acres.

IMPACTS AND MITIGATION MEASURES

The CEQA Guidelines indicate that a project will normally have a significant impact if it conflicts with adopted land use policies of the community where it is located. For the purposes of this DEIR, the following are considered potentially significant General Plan and zoning impacts:

- If policies or programs included in the Draft Master and Specific plans are not consistent with General Plan policies (General Plan Amendments for the project can be adopted to prevent these inconsistencies) or with previously adopted mitigation measures;

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- If the proposed General Plan Amendments accompanying the Draft Master and Specific plans conflict with existing policies or create other inconsistencies in the County General Plan;
- If policies or programs in the Draft Master and Specific plans are not consistent with each other; or
- If policies or programs in the Draft Master and Specific plans are not consistent with the County Development Title (text amendments for the project can be adopted to prevent these inconsistencies).

MASTER PLAN

The Draft Master Plan proposes amendments to the General Plan text and to the Land Use Map, rezoning, and text amendments to the County Development Title, as described below.

Impact M4.2-1

Policies in the Draft Master Plan conflict with some of the policies of the County's General Plan 2010.

Several policies and assumptions in the Draft Master Plan are not consistent with adopted policies or performance standards included in the County General Plan 2010 (Table 4.2-1). The Draft Master Plan is inconsistent with the General Plan in the densities proposed for the Residential-Medium Density land use designation. The Draft Master Plan proposes a density range of 5.5 to 10 units per acre, while the General Plan requires a range of 6 to 10 units per acre. The Draft Master Plan also notes that the A-U (Agriculture-Urban Reserve) zone is an implementing zone for the Mixed Use land use designation; this is not stated in the General Plan. There are differences in minimum roadway right-of-way widths proposed in the Draft Master Plan and Table IV-8 in Volume I of the General Plan 2010. The Draft Master Plan land use and circulation map also proposes three "Local Residential" road categories that have different capacities than the County roadway classification. The portion of Patterson Pass Road south of Grant Line Road has a projected average daily traffic load that exceeds its functional classification as a "Major Arterial," according to County General Plan standards.

In addition to combining the R/L and R/M designations and modifying the density range for R/M uses, the Draft Master Plan is not consistent with the County General Plan in terms of the typical uses that are proposed in the Limited Industrial (I/L) and Freeway Service Commercial (C/FS) land use designations. The Draft Master Plan states that "certain retail stores" can be accommodated in the C/FS designation. The permitted uses that are described in Table 3.5 for the C-FS zoning district include all types of retail sales and services, which conflict with the General Plan definition of the Freeway Service designation. Similarly, Table 3.5 indicates that new auto sales would be permitted with a Use Permit in both the C-FS and I-P zoning districts, which is not consistent with the General Plan definitions for the Limited Industrial and Freeway Service designations.

TABLE 4.2-1

CONSISTENCY BETWEEN GENERAL PLAN AND MASTER PLAN POLICIES

General Plan Policy	Master Plan Policy	Mitigation
The General Plan does not allow the combining of the R/L and R/M designations on the land use map.	The Draft Master Plan land use map shows a combined R/L-R/M designation.	Change Draft Master Plan or adopt a General Plan Amendment (see Mitigation Measure M4.2-1(a)).
The General Plan does not list the A-U zone as an implementing zone for the Mixed Use land use designation.	The Draft Master Plan lists the A-U Zone as an implementing zone for the Mixed Use designation.	Change Draft Master Plan or adopt a General Plan Amendment (see Mitigation Measure M4.2-1(d)).
The General Plan land use densities are 2 to 6 dwelling units per acre for Residential-Low Density and 6 to 10 du/acre for Residential-Medium Density.	The Draft Master Plan land use densities are 5.5 to 10 du/acre for Residential-Medium Density.	Change Draft Master Plan or adopt a General Plan Amendment (see Mitigation Measure M4.2-1(c)).
The General Plan does not specify that new car sales are typical allowed uses in the Limited Industrial (I/L) and Freeway Service Commercial (C/FS) land use designations.	The Draft Master Plan allows new car sales in the I/L and C/FS land use designations.	Change Draft Master Plan or adopt a General Plan Amendment (see Mitigation Measure M4.2-1(b)).
The General Plan defines typical uses for the C/FS land use designation as "travel-related businesses."	The Draft Master Plan allows "certain" retail sales and services in C/FS land use designation.	Change Draft Master Plan or adopt a General Plan Amendment (see Mitigation Measure M4.2-1(b)).
Roadway classifications in Table IV-5, Volume I define traffic levels on types of roadways.	Designation of Patterson Pass Road south of Grant Line Road as "Major Arterial" conflicts with maximum average daily traffic.	Change Draft Master Plan or adopt a General Plan Amendment (see Mitigation Measure M4.2-1(e)).
Roadway minimum right-of-way widths in Table IV-8, Volume I.	Includes some right-of-way widths that are narrower than General Plan requirements.	Change Draft Master Plan or adopt a General Plan Amendment (see Mitigation Measure M4.2-1(e)).
Traffic Level of Service (LOS) standards mandate LOS C on County roads.	Text in Draft Master Plan states LOS C will be observed "except at certain Mountain House gateway locations."	Revise Draft Master Plan text or adopt a General Plan Amendment (see Mitigation Measure M4.2-1(f)).
Policy requires 10 acres of regional park for every 1,000 population.	Draft Master Plan does not contain policies or programs to require 10 acres for every 1,000 population.	Revise Draft Master Plan to include policy and require Specific Plan to include Program (see Mitigation Measure M4.2-1(g)).
Policy for protection of significant biological and ecological species and habitat.	Draft Master Plan does not include policies to mitigate for loss of potential San Joaquin kit fox foraging habitat, and for impacts to other species of concern.	Revise Draft Master Plan to include policies to mitigate for all wildlife impacts (see Mitigation Measure M4.2-1(g)).

