



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

STAFF REPORT

TO: ALAMEDA COUNTY PLANNING COMMISSION

HEARING DATE: July 7, 2025

GENERAL INFORMATION

APPLICATION NUMBER & TYPE: PLN2022-00193; Environmental Review of Subdivision (Vesting Tentative Tract Map TR-8243) “Arroyo Lago”

OWNER: Steve Dunn / SteelWave for: USL Pleasanton Lakes LP

APPLICANT: Steve Reilly / 330 Land Company

PROPOSAL: Environmental Review of Subdivision (Vesting Tentative Tract Map TR-8243) “Arroyo Lago”

Environmental Review (EIR/Environmental Impact Report) for Subdivision of a 26.6-acre parcel into 194 residential lots + 12 common lots + 3 off-site lots (1 within City of Pleasanton) containing infrastructure needed to serve the development including roads, sewer, domestic water and storm drain.

ADDRESS AND SIZE OF PARCEL: 3030 Mohr Avenue; Side: North; Distance: 0.3 miles; Direction: east of cross street: Valley Ave, unincorporated area of East County;

Assessor’s Parcel Numbers:

- 946 -4634-001-00 (residential subdivision) 26.56-acres;
- 946 -4634-002-00 (sewer treatment plant; bioretention area; agricultural irrigation recycled water spray fields; roads) 118.36-acres;
- 946-1350-3-10 (water storage and booster pump facility) 3.05-acres; and
- 946-1250-19-6 (well @ City of Pleasanton).

ZONING: A - Agricultural

GENERAL PLAN DESIGNATION: This site is located within the East County Area Plan adopted by Alameda County Board of Supervisors in 1994 and amended. The Plan currently designates the site:

- ECAP-MDR, East County Area Plan-Medium Density Residential (residential);
- ECAP-LPA, East County Area Plan-Large Parcel Agriculture (infrastructure); and
- ECAP-WM, East County Area Plan-Water Management (infrastructure)

ENVIRONMENTAL REVIEW: An EIR (Environmental Impact Report) was prepared for this project, and the current request is for review of the Final EIR. Under State of California law, there is no formal comment period for a Final EIR. The document is available beginning June 30, 2025, on the Alameda County Planning Department web page: <https://www.acgov.org/cda/planning/ceqa-projects/index.htm> and at the Pleasanton Library, Reserve Desk at 400 Old Bernal Ave, Pleasanton CA 94566.

BACKGROUND

Arroyo Lago is a proposed Subdivision in preparation for a 194 market-rate single-family development project (with 49 Accessory Dwelling Units (“ADUs”)) located on an approximately 26.6-acre site designated as Medium Density Residential in the County’s East County Area Plan (ECAP), directly east of the City of Pleasanton.

Timeline

The Applicant submitted a SB 330 preliminary application for the Project in June 2022 and submitted the formal development application in August of 2022, which was deemed complete by the County in February 2023.

The County commenced the process of preparing an Environmental Impact Report (“EIR”) for the Project in May 2023 as follows:

- o May 12, 2023: Notice of Preparation (NOP) issued
- o June 08, 2023: Public Scoping Meeting held
- o June 12, 2023: NOP review period closed
- o Sept. 09, 2024: Draft EIR issued for public review
- o October 29, 2024: Public Meeting on Draft EIR
- o November 08, 2024: 60-day public review ends
- o July 03, 2024: Final EIR issued
- o July 21, 2025: Final EIR to be considered by County Planning Commission

Recommendation

Planning Department staff recommends that the Planning Commission review the staff report, discuss the Arroyo Lago FEIR, take public testimony, and continue this item until July 21, 2025, for a potential vote to certify the Arroyo Lago FEIR at that July 21, 2025, Planning Commission hearing.

The above recommendation anticipates that the project will ultimately be annexed into the City of Pleasanton in the next several months, thus no action on the project under County jurisdiction is being requested at this time. The Local Agency Formation Commission (LAFCo) will need to approve any annexation, with the City as the applicant. The action item under consideration at the July 21, 2025, or subsequent Planning Commission hearing will be EIR certification only; no Project is being considered by at this time. A discussion pertaining to this particular approach is included below.

At the July 21 hearing, Staff anticipates recommending certification of the FEIR with the Annexation Alternative, which is also the environmentally superior alternative.

PROPOSED PROJECT

The project site is located directly east of the City of Pleasanton city limits between Lake I of the Zone 7 Chain of Lakes north of the project site and Cope Lake to east of the project site (Exhibit 2- 2a). The project site does not currently have a street address but can be accessed north of the eastern end of Busch Road. The site is within the unincorporated County but is also within the City of Pleasanton’s Sphere of Influence (SOI). Presently, the project site is vacant with no structures or existing development. An informal access road travels from the southeast corner of the project site, across the site, and to the northwest corner along the western boundary of the site.

The 330 Land Company (project applicant) proposes to construct 194 market-rate single-family homes with approximately 25 percent (49 homes) designed as Accessory Dwelling Units (ADU), a 0.7-acre centrally located park, and approximately 0.5 mile of designated public walking trails on an approximately 26.6-acre site. The proposed project would also include internal roadways and two driveways to facilitate access and circulation within the project site.

Additionally, the proposed project would include off-site infrastructure to support the proposed development, including an approximately 1-acre sewer treatment plant, an approximately 0.4-acre water storage and booster pump facility, an approximately 2.5-acre recycled water storage facility with an approximately 10- to 15-foot depth, approximately 8.5 acres of agricultural irrigation recycled water spray fields, and two bioretention areas with treatment areas sized at approximately 0.9-acre and 0.03-acre, respectively.

The objectives of the Proposed Project are to:

- Complete an annexation process in conjunction with the City of Pleasanton.
- Contribute additional housing opportunities consistent with the County's Housing Element and its Sixth Cycle Regional Housing Needs Assessment (RHNA) approved by the Association of Bay Area Governments (ABAG).
- Develop the project site in accordance with applicable, objective County land use regulations.
- Further preservation of open space by providing for the compact and orderly development of sites adjacent to existing development.
- Generate new, additional property tax revenues.
- Provide a range of professionally designed housing options, including single-family homes and affordable Accessory Dwelling Units.
- Create a walkable, outdoor environment, by providing open space, parks, and walking trails for both private and public use, allowing both existing and new residents to take advantage of the development.
- Ensure adequate utility infrastructure exists, including sewer, water, and storm drain, to accommodate the development.
- Promote the efficient use of water and energy through incorporation of water and energy conservation measures.

ENVIRONMENTAL REVIEW

Justification for Final Environmental Impact Report (FEIR) Certification without approval of the Subdivision Project:

It is anticipated the final approval of the project will occur under the City of Pleasanton jurisdiction, pending action taken on their behalf to follow the proper annexation process through LAFCo. The City is already reviewing the project and can utilize the County CEQA action to fast-track the project approval. The FEIR is complete for County purposes, based on the analysis contained in a number of professionally prepared technical studies. Once certified, the EIR can be used as an informational document to inform the City of Pleasanton's review/approval process as well as the LAFCo annexation process.