Note: These are the most significant inconsistencies between the Draft Master Plan and the County General Plan that have been identified. Additional inconsistencies between the two documents may be identified, based on the interpretation of policies by County staff. According to County staff, some amendments to the General Plan necessary to accommodate Master Plan provisions might be applicable Countywide.

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Text and policy language revisions in the Draft Master Plan would be required to ensure that it conforms to the General Plan LOS standards, which require LOS C on all County roads, and LOS D on all Caltrans facilities and at signalized intersections (see related discussion in Section 4.12 of this DEIR).

The Draft Master Plan also fails to address how the new community will meet the General Plan requirements of ten acres of regional park for every 1,000 residents. This issue is examined in more detail in Section 4.3.2, Parks and Recreation, in this DEIR.

Similarly, the Draft Master Plan does not contain policies or plans that appear to comply with wildlife mitigation requirements. The Draft Master Plan does not include a mitigation program that addresses the loss of potential San Joaquin kit fox habitat on the site. The Draft Master Plan does include a habitat management program that creates Swainson's hawk habitat off-site on Fabian Tract, in conjunction with plans for wastewater storage and disposal. However, the Swainson's hawk program does not appear to satisfy requirements of the California Department of Fish and Game. These issues are examined in detail in Section 4.11, Biological Resources, in this DEIR. Failure to adequately mitigate impacts to habitat of endangered and threatened species conflicts with policies in the General Plan which requires such mitigation.

Mitigation Measure M4.2-1

(a) A new policy should be added to the County General Plan 2010, Volume II, General Plan Policies specific to the Mountain House New Community (page XII-41) allowing the combination of the R/L and R/M General Plan land use designations. Alternatively, the Draft Master Plan land use map should be revised to designate separate Low Density and Medium Density Residential areas within each neighborhood.

(b) A General Plan Text Amendment should be adopted that would allow new communities, or projects that have an adopted Master and Specific Plan, to deviate as specified in the Plan from land use definitions and Development Title permitted uses. Alternatively, Table 3.5 of the Draft Master Plan should be amended to delete "Automotive Sales" as a permitted use in the C-FS and I-P zoning districts, and to delete "Retail Sales and Services, Intermediate and General" as permitted uses in the C-FS zone.

(c) The density for the Residential-Medium Density land use in Table 3.1 of the Draft Master Plan should be changed to 6.0-10.0 dwelling units per gross acre. Alternatively, a General Plan Text Amendment should be adopted to allow new communities with adopted Master Plans to deviate from the General Plan land use densities.

(d) The County General Plan Table VII-2 (Implementing Zones for General Plan Land Use Designations) should be amended to add the A-U zone for Mixed Use designations.

(e) A General Plan Text Amendment should be adopted that would amend Table IV-8 or allow new communities, or projects that have an adopted Master and Specific plan, to deviate as specified in the Plan from the General Plan roadway classifications and right-of-way standards (see Mitigation Measure M4.12-5(b) in the Transportation section). Alternatively,

standards for roadway classifications and roadway right-of-way widths in Table 9.6 of the Draft Master Plan should be amended to conform with classification, right-of-way, and capacity requirements in the General Plan (Table IV-8 in Volume I).

(f) A General Plan Text Amendment should be adopted that will allow new communities, or projects that have an adopted Master and Specific plan, to deviate as specified in the Plan from the General Plan LOS standards (see Mitigation Measure M4.12-5(f) in the Transportation section). Alternatively, Draft Master Plan policies and text referring to County roadway LOS standards should be changed to conform with LOS requirements in the General Plan. In Chapter Nine of the Draft Master Plan, assumptions 9.3 a) and b) and Policies a) and b) under Objective 3 (Appendix C) shall be revised to delete the exception to LOS C for "Mountain House gateway road segments."

(g) Draft Master Plan policies and performance standards for regional park standards and for wildlife mitigation should be changed to conform with ~~policies in the General Plan~~ (see Mitigation Measures in sections 4.3.1 and 4.11).

Impact M4.2-2

Some of the Draft Master Plan design and land use standards conflict with standards in the County Development Title.