(For information on the City of Pleasanton's discussions with the project proponent about potential annexation, see the City of Pleasanton's City Council hearing of February 4, 2025; Meeting Materials at p. 257 - <https://pleasantonca.portal.civicclerk.com/event/379/files/agenda/795>)

Timeline: The CEQA process for the Project has now spanned over two years (May 2023 to present). The application was deemed complete more than two years ago.

Certifying EIR without Project Consideration/Approval is Permissible under State Law, per:

- CEQA Guidelines § 15090(a) – “(a) Prior to approving a project the lead agency shall certify that: (1) The [FEIR] has been completed in compliance with CEQA; (2) The [FEIR] was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the [FEIR] prior to approving the project; and (3) The [FEIR] reflects the lead agency's independent judgement and analysis.”
- CEQA Guidelines § 15092(a) – “After considering the final EIR and in conjunction with making findings under Section 15091, the lead agency may decide whether or how to approve or carry out the project.”

In other words, CEQA does not “require” EIR certification and Project approval to occur at the same meeting. The County is allowed to certify the EIR without an accompanying Subdivision Project approval/denial.

- *San Diego County Archaeological Soc’y v Compadres* (1978) 81 Cal.App.3d 923, 927 (under the ripeness doctrine, a CEQA challenge may not be filed before the agency has made a decision on whether to approve or carry out the project)
- *Grist Creek Aggregates, LLC v Superior Court* (2017) 12 Cal.App.5th 979, 991; *McAllister v County of Monterey* (2007) 147 Cal.App.4th 253, 274 (action is not ripe for judicial review until all administrative proceedings have been completed.)

Also, the FEIR itself is currently ready to be reviewed and certified, after an over two-year review process, and the County is obligated to act on Certification within 12 to 21 months after a project application is deemed complete.

- CEQA Guidelines § 15108 – “With a private project, the lead agency shall complete and certify the final EIR as provided in Section 15090 within one year after the date when the lead agency accepted the application as complete. Lead agency procedures may provide that the one-year time limit may be extended once for a period of not more than 90 days upon consent of the lead agency and the applicant.”

CEQA IMPACTS

The proposed project would result in the following significant unavoidable impacts:

Greenhouse Gas Emissions and Conflict with Plan, Policy, or Regulation that Reduces Emissions: As discussed in Section 3.7, Greenhouse Gas Emissions, of the Draft EIR, the proposed project would have a significant and unavoidable impact because it does not demonstrate a 15 percent reduction in resident VMT as required by BAAQMD thresholds and it is not consistent with other BAAQMD design elements requiring the incorporation of an all-

electric design. Therefore, the proposed project would satisfy one of the four design elements as outlined in the BAAQMD GHG threshold Criterion A at the time of project construction, and thus, result in significant and unavoidable impacts even with mitigation incorporated.

Cumulative GHG Emissions Impacts: The proposed project would emit new GHG emissions in conjunction with other projects within the Air Basin. As discussed above, the proposed project would have a significant and unavoidable GHG impact and, thus, would be considered to have a cumulatively significant impact as well. Therefore, the proposed project's contribution would be cumulatively considerable and, thus, significant in and of itself.

Conflict with CEQA Guidelines Section 15064.3, Subdivision (b): As detailed in Section 3.16, Transportation, the residents of the proposed project would be expected to generate 29.9 VMT per capita daily which is greater than the threshold of 25.9 VMT per capita, or 15 percent below the average VMT per capita for the Alameda County East Planning Area (which includes Dublin, Pleasanton, Livermore, and surrounding unincorporated areas). Implementing a variety of countermeasures would be expected to result in a reduction of VMT between 4.2 to 5.7 percent only. As a result, the proposed project would result in a significant and unavoidable impact without sufficient mitigation available.

Substantially increase hazards due to geometric design feature or incompatible hours: As detailed in Section 3.16, Transportation, of the Draft EIR, the proposed project would have a significant and unavoidable impact related to queuing at the intersections of Santa Rita Road/Valley Avenue and Stanley Boulevard/Valley Avenue-Bernal Avenue. This impact could be addressed by retiming the traffic signals at these intersections; however, because these signals are located within the City of Pleasanton and the City is not the lead agency for the proposed project, implementation of mitigation measures that would retime these the traffic signals at Santa Rita Road/Valley Avenue and Stanley Boulevard/Valley Avenue-Bernal Avenue to accommodate queues associated with trips anticipated to be generated by the proposed project has been deemed unenforceable, and therefore cannot be implemented as part of the proposed project.

Cumulative VMT Impacts: As detailed in Section 3.16, Transportation, of the Draft EIR, the proposed project, in conjunction with other past, present, and reasonably foreseeable projects, would have a cumulatively significant impact related to VMT. Cumulative projects in the nine-county MTC may generate new VMT, which would be added to the roadway network. All cumulative projects would be required to comply with County and local ordinances, General Plan policies that address VMT, as well as mitigate their fair share of impacts related to VMT. Nonetheless, cumulative projects would have a potentially significant impact related to VMT. Further, VMT, by definition, is cumulative. The proposed project would contribute to an increase in VMT, and that increase would be considered significant and unavoidable. Therefore, the proposed project would have a cumulatively considerable contribution to VMT. As such, the proposed project, in conjunction with other planned and approved projects, would result in a significant and unavoidable cumulative impact with respect to VMT.

Below is a summary of the alternatives considered to the Subdivision Project:

Alternative 1: No Project, No Build Alternative

Under the No Project, No Build Alternative (Alternative 1), the proposed project would not be constructed. The project site would remain closed, vacant, and no development of any kind would occur. No land use activities would occur.

Alternative 2: Annexation into the City of Pleasanton Alternative

Under the Annexation into the City of Pleasanton Alternative (Alternative 2), the residential component of the proposed project would remain the same as the proposed project, except that the site would be annexed into the City of Pleasanton (City). Under this alternative, the proposed project would connect to the City's utility systems (e.g., water, sanitary sewer), eliminating the need to construct certain off-site improvements under the proposed project, including the water storage and booster pump facility, sewer treatment plant, recycled water storage facility, agricultural spray fields.

Alternative 3: Mixed Use Alternative

Under the Mixed-Use Alternative (Alternative 3), the proposed project would remain in the County of Alameda's (County) jurisdiction and all off-site improvements as proposed under the proposed project would remain, but the residential component would have a reduced number of residential units, a total of 95 single family homes with 25 percent containing deed-restricted accessory dwelling units (ADUs) (24 homes), and the rest of the project site would include neighborhood retail/commercial uses consistent with the ECAP MDR designation. Therefore, the residential component under this Alternative would total approximately 13 acres and the neighborhood commercial uses would total approximately 13 acres.

It should be noted Staff believes that either the Proposed Project or Alternative 2 would have the most benefit to the County's Regional Housing Needs Allocation.

CONFORMANCE WITH GENERAL PLAN

This site lies within the boundaries of East County Area Plan (ECAP) land use areas of Medium Density Residential, Large Parcel Agriculture and Water Management Lands. Following are the ECAP intents for these land use areas:

***Medium Density Residential** allows for densities of 4.1 to 8.0 units per acre. This designation provides for single family detached and attached homes, multiple family residential units, group quarters, public and quasi-public uses, limited agricultural uses (e.g., nurseries, orchards, field crops), community and neighborhood commercial uses (e.g., retail stores on sites up to 15 acres, with a maximum of .4 FAR), neighborhood support uses (e.g., child care facilities with a maximum of .4 FAR), and similar and compatible uses.*

***Large Parcel Agriculture** requires a minimum parcel size of 100 acres, except as provided in Programs 40 and 41. The maximum building intensity for non-residential buildings shall be .01 FAR (floor area ratio) but not less than 20,000 square feet. Where permitted, greenhouses shall have a maximum intensity of .025. One single family home per parcel is allowed provided that all other County standards are met for adequate road access, sewer and water facilities, building envelope location, visual protection, and public services. Residential and residential accessory buildings shall have a maximum floor space of 12,000 square feet. Additional residential units may be allowed if they are occupied by farm employees required to reside on-site. Apart from infrastructure under Policy 13, all buildings shall be located on a contiguous development envelope not to exceed 2 acres except they may be located outside the envelope if necessary for security reasons or, if structures for agricultural use, necessary for agricultural use. Subject to the provisions of the Initiative, this designation permits agricultural uses, agricultural processing facilities (for example wineries, olive presses), limited agricultural support service uses (for*

example animal feed facilities, silos, stables, and feed stores), secondary residential units, visitor-serving commercial facilities (by way of illustration, tasting rooms, fruit stands, bed and breakfast inns), recreational uses, public and quasi-public uses, solid waste landfills and related waste management facilities, quarries, windfarms and related facilities, utility corridors, and similar uses compatible with agriculture. Different provisions may apply in the South Livermore Valley Plan Area, or in the North Livermore Intensive Agriculture Area.

***Water Management Lands** allows for a minimum parcel size of 100 acres and a maximum building intensity of .01 FAR. One single family home per parcel is allowed provided that all other County standards are met for adequate road access, sewer and water facilities, building location, visual protection, and public services. Residential and residential accessory buildings shall have a maximum floor space of 12,000 square feet. Apart from infrastructure under Policy 13, all buildings shall be located on a contiguous development envelope not to exceed 2 acres, except they may be located outside the envelope if necessary for security reasons or, if structures for agricultural use, necessary for agricultural use. Subject to the provisions of the Initiative, this designation provides for sand and gravel quarries, reclaimed quarry lakes, watershed lands, arroyos, and similar and compatible uses. Sand and gravel quarries allow a range of uses including sand and gravel processing, associated manufacturing and recycling uses requiring proximity to quarries, reclamation pits, and public use areas.*

Residential Project Site

The project site is designated Medium Density Residential (MDR) according to the ECAP. The approximately 26.6-acre site would be developed with an approximate density of 7.3 dwelling units per gross acre, consistent with the applicable, objective requirements of the ECAP. Therefore, the proposed project would be consistent with the governing MDR designation, and the types of permitted uses set forth in the ECAP for this designation.

Off-site Improvements

The ECAP designates the water storage and booster pump facility site and one of the bioretention areas as Water Management (WM). The ECAP designates the area that encompasses the recycled water storage facility, the sewer treatment plant, the agricultural irrigation recycled water spray fields, and the primary bioretention area as LPA. Both design options for the primary bioretention area would be designated as LPA.

The site for the approximately 0.4-acre water storage and booster pump facility and adjacent bioretention area is currently graded with no existing structures. The facility would have no full-time employees and fewer than one vehicle trip per day. The facility does not include a residential component. An existing maintenance building for the Alameda County Flood Control and Water Conservation District and an associated parking lot are located approximately 400 feet to the east of this proposed site on an approximately 1.12-acre site. Thus, the proposed water storage and booster pump facility and bioretention area would be generally consistent with the WM designation because they constitute similar uses to the types of permitted uses set forth in the ECAP for the WM designation and because they are compatible with surrounding uses.

The locations for the proposed recycled water storage facility, sewer treatment plant, agricultural irrigation recycled water spray fields, and the primary bioretention area are designated LPA according to the ECAP. The sites for the proposed off-site improvements within the designation are not developed, and there are no adjacent or nearby uses. The uses for the proposed off-site improvements would be characterized as water, wastewater, and stormwater utilities, and therefore, would be generally consistent with the permitted uses related to utilities and service systems under the LPA designation.

HOUSING ELEMENT OPPORTUNITY SITE

The State Housing Element Law (Government Code § 65580) requires each city and county to adopt a general plan for future growth. This plan must include a housing element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. The Proposed Project is included in the adopted 2023-2031 Alameda County Housing Element as a pipeline development that is anticipated to be completed by January 31, 2031. The Proposed Project is expected to credit the County toward the Regional Housing Needs Allocation (RHNA) required development and is accounted for in the County's Housing Element.

The proposed project would result in up to 194 market rate single-family residential units including up to 49 ADUs, which would be credited toward the RHNA numbers for unincorporated Alameda County. The proposed development would account for approximately 5 percent of the total dwelling units expected to be built by 2031 and 12 percent of above moderate-income level units.

CONFORMANCE WITH ZONING ORDINANCE

The project site is located in the A, Agricultural zoning district. Following is the Zoning Code intent for the Agricultural district:

17.06.010 - Agricultural districts—Intent.

Agricultural districts, hereinafter designated as A districts, are established to promote implementation of general plan land use proposals for agricultural and other nonurban uses, to conserve and protect existing agricultural uses, and to provide space for and encourage such uses in places where more intensive development is not desirable or necessary for the general welfare.

Although the proposed project would not be consistent with the minimum lot size required for the A zoning designation, under the Housing Accountability Act, a rezoning is not required because the proposed project is consistent with the applicable, objective provisions of the site's ECAP land use designation and the zoning is inconsistent with the plan.

Although the proposed project would not be consistent with the primary or conditional uses permitted for the A zoning designation, rezoning is not required because the proposed project is consistent with the site's ECAP land use designation and the current zoning is inconsistent with the ECAP. This is allowable under Government Code Sections 65589.5(j)(4) and 65905.5(c)(2), which state that where the zoning for a site is inconsistent with the general plan designation, a proposed housing development project shall not require a rezoning if the housing development project is consistent with the general plan.