Numerous inconsistencies have been identified between the detailed design standards and land uses allowed in specific zoning districts according to the Draft Master Plan, versus the standards in the County Development Title. Many of these conflicts involve minimum lot sizes and lot widths; maximum building heights and building coverage; front, rear, and side yard setbacks; and the specific uses that are allowed in zoning districts.

Differences in other performance standards proposed in the Draft Master Plan from those standards included in the Development Title must also be reconciled. For example, the Draft Master Plan measures the noise standards that new construction must comply with using a different methodology and scale than is used in the County Development Title. The Development Title requires that new construction ensure exterior noise levels will not exceed 60 or 65 decibels using the L_{dn} scale. The Draft Master Plan states noise standards using the L_{eq} scale, which measures maximum hourly sound levels. The two scales are not absolutely compatible, since the L_{dn} scale measures noise over a cumulative duration of a noise event in zero-, one-, five-, fifteen-, and thirty-minute periods. This difference in methodology may not represent an inconsistency, but needs to be reconciled.

The Draft Master Plan includes other regulations or requirements that are not consistent with the Development Title. These are listed in Table 4.2-2. In addition, the Draft Master Plan contains several new regulations, requirements, procedures, and findings that are not addressed in the Development Title. These new regulations are also listed in Table 4.2-2.

TABLE 4.2-2

CONSISTENCY BETWEEN DEVELOPMENT TITLE AND MASTER PLAN REGULATIONS

Development Title Regulation	Master Plan Regulation	Mitigation
The Development Title specifies minimum lot sizes and widths, maximum building heights and coverage, and minimum front, side, and rear setbacks.	Several of the lot and structure standards in Table 4.1 of the Draft Master Plan are not consistent with the Development Title.	Change the Master Plan regulations or adopt a Development Title Amendment (see Mitigation Measure M4.2-2)
The Development Title specifies use types and uses permitted in each zoning district.	Numerous use types and permitted uses indicated in Table 3.5 of the Draft Master Plan are not consistent with the Development Title and vice versa.	Change the Master Plan regulations or adopt a Development Title Amendment (see Mitigation Measure M4.2-2)
The Development Title specifies standards for home occupations, second unit dwellings, fencing and screening, and landscaping.	Some of the Draft Master Plan regulations are not consistent with the Development Title.	Change the Master Plan regulations or adopt a Development Title Amendment (see Mitigation Measure M4.2-2)
The Development Title specifies standards or requirements for subdivision applications, grading and excavation, signs, storm drainage, roadway standards, parking, and parking lots.	The Draft Master Plan includes some standards or requirements that are not consistent with the Development Title.	Change the Master Plan regulations or adopt a Development Title Amendment (see Mitigation Measure M4.2-2)
The Development Title does not allow public alleys.	The Draft Master Plan includes standards for public alleys.	Change the Master Plan regulations or adopt a Development Title Amendment (see Mitigation Measure M4.2-2)
The Development Title does not specify standards or requirements for many regulations and programs included in the Draft Master Plan.	The following regulations or requirements in the draft Master Plan are not consistent or are undefined in the Development Title: contamination reports for subdivisions; different application requirements for subdivisions and Development Permits; setbacks from wetlands, electromagnetic fields, specified roads and land uses; illegal dumping or illicit connections; standards for bikeways, bike parking, pedestrian paths, and public alleys; findings regarding jobs/housing for approval of zone reclassifications; use of public land equity program for public land dedication; cost reimbursement program for expenditures in excess of fair share; and affordable housing fee.	Change the Master Plan regulations or adopt a Development Title Amendment (see Mitigation Measure M4.2-2)
The Development Title requires that a Special Purpose Plan be prepared for the Mixed Use (M-X) zone.	The Draft Master Plan requires that a Specific Plan, not a Special Purpose Plan, be prepared for the Town Center subarea, which includes the M-X zone.	Change the Master Plan regulations or adopt a Development Title Amendment (see Mitigation Measure M4.2-2)

Note: These are the most significant inconsistencies between the Draft Master Plan and the County Development Title that have been identified. Additional inconsistencies between the two documents may be identified, based on the interpretation of policies by County staff. According to County staff, some amendments to the Development Title necessary to accommodate the Master Plan might be applicable Countywide and to all new communities.

Mitigation Measure M4.2-2

For each inconsistency between the Master Plan and the County Development Title that allows more lenient standards in the Master Plan, either the Master Plan standard must be changed or the Development Title must be amended to permit the difference. If any regulations in the Development Title are changed to reconcile inconsistencies, the proposed Development Title Amendment should be phrased to apply only to the project, only to new communities, or only to projects that have an adopted Master and Specific Plan.

SPECIFIC PLAN

Draft Specific Plan I includes rezoning of the site to various urban densities. Specific Plan I development would be governed by the County's General Plan 2010 and policies and implementations of the Master Plan. No additional impacts related to General Plan and Development Title consistency have been identified in the Draft Specific Plan I. No further impacts have been identified.