Under SB330 (Housing Crisis Act) a project can only be reviewed against "objective, quantifiable, written development standards, conditions and policies" and can only be denied if certain findings described in Government Code Section 65589.5(j) are met. The Proposed Project includes construction of 194 single-family homes, with approximately 25 percent (49 homes) being designed with deed-restricted ADUs. The dwelling units would be approximately 26 to 30 feet in height. The approximately 26.6-acre site would be developed with an approximate density of 7.3 dwelling units per gross acre. The proposed project is expected to include up to approximately 691 residents.

As part of the proposed project, the existing three parcels within the project site would be subdivided and reconfigured into 194 residential lots, ranging between 3,500 square feet and 9,387 square feet, as well as 21 open space and park parcels, ranging from 1,117 square feet and 30,423 square feet in area. Furthermore, the proposed project would construct seven internal streets to provide internal circulation within the site. All circulation, excluding private roads, would be public roads maintained by the County.

The project applicant proposes to create two single-family lot design standards. Proposed lots located east of proposed roads Loop A, Street B, and Street E would be developed to “50x70 Lot Development Standards.” Proposed lots located west of proposed roads Loop A, Street B, and Street E would be developed to “50x80 Lot Development Standards.” Any development standards not called out in the table below would adhere to the County’s Single-Family Residence (R-1) zoning district development standards.

Proposed 50x70 Lot and 50x80 Lot Design Standards

Development Standard	50x70 Lot Standard	50x80 Lot Standard
Minimum Lot Size	3,500 square feet	4,000 square feet
Minimum Front Setback to Structure	10 feet	10 feet
Minimum Front Setback to Garage	18 feet	18 feet
Minimum Rear Setback to Living	10 feet	8 feet
Minimum Rear Setback to Covered Outdoor Patio	5 feet	5 feet
Minimum Side Setback to Structure	5 feet	5 feet
Maximum Lot Coverage	60 percent	60 percent
Maximum Coverage (square feet)	2,100 square feet	2,400 square feet

In conformance with the proposed development standards, the project applicant proposes to construct three housing unit types for the 50x70 Lot Development Standards and three housing unit types for the 50x80 Lot Development Standards. Plans for the housing unit types in the 50x70 lots range in size from 2,541 to 2,883 square feet with one attached garage, 4 to 5 bedrooms, and 3 to 3.5 bathrooms. Plans for the housing unit types in the 50x80 lots range in size from 2,991 to 3,398 square feet with one attached garage, 4 to 5 bedrooms, and 3 to 4.5 bathrooms.

Plan 1 would be built on a 50x80 lot and contain a 2,991-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 3 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (1a), Craftsman (1b), and Contemporary Ranch (1c) architectural style variations.

Plan 2 would be built on a 50x80 lot and contain a 3,306-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 4.5 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (2a), Craftsman (2b), and Contemporary Farmhouse (2c) architectural style variations.

Plan 3 would be built on a 50x80 lot and contain a 3,398-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 4.5 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (3a), Craftsman (3b), and Contemporary Farmhouse (3c) architectural style variations.

Plan 4 would be built on a 50x70 Lot and contain a 2,541-square-foot house. This housing type would include 4 bedrooms and a loft, 3 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (4a), Craftsman (4b), and Contemporary Farmhouse (4c) architectural style variations.

Plan 5 would be built on a 50x70 Lot and contain a 2,620-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 3.5 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (5a), Craftsman (5b), and Contemporary Farmhouse (5c) architectural style variations.

Plan 6 would be built on a 50x70 Lot and contain a 2,883-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 3.5 bathrooms, and a 2-car garage. The plan would be constructed in Farmhouse (6a), Craftsman (6b), and Contemporary Farmhouse (6c) architectural styles.

ANTICIPATED ANNEXATION INTO THE CITY OF PLEASANTON

The project proponent has been seeking annexation of the subject property into the City of Pleasanton for years, as part of a larger land development potential that includes adjacent and nearby parcels owned by SteelWave, LLC and its affiliates. These land holdings include an adjacent property located east of the subject property, in unincorporated Alameda County, and also to be annexed into the City of Pleasanton. That property has an application for preliminary review of development currently in the County, known as East Lakes. The Project Proponent has again recently begun discussions with the City of Pleasanton for annexation of the subject and surrounding parcels.

The Project Proponent is seeking annexation into the City of Pleasanton because the property is located within the City of Pleasanton's planning sphere and the City. Also, numerous neighbors, County staff, and Zone 7 have indicated that they are supportive of the project itself but have concerns with the private infrastructure that would be required as part of a County project instead of connecting to the existing public utilities operated by the City of Pleasanton.

The applicant has participated in two (2) separate Pleasanton City Council meetings to discuss potential annexation. The first meeting was a City-initiated study session held in August of 2024. At the August of 2024 meeting, City staff was asked by the Council to conduct more research and provide the Council with the pros and cons of annexation. After completing extensive review to ensure the City had adequate capacity to serve the project and conducting a fiscal analysis of the project being built out in the City versus the County, City staff agendaized a second City Council meeting in February of 2025. At the February of 2025 meeting the City Council voted unanimously to instruct City staff to begin processing City entitlements for the project and to take further actions to annex the property.

Since February of 2025, the Project Proponent has submitted a formal development application to the City of Pleasanton for a General Plan Amendment, pre-zoning, Planned Unit Development, Tentative Map, and annexation. The City has provided comments to the development application and the applicant has worked diligently to address all the City's comments and anticipates resubmitting the development application within the next week. Additionally, the Project Proponent has continued public outreach with the neighborhoods immediately west of the project site and has made further refinements to the project to alleviate grading concerns. Their current schedule has the project going to the City Council for final approval approximately three months after the FEIR is certified by the County. The City and the applicant will immediately submit an annexation application to Alameda County LAFCo after City approval and anticipates that the LAFCo review and approval will take approximately three months, which allow for the formal annexation to be completed in the first quarter of 2026.

The proposed annexation of the subject property and subsequent subdivision and development within the City of Pleasanton jurisdiction would include the residential component as proposed under the proposed project. However, because the proposed project would be located within the City, it would be served by the City's utility providers and public service providers. Thus, the proposed project would not need to develop the following off-site components: water storage and booster pump facility, sewer treatment plant, recycled water storage facility, and agricultural irrigation recycled water spray fields. The annexation would result in the development of a similar number of residential units and would include the same roadway, bicycle, and pedestrian improvements along Busch Road, but with no construction related to off-site utility improvements. Staff considers this to be the better planning and environmentally superior result. Also, the RHNA credits for the 194 dwelling units would remain with Alameda County.

Annexation is a process that would require active collaboration and approval between the City of Pleasanton, Alameda County, and the Local Agency Formation Commission (LAFCo). The County Community Development Agency received approval from the Board of Supervisors at their June 12, 2025 to negotiate RHNA numbers with the City of Pleasanton for the subject parcel and for other parcels that the City of Pleasanton is actively looking to annex from the County. County and City staff are in the process of scheduling those negotiations, with the understanding that since the 194 dwelling units for this parcel were identified in the County's Housing Element as fulfilling a part of our RHNA responsibilities, those units would remain as a credit for the County.

Certifying the EIR now will be helpful and informative for the City/LAFCo planning processes that are actively being pursued in an effort to annex the subject property into the City of Pleasanton for near future subdivision and development.

RECOMMENDATION

Staff recommends that the Alameda County Planning Commission review this application as an Informational Item, based on the drawings marked Exhibit "A" and dated July 3, 2025, on file with the Alameda County Planning Department, and continue this item to the July 21, 2025, Planning Commission hearing for a potential vote on Certification of the Environmental Impact Report only.

At the July 21, 2025, Planning Commission hearing, Staff anticipates recommending certification of the FEIR with the Annexation Alternative, which is also the environmentally superior alternative.

ATTACHMENTS

- Exhibit A: Environmental Certification: Arroyo Lago Residential Project; Environmental Impact Report, State Clearinghouse Number 2023050339 dated July 3, 2025
- PowerPoint slide show presentation: Arroyo Lago Residential Project Final EIR, Planning Commission Meeting, Monday July 7, 2025

PUBLIC ACCESS TO THE EIR

- The Environmental Impact Report document is available beginning June 30, 2025, on the Alameda County Planning Department web page:

<https://www.acgov.org/cda/planning/ceqa-projects/index.htm>; and

at the Pleasanton Library, Reserve Desk at 400 Old Bernal Ave, Pleasanton CA 94566.

Prepared By: Aubrey Rose, AICP, Planner

Reviewed By: Rodrigo Orduña, AICP, Assistant Planning Director

LOCAL VICINITY MAP



PROJECT SITE WITH ASSESSOR PARCEL NUMBERS



EXISTING LAND USE DESIGNATIONS



RESIDENTIAL SITE MAP



RESIDENTIAL PARCELS AND STREETS PLAN



HOUSING AND LANDSCAPING PLAN



- 1 Accent Paving
- 2 Entry Plaza
- 3 Bermed Lawn
- 4 Center Picnic Plaza with Shade Structure
- 5 Garden with Decomposed Granite Path
- 6 Natural Play Tot Lot

- 1 Park Enlargement see next page
- 2 Ornamental Fence at Trail Edge
- 3 Street Trees
- 4 Monument Sign
- 5 Hydroseed

EXTERIOR ELEVATIONS OF RESIDENTIAL UNITS



50x70 Lots



50x80 Lots



59.5x95 Lots



PROPOSED OFF-SITE IMPROVEMENTS PLAN OPTION A



PROPOSED OFF-SITE IMPROVEMENTS PLAN OPTION B



EMERGENCY ACCESS ROUTES



**Certification
Arroyo Lago Residential Project
Environmental Impact Report
County of Alameda, California**

State Clearinghouse Number 2023050339

Prepared for:

County of Alameda

224 West Winton Avenue

Hayward, CA 94544

510.670.5400

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CERTIFICATION

1.1 - Introduction

An Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA) has been prepared by County of Alameda (County). The Draft EIR for the Arroyo Lago Residential Project (“project” or “proposed project”) identifies significant effects on the environment, which may occur as a result of the proposed project and was circulated for public review and comment. The Final EIR (consisting of the Introduction, Master Responses, Responses to Public Comment Letters, Responses to Public Meeting Verbal Comments, Errata, and Appendices A through C) incorporates the Draft EIR. For purposes of this Certification the “EIR” shall consist of the Draft EIR, all appendices attached to the Draft EIR, the Final EIR, and all appendices attached to the Final EIR.

1.2 - State CEQA Guidelines

The State Guidelines (Guidelines) promulgated pursuant to CEQA provide:

Prior to approving a project the lead agency shall certify that:

- 1) The final EIR has been completed in compliance with CEQA
- 2) The final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
- 3) The final EIR reflects the lead agency’s independent judgement and analysis. (Guidelines § 15090.)

1.3 - Project Summary

The proposed project includes construction of 194 single-family homes, with approximately 25 percent (49 homes) being designed with deed-restricted ADUs. The dwelling units would be approximately 26 to 30 feet in height. The approximately 26.6-acre site would be developed with an approximate density of 7.3 dwelling units per gross acre. The proposed project is expected to include up to approximately 691 residents.

As part of the proposed project, the existing three parcels within the project site would be reconfigured into 194 residential lots, ranging between 3,500 square feet and 9,387 square feet, as well as 21 open space and park parcels, ranging from 1,117 square feet and 30,423 square feet in area. Furthermore, the proposed project would construct seven internal streets (Streets A-F and Loop A) to provide internal circulation within the site. All circulation, excluding private drive aisles, would be public roads maintained by the County.

The project applicant proposes to create two single-family lot design standards. Proposed lots located east of proposed roads Loop A, Street B, and Street E would be developed to “50x70 Lot

Development Standards.” Proposed lots located west of proposed roads Loop A, Street B, and Street E would be developed to “50x80 Lot Development Standards” or the County’s Single-Family Residence (R-1) zoning district development standard.

In conformance with the proposed development standards, the project applicant proposes to construct three housing unit types for the 50x70 Lot Development Standards and three housing unit types for the 50x80 Lot Development Standards. Plans for the housing unit types in the 50x70 lots range in size from 2,541 to 2,883 square feet with one attached garage, 4 to 5 bedrooms, and 3 to 3.5 bathrooms. Plans for the housing unit types in the 50x80 lots range in size from 2,991 to 3,398 square feet with one attached garage, 4 to 5 bedrooms, and 3 to 4.5 bathrooms.

- Plan 1 would be built on a 50x80 lot and contain a 2,991-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 3 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (1a), Craftsman (1b), and Contemporary Ranch (1c) architectural style variations.
- Plan 2 would be built on a 50x80 lot and contain a 3,306-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 4.5 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (2a), Craftsman (2b), and Contemporary Farmhouse (2c) architectural style variations.
- Plan 3 would be built on a 50x80 lot and contain a 3,398-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 4.5 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (3a), Craftsman (3b), and Contemporary Farmhouse (3c) architectural style variations.
- Plan 4 would be built on a 50x70 Lot and contain a 2,541-square-foot house. This housing type would include 4 bedrooms and a loft, 3 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (4a), Craftsman (4b), and Contemporary Farmhouse (4c) architectural style variations.
- Plan 5 would be built on a 50x70 Lot and contain a 2,620-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 3.5 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (5a), Craftsman (5b), and Contemporary Farmhouse (5c) architectural style variations.
- Plan 6 would be built on a 50x70 Lot and contain a 2,883-square-foot house. This housing type would include 4 bedrooms and a loft (optional bedroom), 3.5 bathrooms, and a 2-car garage. The plan would be constructed in the Farmhouse (6a), Craftsman (6b), and Contemporary Farmhouse (6c) architectural style variations.

Discretionary and ministerial approvals and permits are required for implementation of the proposed project.

1.4 - Procedural Background

The County of Alameda released a Notice of Preparation (NOP) for public review from May 12, 2023, to June 12, 2023 (30-day review period). The NOP and copies of comments received are included as Appendix A to the Draft EIR.

On June 8, 2023, a scoping meeting was held at the Pleasanton Public Library located at 400 Old Bernal Avenue during which individuals and organizations/agency representatives were invited to provide oral comments on the scope of the Draft EIR.

The Draft EIR was circulated for a public review period between September 9, 2024, and November 8, 2024, for a 60-day review period. The Draft EIR was publicly available at <https://ceqanet.opr.ca.gov/Project/2023050339>. In addition, the Draft EIR was posted on the County of Alameda Planning Department at <https://www.acgov.org/cda/planning/landuseprojects/> during the public review period.

Subsequently, a public meeting was held on October 29, 2024, at the Amador Recreation Center located at 4443 Black Avenue, Pleasanton, CA 94556, during which individuals and organizations/agency representatives were invited to provide oral comments on the Draft EIR.

The County of Alameda prepared a Final EIR, consisting of the comments received on significant environmental issues during the 60-day public review and comment period on the Draft EIR, written responses to those comments, revisions to the Draft EIR, and an errata making minor, non-substantive changes to the Final EIR.

The County of Alameda subsequently considered all oral and written comments regarding environmental issues in the Final EIR and determined, based on all of the evidence presented, including but not limited to the EIR, written and oral testimony given at public meetings and hearings in connection therewith, and the submission of comments from the public, organizations and regulatory agencies, as well as all other relevant information in the administrative record, the following environmental impacts associated with the proposed project are: (1) less than significant and do not require mitigation; or (2) potentially significant but will be avoided or reduced to a level of insignificance through the identified mitigation measures; or (3) significant and cannot be fully mitigated to a level of less than significant but will be substantially lessened to the extent feasible by the identified mitigation measures.

The County of Alameda concludes that implementation of the proposed project could result in potentially significant and significant adverse environmental impacts. As reflected in the Final EIR, there is disagreement among various parties regarding particular conclusions in the EIR. CEQA and relevant case law interpreting the CEQA statute and Guidelines provide the standards for treating disagreement among experts in the context of an EIR, as follows: Where evidence and opinions conflict on an issue concerning the environment, and the lead agency knows of these controversies in advance, the EIR and/or related findings must acknowledge the controversies, summarize the conflicting opinions of the experts, and include sufficient information on the controversy. In making a decision on a project where there is disagreement among experts, the lead agency is not obligated to select the viewpoint that purports to be the most environmentally sensitive. Instead, decision-makers are vested with the discretion to weigh expert opinion and choose which they intend to rely on and are not required to resolve a dispute among experts. In their proceedings, decision-makers must consider comments received concerning the adequacy of the EIR and address any objections raised in these comments. However, decision-makers are not obligated to follow any directives, recommendations, or suggestions presented in comments on an EIR, and can certify an EIR without needing to resolve disagreements among experts.

In making its decision to certify the EIR, the County of Alameda recognizes that a range of technical and scientific opinions exist with respect to certain environmental issues. The lead agency has acquired a comprehensive and well-rounded understanding of the range of these technical and scientific opinions by its review of the EIR; as well as by its review of the information provided by the experts who prepared the EIR; the lead agency's other consultants and its staff; along with testimony, letters, reports, and other relevant materials in the administrative record, as well as its own experience and expertise in these matters. The materials reviewed by the lead agency include conflicting expert opinions and conflicting statements of facts, as well as other comments on the environmental issues set forth in the EIR. This comprehensive review has enabled the lead agency to make its decisions after weighing and considering the various viewpoints on these important issues, and the lead agency has made determinations of significant effects based on substantial evidence, not public controversy or speculation. Accordingly, the lead agency hereby certifies that its determinations are based on all of the evidence contained in the EIR, as well as the evidence and other information in the record addressing the environmental impacts of the proposed project, and hereby elects to rely on the analysis and evidence set forth in the EIR.

1.5 - Certification of the EIR

The County certifies that the EIR has been completed in compliance with CEQA. The County of Alameda has heard, been presented with, reviewed, and considered all of the information and data in the administrative record, including the Draft and Final EIR, and all oral and written evidence presented to it during all meetings and hearings. The EIR reflects the independent judgment of the County of Alameda and is deemed adequate for purposes of making decisions on the merits of the proposed project.

Accordingly, the County certifies the EIR.

1.6 - Recirculation Not Required

During the public review period after the Draft EIR was published, the Lead Agency received certain additional information. Lead Agency staff and consultants involved in preparing the various studies, reports and analyses included in the Draft EIR have also presented additional information since the publication of the Draft EIR. Some of this information was contained in comments submitted on the Draft EIR, and in responses to those comments contained in the Final EIR. Other information was presented at or before public meetings/hearings on the EIR. The EIR incorporates feasible mitigation, additions, clarifications, modifications, and other changes, in response to comments and as determined appropriate by Lead Agency staff and required under CEQA.

Under *Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1993) 6 C4th 1112 (Laurel Heights II) and the State CEQA Guidelines (14 California Code of Regulations [CCR] § 15088.5(a)(3)), when information added to the Final EIR consists of a suggested additional mitigation measure, recirculation is required only if the new mitigation measure meets all of the following criteria (*South County Citizens for Smart Growth v. County of Nevada* (2013) 221 CA4th 316, 330):

- It is feasible;

- It is considerably different from the alternatives or mitigation measures already evaluated in the Draft EIR;
- It would clearly lessen the project's significant environmental impacts; and
- It is not adopted.

Recirculation is only required if each of the above tests is met. (South County Citizens, *supra* at 330). As described in detail in the Final EIR, mitigation measures proposed during the public comment period are either (1) not necessary; (2) not feasible; (3) or are already included as mitigation.

The Lead Agency has considered all relevant information including the opinions and comments of interested agencies, organizations and individuals. The Lead Agency finds that the additional mitigation does not meet the test for recirculation. Additionally, the Lead Agency finds that none of the additional information provided during the public comment period demonstrates any of the following situations requiring recirculation identified in State CEQA Guidelines Section 15088.5 have occurred:

- A new significant environmental impact that would result from the project (or any alternative) or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project (or an alternative), but the project's proponents decline to adopt it.
- The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Based on the foregoing and as explained in more detail in the Final EIR, and having reviewed all the information in the record of proceedings, the Lead Agency hereby finds that the additional information and clarifications provided in the Final EIR do not constitute significant new information nor does it require recirculation of the EIR. The additional information merely clarifies or amplifies an adequate EIR.

1.7 - Custodian of Record; Scope and Content of Record

The documents and materials that constitute the record of proceedings on which this Certification has been based are located at

Planning Department
224 West Winton Avenue, Room 111
Hayward, CA 94544
Phone: 510.670.5400

Pleasanton Library
400 Old Bernal Avenue
Pleasanton, CA 94566

Phone: 925.931.3400

This information is provided in compliance with Public Resources Code Section 21081.6.

Various documents, information, testimony, reports, studies, analyses and other materials (both oral and written) constitute the record upon which the County bases this Certification. The documents in the record include all items referenced in Public Resources Code Section 21167.6(e).

draft



Arroyo Lago Residential Project Final EIR

Planning Commission Meeting

Monday, July 7, 2025

Introductions

- County of Alameda (Lead Agency)
 - Rodrigo Orduña, AICP, Assistant Planning Director
 - Aubrey Rose, AICP, Planner III
- FirstCarbon Solutions (Environmental Consultant)
 - Mary Bean, Project Director
- 330 Land Company (Applicant)



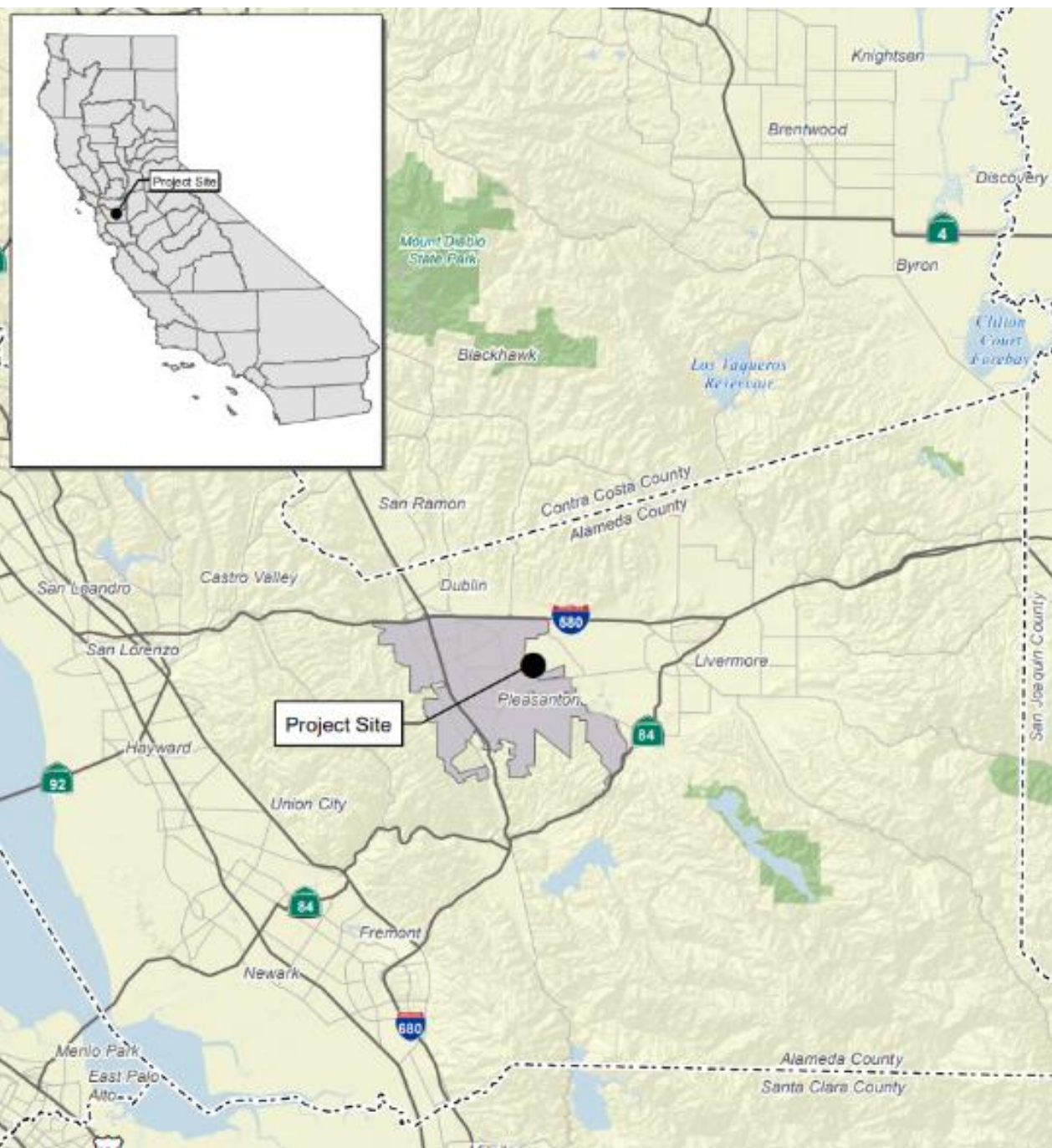
Agenda

- Project Location & Existing Conditions
- Project Overview
- Environmental Review Process
- EIR Summary





Regional Project Location





Project Location & Existing Conditions



Project Overview

- 26.6-acre site located in unincorporated Alameda County
- Development of 194 residential lots, ranging from 3,500 square feet to 9,387 square feet
 - 194 single-family homes
 - 49 homes with deed-restricted accessory dwelling units (ADUs)
- 21 open space and park parcels ranging from 1,117 square feet and 30,423 square feet.
- 7 internal streets to provide internal circulation



Residential Site Plan



Project Overview

- Off-site improvements:
 - Two design options (Design Option A or B)
 - Components:
 - Water Storage and Booster Pump Facility
 - Recycled Water Storage Facility
 - Sewer Treatment Plant
 - Agricultural Irrigation Recycled Water Spray Fields
 - Bioretention Areas
 - Roadway, Bicycle, and Pedestrian Improvements



Off-site Improvements – Design Option A



Off-site Improvements – Design Option B



Environmental Review

- California Environmental Quality Act (CEQA) applies to projects that require a discretionary approval from a state or local agency
- An EIR is the highest level of CEQA review
- EIR identifies mitigation measures to reduce the severity of potentially significant environmental impacts



CEQA Milestones

- May 12, 2023: Notice of Preparation (NOP) issued
- June 08, 2023: Public Scoping Meeting held
- June 12, 2023: NOP review period closed
- Sept. 09, 2024: Draft EIR issued for public review
- October 29, 2024: Public Meeting on Draft EIR
- Nov. 08, 2024: 60-day public review period ends
- July 03, 2024: Final EIR issued
- July 21, 2025: Final EIR to be considered by Planning Commission



EIR Summary

- 18 topical issues evaluated
- 1 topical issue evaluated in Effects Found Not to Be Significant (Agricultural & Forestry Resources)
- 2 topical issues had significant and unavoidable impacts
- 16 topical issues had less than significant findings impacts or could be mitigated to a less than significant level.
- 3 project alternatives evaluated



Significant and Unavoidable Impacts

- Topical areas with significant and unavoidable impacts:
 - **Section 3.7 - Greenhouse Gas Emissions:**
 - Greenhouse Gas Emissions and Conflict with Plan, Policy, or Regulation that Reduces Emissions
 - Cumulative GHG Emissions Impacts
 - **Section 3.16 - Transportation:**
 - Conflict with CEQA Guidelines Section 15064.3, Subdivision (b)
 - Substantially increase hazards due to geometric design feature or incompatible hours
 - Cumulative VMT Impacts



Proposed Mitigation Measures

- 15 mitigation measures proposed for the project:
 - **MM AIR-1:** Implement BAAQMD Best Management Practices to Control Dust During Construction
 - **MM AIR-3:** Implement measures to reduce potential exposure of diesel particulate matter (DPM) and particulate matter less than 2.5 micrometers (PM2.5) in diameter emission to nearby sensitive receptors during construction.
 - **MM BIO-1a:** Implement measures to avoid adverse impacts to active burrowing owls
 - **MM BIO-1b:** Implement measures to protect Active Bird Nests



Proposed Mitigation Measures

- 15 mitigation measures proposed for the project:
 - **MM BIO-2a & MM BIO-2b:** Implement measures to avoid and minimize indirect temporary and permanent impacts to riparian vegetation (applicable only to Design Option B)
 - **MM CUL-2a & MM GEO-6:** Implement a Worker Environmental Awareness Program (WEAP) to protect archaeological and paleontological and paleontological monitoring during construction.
 - **MM CUL-2b & MM CUL-3:** Implement measures to protect buried cultural resources or human remains in that event they are discovered during construction.



Proposed Mitigation Measures

- 15 mitigation measures proposed for the project:
 - **MM GEO-1:** Prepare a Design-Level Geotechnical Study prior to project development and implement its recommendations.
 - **MM GHG-1 & MM GHG-2:** Submit documentation that that the development would be pre-wired for future all-electric use and the purchase of carbon offsets to reduce GHG.
 - **MM NOI-1:** Implementation of measures to reduce potential construction-period noise impacts.
 - **MM TRANS-2:** Implement traffic calming elements on all street improvements.



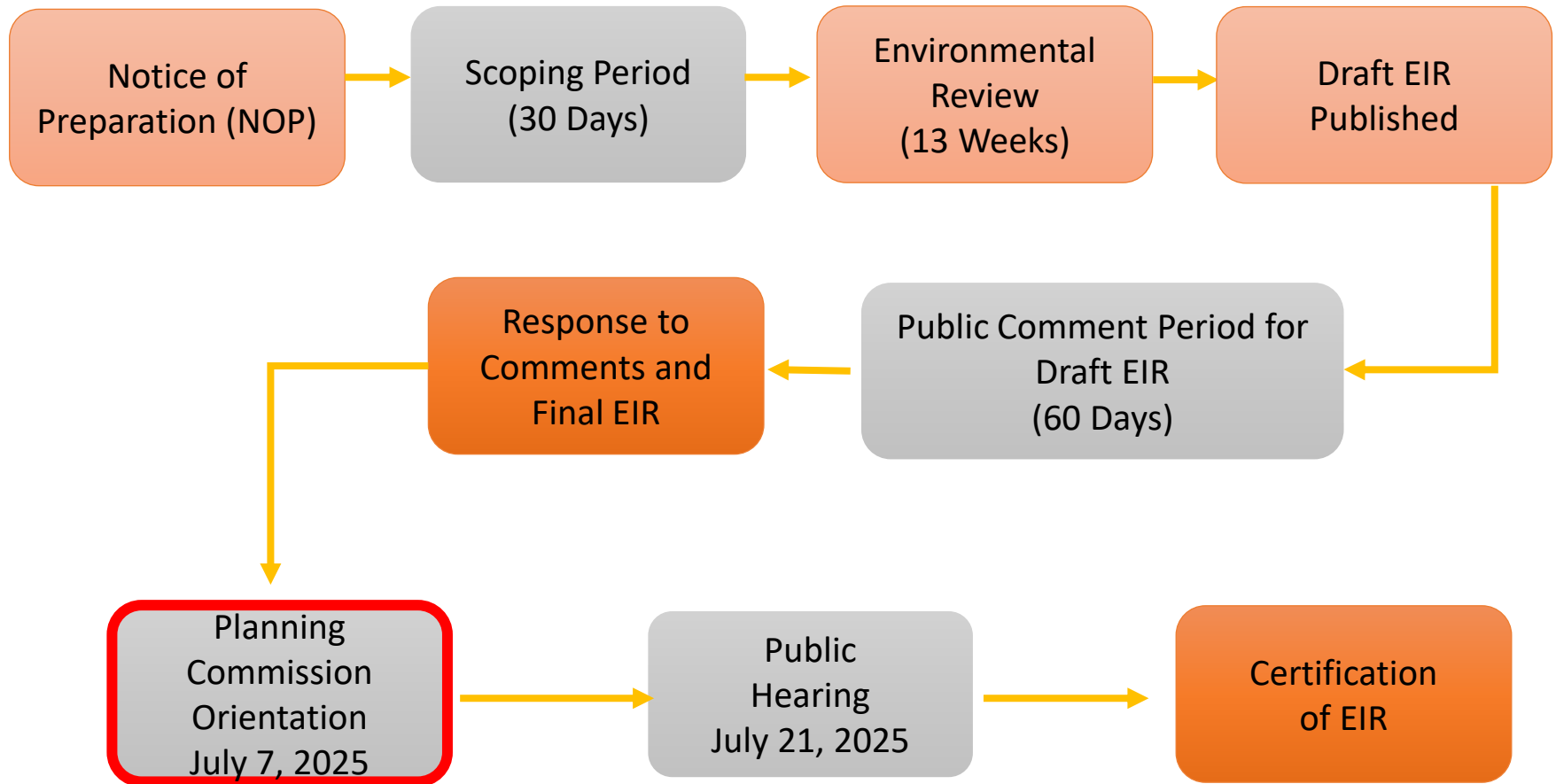
Alternatives

- Proposed alternatives to the proposed project and their impact analysis are included in Chapter 6 of the Draft EIR and include:
 - **Alternative 1:** No Project, No Build Alternative
 - **Alternative 2:** Annexation into the City of Pleasanton
 - **Alternative 3:** Mixed Use Alternative
- **Alternative 2** was found to be the environmentally superior alternative
- Alternatives initially considered but rejected from further consideration:
 - Single-Story Alternative
 - Alternative Location Alternative



Certifying the EIR without Approving the Project

Next Steps



 = Opportunity for Public Input





THANK YOU!

